

A stylized, semi-circular graphic of a globe in shades of blue and green, showing the continents of North and South America. It is positioned in the upper left quadrant of the cover.

NEW YORK UNIVERSITY

CENTER ON INTERNATIONAL COOPERATION

A stylized, semi-circular graphic of a globe in shades of blue and green, showing the continents of Africa and Europe. It is positioned in the lower right quadrant of the cover.

**THE ROLE OF THE UNITED NATIONS
IN MIDDLE EAST CONFLICT
PREVENTION**

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CENTER ON INTERNATIONAL COOPERATION

It is now widely agreed that the world faces old and new security challenges that are more complex than our multilateral and national institutions are currently capable of managing. International cooperation is ever more necessary in meeting these challenges. The NYU Center on International Cooperation (CIC) works to enhance international responses to conflict, insecurity, and scarcity through applied research and direct engagement with multilateral institutions and the wider policy community.

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Introduction

Conflicts in the Middle East are of strategic, economic and religious importance to the world's most powerful states. For centuries the region has been at the centre of struggles for religious and economic dominance. In the past decade alone, both the United States and the European Union have invested immense political capital and many billions of dollars in efforts to transform the political and security dynamics of the Middle East.

A number of United Nations peacekeeping and political missions are deployed in this region.¹ These missions are mandated by the Security Council to help maintain truces and ceasefires, to report to the Security Council on the actions of the parties, and to employ the Secretary-General's good offices to promote peace, security and the resolution of conflicts. These missions are generally well-resourced and enjoy the political support of member states; but despite these strengths the United Nations is not a powerful political actor in the Middle East. UN missions have no capacity to force recalcitrant parties to take particular courses of action, and cannot by themselves provide financial support or security guarantees. In this tough region, a Security Council Resolution or an intervention by the Secretary-General has less impact than it does in other less politically crowded and strategically important contexts. For this reason, the UN's record in Middle East conflict prevention is in some ways less than impressive: the Organisation has been powerless to enforce numerous Security Council resolutions calling for "Withdrawal of Israeli armed forces from territories occupied" in the 1967 war, "a just settlement of the refugee problem,"² and for implementation of the Tenet Work Plan, the Mitchell Report recommendations³ and the Roadmap.⁴ It was unable to stop Israeli attacks on Gaza in early 2009, or force Iran to comply with resolutions relating to its nuclear activities. And the UN could not prevent the "illegal" US invasion of Iraq in 2003.⁵

The UN's reputation has certainly been damaged by the "gap", as one Arab diplomat put it, "between what the Organisation promises and its ability to make a difference on the ground."⁶ But while UN missions lack hard enforcement power, the Organisation does have immense scope to intervene in more subtle ways in the Middle East. The UN Security Council, often operating with advice or guidance from the Secretary-General, has a

unique capacity to provide legal endorsement and legitimise particular courses of action: to endorse international borders, or to certify (or deny) that an occupation has ended. United Nations political envoys operate under broad mandates and routinely interact with a range of regional parties, often with the support of powerful member states. Meanwhile, UN peacekeeping, humanitarian and political officers are based in the region's most complex and sensitive areas, often in places that are inaccessible to other international actors. Many UN officials have been in post for several years and speak relevant languages. They have regular access to government and security officials, professionals and civil servants, militia leaders, religious authorities, refugees, and thousands of ordinary families. Through these contacts, and via this range of operations, the UN can open doors, initiate discussions, and cross borders in ways that are impossible for many other actors.

United Nations political and peacekeeping missions can deploy their tools most effectively when they are supported by powerful UN member states. The Organisation can be paralysed when there is no consensus among Security Council members. In Middle East peacemaking, the approach adopted by the US has long been of particular importance. We have recently witnessed important changes in the US approach: the Obama foreign policy team have indicated that they wish to work more systematically with international partners, and to adopt a multilateral approach where possible. The US has already made clear its intention to work closely with the UN as it withdraws from Iraq. The new tone adopted by the US Government has already helped to strengthen consensus in international policy coordination bodies such as the Quartet.

This growing international policy consensus regarding conflicts and security threats in the Middle East may enable UN missions in the region to operate increasingly effectively on the basis of their existing mandates. There may, in the coming years, be an increasing international appetite for the UN to take on additional conflict prevention tasks. To use the UN's tools to greatest effect, policy makers inside and beyond the UN need to understand what the Organisation can and cannot do to help prevent conflict in the Middle East.

Categories of effective UN action to contain or prevent conflict

When the diverse elements of the UN system are deployed with care and in coordination with other international actors, they can prove highly effective in containing the effects of conflict and helping the parties move towards resolution. UN actions to contain or prevent conflict include:

1. Managing economic and security arrangements to limit the impact of conflict on civilians:

Without UN engagement, the situation in the Gaza Strip would be worse for civilians than it is now. In March 2009 an estimated 90 percent of the Gaza population was wholly or partly dependent on food and medical assistance, most of which is delivered by the UN.⁷ UN peacekeeping operations, including UNDOF and UNIFIL, manage security arrangements in disputed areas pending resolution of conflicts; their work enables civilians to live relatively normal lives in parts of the Golan occupied by Israel and along both sides of the Blue Line.

2. Providing technical advice in support of political objectives:

UN electoral support has helped to keep political processes on track in Lebanon, Iraq and the occupied Palestinian territory. UNAMI has been using socio-economic, demographic and other data to help resolve disputed internal boundary issues in Iraq; this is described as a technical process, but it has important political implications and has helped to prevent conflict.⁸ Following the Oslo Accords and after Hamas was elected, the UN supported Palestinian institutions and, in doing so, helped to keep institutional aspects of Oslo process on track. In 2000, UN cartographers supported broader UN efforts to demarcate an internationally-agreed line of withdrawal between Israel and Lebanon.

3. Working out short term arrangements, deals and ceasefires between parties:

Using its established channels to both parties, the UN mediates between Hezbollah and the Israel Defence Forces to de-escalate and restore calm following security incidents across the Blue Line. The UN has, on several occasions, ensured that misunderstandings and skirmishes do not develop into broader conflict. The UN mediated

between Lebanese parties to help identify an acceptable model for elections in 2005. UN mediation between Hamas and Israel has ensured that essential goods can be transported through the crossings into Gaza.

4. Providing ideas directly to those with the power to use them:

By virtue of its analytical resources, legitimacy, and place at the table, the UN is able to put forward ideas and analysis for immediate use by those with the power to implement them. In July 2006, a UN delegation which shuttled between Beirut and Jerusalem was able to propose the elements of an agreement to end hostilities and present them directly to all relevant parties during the war. The UN provides advice and ideas to diplomatic partners, including the Quartet, as well as parties to conflicts: the Organisation helped draft the Roadmap, which for several years has formed the framework for Israeli-Palestinian peacemaking.

5. Providing authoritative information and analysis:

In monthly briefings and reports on implementation of Security Council Resolutions, UN representatives provide analysis of developments to Security Council members and the parties. UN OCHA monitoring of Israeli closures in the West Bank and Gaza enables the US, Quartet Representative and other actors to engage in informed dialogue with Israel about their extent and impact. In 2002-03, IAEA monitoring and reporting on Iraq's alleged WMD programme provided an authoritative counterbalance to US assessments (which subsequently proved to be incorrect). IAEA analysis enables the Security Council to work from shared understandings and develop common responses to Iran's nuclear activities.

6. Upholding principles, establishing legal processes, conferring or denying legal endorsements:

UN Security Council endorsement has legal status and helps to cement developments or concentrate international attention on a single course of action. Examples include Security Council recognition that Israel had withdrawn its forces to the internationally-recognised Blue Line in 2000 and Security Council endorsement of the Roadmap.⁹ The UN's refusal to endorse a 'forced' referendum on Kirkuk discouraged Kurdish parties from pursuing this course and reinforced efforts to develop an alternative political process to address the problem.

7. **Maintaining channels of communication to a range of state and non-state parties:** The UN maintained contacts with Hezbollah even during extremely difficult periods, including throughout the Lebanon war in 2006. The UN continued to engage Syria during a period of isolation for the country in 2002-03. In Iraq, UNAMI is “talking, and being talked to, by everyone”¹⁰ and is thus in a position to provide immediate, quiet advice to Iraqi leaders seeking to resolve the country’s internal and regional problems. The UN maintains dialogue on policy and practical issues with senior figures in Hamas. In 2000-2002, the UN provided a channel between Israel and various Arab states when bilateral contacts were strained.

The UN’s actions are not easily separable into ‘peacekeeping,’ ‘humanitarian’ or ‘political’ categories. The UN’s peacekeeping role in south Lebanon, for example, provides the Organisation with a mandate to engage regularly with security elements in Hezbollah, as well as with the Lebanese Armed Forces and the Israel Defence Forces. Through this process the UN adds another dimension to dialogue between the parties carried out at the political level. The UN’s humanitarian operation in Gaza also has political dimensions. The UN – especially UNRWA – maintained a visible international presence in the Strip during a period in which Gaza was otherwise almost completely isolated. During the Gaza conflict in 2008-09, UNRWA became the *de facto* public face of the UN: its statements to the press eclipsed other UN outputs, including those from the Secretary-General. For better or worse, UNRWA’s prominence in Gaza has affected perceptions of UN policy in the region.

The UN’s strength lies in its diversity, in the range and variable combinations of technical and diplomatic tools it can employ in support of peace and security objectives, and its flexibility to engage with all parties and at all levels. But the Organisation’s large and diverse presence is also a potential source of weakness: without careful and disciplined management the UN’s various agencies, envoys and organisations can mix messages and sow confusion.

This paper explores the UN’s current roles, mandates and responsibilities in four regional centres of conflict in the Middle East: the Israeli-Palestinian conflict; the Lebanon-Israel-Syria ‘triangle’; Iraq; and Iran. It assesses the

challenges the UN faces in each context, and identifies areas in which its actions have had most impact in preventing or containing conflict. The paper seeks to identify which role, or combination of roles, the UN should adopt to contain current or potential conflicts and work with others towards their resolution.

It concludes with some recommendations to strengthen the UN’s analysis of regional issues and to better organise its actions, in order to maximise its capacity to contain or stabilise existing conflicts and prevent the outbreak of new bouts of violence.

A note on defining “conflict prevention” in the context of the Middle East

Formal peace in the Middle East is elusive. One key regional player, Israel, is rejected by Iran and all Arab countries except Egypt and Jordan. Within this general context of hostility, the Israel-Lebanon-Syria triangle and Israel-Iran remain especially tense. Three UN peacekeeping operations remain deployed to prevent re-eruption of unresolved inter-state conflicts. Meanwhile, ‘hot’ conflicts continue to rage, with varying degrees of intensity, between Israelis and Palestinians (and among Palestinians), among Iraqis, and between different factions within Lebanon. Al Qaeda and other terrorist organisations contribute to, and further complicate, internal conflicts in Lebanon, Syria and Iraq, and affect Palestinian issues in Lebanon, Gaza and elsewhere. Iran supports various non-state groups in ‘resisting’ Israel. The dispute over Iran’s nuclear programme overshadows the region.

In this context, “conflict prevention” might most usefully be understood as:

- a) measures to **prevent the outbreak of new waves of conflict** – for example, between Iran and Israel;
- b) measures to **contain and stabilise existing conflicts** – for example, between Israel and the Palestinians, or between Israel and Hezbollah;
- c) measures to **resolve existing conflicts** – for example, through support to Israeli-Palestinian or Israeli-Syrian negotiations, direct or otherwise; or negotiations towards a new political settlement in Iraq.

United Nations engagement in the region's conflicts

The Israeli-Palestinian conflict

The UN's record and relationship with the parties

The UN's involvement in the Arab-Israeli conflict is almost as old as the Organisation itself. In 1948-49, UN mediators Folke Bernadotte and Ralph Bunche negotiated armistice agreements between the new state of Israel and its four Arab neighbours. The first UN peacekeeping operation, the UN Truce Supervision Organisation, was established in 1948 to assist the mediators and the Truce Commission in supervising the observance of the truce in Palestine. A year later, a new UN Agency – the Relief and Works Agency for Palestine Refugees (UNRWA) – was created to provide services for Palestinians who had fled the violence. Since then, these bodies have been a continuous element in international management of the conflict.

For most of the period between 1949 and 1993, there was no full-time UN envoy with a mandate to address Israeli-Palestinian political issues.¹¹ The UN's role changed in 1993 following the signature of the Oslo Accords: the UN General Assembly requested that the Secretary-General “ensure the coordinated work of the United Nations system for an adequate response to the needs of the Palestinian people” in support of the peace process,¹² and on the basis of this mandate a UN Special Coordinator's Office with a mission to coordinate the UN system was established in Gaza in 1994. In 1999, the UN Special Coordinator's mandate was expanded to represent the Secretary-General “in discussions with the parties and the international community in all matters relating to continuing United Nations support to the peace process.”¹³ This mandate is vague in comparison to those granted to other UN missions and envoys in the region, but it does give the Special Coordinator some scope for political engagement and action relating to Israeli-Palestinian and broader regional peace and security issues.

The relationships between successive Special Coordinators and the parties have varied significantly. The first Special Coordinator, Terje Roed-Larsen, at times had very close relationships with Israeli, Palestinian and international leaders, assisted them in developing plans to carry forward the peace process, and made repeated efforts to

bring them together. But Larsen was also isolated by both parties on separate occasions.¹⁴ Senior Israelis also refused to see Larsen's successor, Alvaro de Soto, after he argued for engaging with Hamas following their victory in the 2006 elections.

In the Israeli-Palestinian context in particular, the envoys' personalities and relationships with the parties matter to the UN's ability to contain, manage or prevent conflict: without access to Israeli, Palestinian and international decision-makers, envoys are unable to exercise their good offices role, to convey messages and discuss ideas. Israelis have long been suspicious of the UN and tend to view it as partial or ‘pro-Palestinian’; it is not difficult politically for Israeli leaders to cut the UN out.¹⁵ Palestinian leaders do not tend to reject the UN, but in this crowded diplomatic context they will not turn to the Organisation unless it offers distinctive and useful support. UN envoys therefore have to work with great care to maintain relationships while continuing to confront the parties in private or in public when it is appropriate for the UN to do so.

The envoys' relationship with the different elements in the UN system also helps to determine the effectiveness or otherwise of the UN in this context. UNSCO is not a fully integrated mission, and members of the UN family thus have a degree of autonomy from the Office of the Special Coordinator. On some occasions, interventions from the various elements of the UN family have been mutually reinforcing; on others, the power of the UN's analysis or interventions has been undermined by mixed messages from different parts of the system. On yet other occasions, speaking out with apparently disparate voices has provided the UN with strategic advantage: for example, when OCHA has mapped settlement construction and the relationships between settlements and IDF-imposed movement restrictions, or when the Special Rapporteur on Human Rights has produced reports that would have been difficult to publish from an office with a political mandate.

Two factors have prevented – and will probably continue to prevent – the UN from playing a leading role in Israeli-Palestinian peace negotiations: first, “one of the parties [i.e. Israel] does not want the UN” to be involved;¹⁶ and second, the United States claims the lead role in Israeli-Palestinian peacemaking. In recognition of the UN's weakness as a lone player in resolving the Israeli-Palestinian conflict, Secretary-General Kofi Annan bound the Organisation institutionally to the US and two other leading parties – the European Union

and Russia – via the mechanism of the Quartet. In Annan’s words, the Quartet was intended to support Middle East peacemaking by harnessing the “legitimacy, political strength and financial power” of these four international players.¹⁷

UN roles in managing and supporting the peace process

Membership of the Quartet has given the UN an automatic seat at the top table of Israeli-Palestinian peacemaking. It has, on occasion, boosted UN capacity to influence international policy, allowing it to **pass on ideas to Quartet members with the political or financial clout to take them forward**. In 2002, for example, the UN played an important role in conceptualising and helping to draft the Roadmap, which (for better or worse) has served as the framework for international engagement in the Israeli-Palestinian conflict since 2003.¹⁸ In 2002-03, the UN also quietly proposed the appointment of a Palestinian prime minister – an idea that was accepted by President Arafat, which helped to ensure US support for a coordinated international approach to peacemaking at a moment when US-PA relations were at exceptionally low ebb. In 2006, the UN worked with the EU to conceptualise an unusual financial support system, which was designed to preserve some of the PA’s key institutions and functions during a period in which the main donors were unable to continue to provide budget support.¹⁹ Continuing this tradition, during 2008 the UN proposed to the Quartet and parties a plan to create a secure access pocket inside Gaza.²⁰

The UN has contributed to international peace efforts by **maintaining channels of communication to a range of state and non-state parties**. When other members of the international community cut off links to President Arafat in 2002, the UN Special Coordinator provided an indirect link between the parties and made several efforts to re-establish dialogue between them.

Unlike the EU and US, the UN is not legally prohibited from engaging with Hamas, and the UN – with tacit support from the US and with full knowledge of Israel – maintained a working-level dialogue with Hamas well before the 2006 parliamentary elections. After January 2006, the UN adopted a de facto policy of restricting contacts with Hamas to the “working” rather than the

political level: i.e. heads of UN agencies and UN political affairs officers meet Hamas figures, but the UN envoy does not. UNSCO’s dialogue with senior figures in the movement is nonetheless regular, and the UN has used these contacts to pass on messages to Hamas leaders at key moments²¹ and to mediate among Palestinian parties and between Hamas and Israel on some specific, limited issues.²² Even now, with its restrictive contacts policy, the UN is better placed to engage with Hamas on day-to-day matters than other members of the Quartet.²³

The UN has **provided technical advice in support of political objectives**. The development of Palestinian state institutions is one of the enduring achievements of the Oslo process; UN support has enabled this process to continue, even during periods of acute crisis. The UN also helped to establish institutions to facilitate coordinated international support to the nascent Palestinian state, including the Ad Hoc Liaison Committee.²⁴

The provision of **authoritative information and analysis** is another important element in the UN’s work to prevent conflict and establish the conditions for a peace process. The Secretariat provides monthly briefings to the Security Council describing developments on the region: these include data on levels of violence and the parties compliance with obligations, together with some analysis of the overall political, humanitarian and economic picture. OCHA’s mapping of checkpoints, road closures, barrier construction and other movement impediments demonstrates the impact of the closure system on Palestinian society and the economy, and the link between settlements and closures. Accurate, detailed reporting by the UN enables more powerful political actors to monitor the parties’ compliance with commitments and make timely interventions.²⁵

The UN also plays a crucial – perhaps indispensable – role in **managing economic and security arrangements to limit the impact of conflict on civilians**. No state or other organisation, governmental or otherwise, is in a position to handle the scale of assistance the UN provides to Gaza, or the complex array of relationships that this assistance operation requires.

UNRWA can also be understood as a conflict management agency: for the past sixty years it has housed, fed and educated successive generations of Palestinian refugees, while successive generations of mediators have failed to

resolve the problem of their statelessness. Today UNRWA supports 4.6 million people in the region.²⁶ The UN also plays an important role in coordinating and delivering development assistance to Palestinians.

The UN's position since 2006

While the UN has not led Arab-Israeli peace negotiations since 1949, its engagement in political processes – as an adviser to the parties, and working closely with other Quartet members in support of the peace process – was greater at the end of the 1990s and early this decade than it is in 2009. In February 2009 the UN played no role in the two sets of negotiations that were under way, among Palestinian factions and between Hamas and Israel: both were conducted by Egypt. The UN's primary role in the Israeli-Palestinian conflict is increasingly understood by other engaged parties to be humanitarian rather than political.²⁷

This decline in the level of UN political engagement can be attributed to two factors. First, the UN works most effectively when it is supported by leading member states – and particularly, in this region, by the US. For much of the past three years the UN has been privately, and sometimes publicly, at odds with US policy.²⁸ One consequence of the disagreements over policy that characterised the past few years is that routines of UN-US cooperation that characterised an earlier period have broken down.

Second, the UN has been restricted in the exercise of one of its distinctive features: its flexibility and scope to engage all relevant parties.²⁹ The UN is not legally prevented from dealing with Hamas, and UN officials continued to work with the Hamas-led PA in 2006-07 and with the Hamas authorities in Gaza after June 2007. Through these contacts, the UN helped to keep essential goods moving through the crossings and Palestinian institutions functioning. UNSCO political affairs officers also maintain regular discussions with Hamas political figures. However, the senior UN envoy, Robert Serry, does not meet Hamas leaders.

The UN's unusual decision to limit 'political' contacts with Hamas has rendered it less distinctive in the constellation of political actors working on the conflict than it has been in the past: in contrast to the situation in 2002,³⁰ the Special Coordinator's contacts on the Palestinian side are similar

to those of most diplomatic delegations.³¹ The Organisation's current position regarding the internal Palestinian divide may also be adversely affecting the UN's ability to assist in reconstruction of Gaza.³²

International priorities for the coming 24 months

International efforts to resolve the Israeli-Palestinian conflict during the coming 24 months will be led by the US, and handled primarily by the new US envoy George Mitchell. The US approach to conflict prevention and resolution is still being developed.³³ Prospects for US engagement also depend on positions adopted by the Israeli government, regional developments, and the outcome of efforts to forge a unified Palestinian approach.

Whatever the outcome of current negotiations, one immediate priority to prevent further conflict and stabilise the situation in Gaza will be to **secure a durable ceasefire** between Hamas and Israel, and ensure the release of the Israeli soldier Gilad Shalit. If this is not achieved, rockets will continue to be fired from Gaza and Israel is likely to repeat its Cast Lead operation, with devastating consequences.

Beyond this, the United States is likely to focus on **preserving the viability of the two-state solution**, and – when it becomes possible – **launching a diplomatic effort to achieve a final peace agreement**.

To preserve the viability of the two state solution, the US and its diplomatic partners will need, inter alia, to intensify efforts to halt Israeli settlement construction in line with Roadmap commitments and the recommendations of the Mitchell Report. Another international priority will be to continue to ensure training, reform and deployment of PA security personnel.³⁴

Preconditions for a credible diplomatic effort to achieve a final peace agreement are:

- an end to Palestinian infighting, and reunification of Gaza and the West Bank under common Palestinian leadership;
- the formation of a Palestinian government that is committed to PLO principles and willing to give at least tacit support to negotiations with Israel, conducted by the Palestinian President;
- a new mandate for the Palestinian President to enable him to negotiate credibly with the Israelis on

behalf of the Palestinian people; and

- an Israeli government that is capable of negotiating a peace deal with the Palestinians and selling it to Israelis.

Priorities for the UN

The UN will continue to play a critical role in managing the effects of the conflict on civilians, both in the West Bank and especially in Gaza. Beyond this, the UN needs to consider where it can add most value to international efforts to promote a durable peace process. A number of options exist for enhancing the UN's support to international efforts to prevent further conflict and promote peace between Israelis and Palestinians.

- **The UN should consider active steps it can take to support reunification of Gaza and West Bank:** The UN has already stated that it will support initiatives leading to the reunification of the West Bank and Gaza under common Palestinian leadership and will engage any unified outcome of negotiations among Palestinian parties.³⁵ The UN should consider taking additional steps to support such reunification:

i) The UN should be absolutely frank, in private meetings with all relevant Palestinian interlocutors, that Palestinian reconciliation is essential for the peace process. Both Fatah and Hamas will have to make compromises to achieve this. In its contacts with PA leaders and the Presidency, the UN should also be clear about the Ramallah leadership's legitimacy problem: in the absence of reconciliation and elections to establish a new mandate, the PA government and the Presidency will be increasingly weak, both internally and internationally.

ii) The UN should actively encourage international support for the notion of a Palestinian unity government. The Special Coordinator and Secretary-General can do this through private contacts with Quartet partners, and use the forum of the Security Council to argue that an Israel-Palestinian peace process is impossible unless Palestinians unify.

iii) In the absence of an agreement between the Palestinian factions, the UN should use its diverse presence in Gaza to pursue options for sustaining alternative social and political spaces. The isolation of Gaza and deterioration of living conditions has probably strengthened the appeal of radical political actors at the expense of those arguing for internal conciliation and external negotiations.

- **The UN should establish a technical committee to facilitate the opening of crossings for goods for reconstruction in Gaza**

If efforts at Palestinian reconciliation stall, the international community will either have to find ways to deal with the authority in the Strip or accept a significant worsening of conditions there. The UN is well placed to act as an intermediary to facilitate imports for reconstruction and other needs: it has the mandate, presence in Gaza, and substantial experience of dealing with crossings. It can serve as an indirect mediator between Palestinian parties in the Strip, international donors (including the US) and the relevant Israeli authorities to identify key reconstruction priorities. The UN should not be discouraged from adopting this role by the PA in Ramallah: further pressure on the people of Gaza is neither humane nor likely to lead to a reduction in popular support for Hamas.³⁶

- **The UN should consider how best to use its relative flexibility in dealing with Hamas.** Engagement with all parties has been an effective aspect of the UN's conflict prevention role elsewhere in the Middle East.³⁷ Given the UN's position since 2006, upgrading the relationship with Hamas immediately and unconditionally may not necessarily bring much immediate benefit in terms of changing Hamas positions or behaviour.³⁸ But if Hamas positions change on key issues which relate to peace negotiations, the UN should take immediate and visible steps to upgrade its relationship.³⁹

The UN should also consider whether to employ its flexibility in dealing with Hamas to support possible interim security arrangements for Gaza. The UN has experience of establishing and running ceasefire or truce arrangements between mistrustful parties elsewhere in the region, and one option to permit the de-escalation of violence following Gaza incidents would be the establishment of a mechanism similar to the Tripartite Committee (UNIFIL's liaison mechanism

between LAF and IDF, in which UNIFIL provides a *de facto* link to Hezbollah).⁴⁰

- **The UN should propose more systematic monitoring of parties' commitments as envisaged in the Roadmap:** In the absence of credible negotiations towards a peace agreement, it will be important to prevent the further erosion of institutions or the creation of 'facts on the ground' that influence final status. On several occasions Quartet principals have agreed to monitor actions taken by the parties. A Quartet mechanism for monitoring and evaluating the parties' compliance with obligations would enable the Quartet to more accurately assess their performance, and help ensure consistent, even-handed pressure on both sides.

The UN could propose a series of measures, mainly using existing capacity, to monitor parties' performance. These could be consolidated, perhaps by the Office of the Quartet Representative, into a regular, confidential report. Measures to be monitored might include security performance, settlements, closures and the functioning of crossings, and humanitarian access. It would be important for the Quartet to review findings regularly, form a common view about those findings, agree on what steps should be taken vis-à-vis the parties, and communicate those steps with common public and private messaging. This is not a new idea, but one that the US might be more willing to support than it was in the recent past.⁴¹

- **The UN should work with others to develop options for an international transitional administrative and peacekeeping operation:** Any peace agreement negotiated between Palestinians and Israelis during the coming two to three years would need to be implemented in the context of severely weakened Palestinian governing capacity. The PA's institutions have been damaged by the international boycott and the Gaza-West Bank split. Re-creating a common Palestinian security infrastructure will be extremely difficult. The Palestinian leaders who are prepared to negotiate with Israel currently face significant legitimacy problems.⁴² Furthermore, any agreement would be opposed by spoilers.

In this context, an international transitional administrative and peacekeeping operation might be the only way to establish implementation conditions that were acceptable to Israelis and could gradually lead to the establishment of full Palestinian sovereignty. It is possible that outlining specific proposals for such an arrangement would help to ensure Hamas acceptance of a peace deal.⁴³ The UN should consider working with others, including Quartet partners and regional states such as Turkey, to identify options for UN-mandated (but not necessarily UN-administered) transitional arrangements to implement a peace agreement.⁴⁴

The Lebanon-Syria-Israel triangle

Secretary-General Kofi Annan noted that the UN has a "special role" in Lebanon⁴⁵ – a role that has grown even more intense during recent years. Lebanon is the subject of more UN Security Council resolutions than almost anywhere else in the world: a legacy of the civil war, the Israeli invasion and occupation of the south, international concern about the continuing influence of Syria, and the 2006 war between Hezbollah and Israel. Because of its complex internal composition and relationship with its neighbours, Lebanon has always been subject to foreign influences. Foreign forces have been stationed on Lebanese soil for most of the past century. Turkey, France, Britain, the United States, Syria, Egypt, Israel, Palestinian organisations and Iran have all intervened, contributing to the array of divisions that destabilise Lebanese politics and society.

The only foreign troops officially stationed inside Lebanon today are under a UN mandate; but Syria, Israel and Iran continue, in different ways, to exert strong influences on Lebanon's volatile political situation and internal balance of military power. Palestinian organisations also play a significant and sometimes destabilising role. Lebanese unity and the extension of Lebanese state control throughout the country are important for regional stability; but because Lebanon is the locus of indirect regional power struggles this will be difficult to achieve without resolution of other aspects of the regional conflict.

The UN's record and relationship with the parties

The UN is one of several mediators of continuing disputes within Lebanon, and between Lebanon and its southern and eastern neighbours. France, the US, the UK, the League

of Arab States, Saudi Arabia and Qatar are involved to varying degrees, and in different capacities, in seeking to resolve internal and international conflicts. The UN has the advantage, within Lebanon, of being free from historical ties with any of Lebanon's communities. This means that the Organisation can engage with relative impartiality in the Lebanese political scene.⁴⁶

Three additional, interconnected factors also strengthen the UN's scope to intervene effectively in this context. First, UN Security Council Resolutions set out a number of specific roles for the Organisation, including very substantial interventions to implement Resolution 1701. UN engagement is thus unavoidable. Second, UN interventions have yielded specific results: notably the establishment of an internationally-recognised demarcation line between the two countries, the Blue Line, following Israel's withdrawal in 2000; implementation of key elements of Security Council Resolution 1559 (i.e. the withdrawal of Syrian forces)⁴⁷; and the establishment of a 'truce' in the south after the 2006 war with Israel. These relative successes have contributed to the credibility of the Organisation in this context. Third, powerful and engaged member states support a substantial UN role, and have enabled the UN to perform sensitive mediation tasks within Lebanon and between Lebanon and its neighbours.

The UN's role in managing, containing and preventing further conflict between Lebanon, Israel and Syria is substantial, perhaps even indispensable. It is also highly complicated because the Security Council has, during successive crises, added layers of responsibility for the UN – and new mandates have led to the appointment of new envoys and operations. The different elements of the UN presence have never been properly rationalised. The result is that several very senior UN officials and large UN operations now operate alongside each other in the Lebanon-Israel-Syria triangle, with more or less overlapping mandates.

Three UN peacekeeping operations are present in this context: UNTSO, which continues to monitor the 1949 truce; the UN Disengagement Observer Force, which was established in 1974 to maintain the ceasefire between Syrian and Israeli forces; and UNIFIL, which is by far the largest and most complicated of these operations.⁴⁸ UNIFIL was established in 1978 to confirm the withdrawal of Israeli

forces, restore peace and security, and help the government of Lebanon to re-establish control over the south.⁴⁹ The Force was enhanced considerably and given new tasks following the 2006 war between Israel and Hezbollah.⁵⁰ UNIFIL officials have long established relationships with all relevant parties, including Hezbollah. These relationships have been developed, and UNIFIL's analytical capacity considerably enhanced, since 2006.

In addition to the peacekeeping operations, three UN envoys (all Under Secretaries-General) have responsibilities for dealing with peace and security issues between Lebanon, Syria and Israel. The first Under Secretary-General appointed to deal with peace and security issues in this context was the Special Coordinator for the Middle East Peace Process, who since 1999 has represented the Secretary-General in all matters relating to the Arab-Israeli conflict (including regional aspects as well as Israeli-Palestinian issues). In 2004, an additional Special Envoy was appointed to support implementation of Security Council Resolution 1559. And in 2006, in response to the enhanced responsibilities assigned to the UN after the Lebanon war, the post of the Personal Representative of the Secretary-General for Lebanon was upgraded to UN Special Coordinator in Lebanon at the rank of Under Secretary-General, and the political office was enlarged. The UN has also been involved, since 2005, in investigating the murder of Rafik Hariri⁵¹ and the subsequent establishment of a Special Tribunal for Lebanon in the Hague. The UN also runs substantial development operations in Lebanon and Syria, and UNRWA supports Palestine refugees in both countries. UNRWA's role in Lebanon is highly complex, not least because the Palestinian camps have extra-territorial status in Lebanon.

The various United Nations institutions were established at different political moments, for different purposes. Security Council Resolution 1559 is regarded by many as "aggressive" in tone; it was controversial, and was adopted by the Council with six abstentions.⁵² Resolution 1701 is more consensual: in adopting it unanimously, the Council sought to bring all regional and international parties on board to end a war that had proved extremely divisive. 1701 was also intended to help create the conditions for a permanent ceasefire. Though the Resolutions differ in tone, the mandates and objectives set out in them, and the UN institutions that have been established to implement them, overlap: Resolution 1559 (which has its own UN process and envoy) shares many objectives with Resolution 1701, including extension

of the control of the Government of Lebanon over all Lebanese territory, full implementation of the relevant provisions of the Taif Accords, including those that require the disarmament of all armed groups in Lebanon, and delineation of the international borders of Lebanon. The UN Special Coordinator for Lebanon, now Michael Williams, is the *de facto* envoy for 1701, though the UNFIL force Commander General Graziano also engages with the parties on implementation of 1701.

Confusion arising from the various UN mandates is increased further by the fact that the personalities of the envoys have become associated by some parties with certain policies. The Syrians, for example, see 1559 as biased against them and now refuse to see its mandated envoy, Roed-Larsen, although they engage with other UN officials of equivalent rank. It is of course easier for one of the parties to boycott a UN envoy than to complicate their bilateral relationships with P5 members responsible for that envoy's mandate.

UN roles

In 2000, the UN played an important role in supporting and **providing legal endorsement** for the Israeli withdrawal from south Lebanon after twenty years of occupation.⁵³ The UN Special Coordinator for the Middle East Peace Process, then Terje Roed-Larsen, worked to convince the Israeli Prime Minister that it would be in Israel's interest to secure Security Council endorsement of the withdrawal rather than proceeding unilaterally. The UN used a **combination of technical and diplomatic tools** to delineate a line of withdrawal (known as the Blue Line), which the Secretary-General used his good offices to persuade both Israel and Lebanon to respect.⁵⁴ The Security Council endorsed the Secretary-General's position that by withdrawing Israel had met its obligations according to Resolution 425. The Security Council, in subsequent resolutions, has repeatedly endorsed the Blue Line and called on the parties to respect it.

Between 2000 and 2006, the UN played an indirect role in negotiating prisoner exchanges between Israel and Hezbollah, and in defusing tensions arising from security incidents across the Blue Line. Nonetheless the situation remained extremely tense: Hezbollah continued paramilitary operations, attacking Israeli patrols around the Shebaa Farms and killing a total of nineteen Israeli

soldiers and one civilian. Israel conducted surveillance flights over Lebanon, in violation of Lebanese airspace, from October 2000 onwards after Hezbollah abducted and killed three Israeli soldiers in a cross-border raid in the Shebaa Farms area.⁵⁵ Hezbollah fired Katyusha rockets, mainly into the Golan, and anti-aircraft weapons at Israeli military aircraft violating Lebanese airspace. When Hezbollah attempted (but failed) to abduct Israeli soldiers in November 2005, the UN warned Hezbollah, on the basis of its discussions with Israeli leaders, to expect a harsh response from Israel if such an operation succeeded. Tensions escalated into war in July 2006, after Hezbollah succeeded in abducting two Israeli soldiers.

Since the halt to the 2006 war, UNIFIL has helped to sustain a period of unusual calm in southern Lebanon. This period of quiet has enabled the Lebanese and Israeli governments to begin low-key negotiations around some outstanding sources of conflict.⁵⁶ This calm is fragile, and UNIFIL has a central, day-to-day role in maintaining the truce: the Force is often called on to **work out arrangements, deals and ceasefires between Israel and Hezbollah** military leaders. There is no formal ceasefire in south Lebanon, and both sides periodically violate the Blue Line – sometimes by accident (when shepherds cross poorly-marked areas, for example) and sometimes deliberately. On numerous occasions, the UN has helped to de-escalate tense situations and re-establish the informal truce.⁵⁷

UNIFIL cannot force the parties to stop firing, and in 2006 it was powerless to prevent the escalation of conflict after Hezbollah abducted Israeli soldiers.⁵⁸ UNIFIL's strength in de-escalating potential crises lies in its long-standing **channels to the relevant officials on all sides**, and its experience in interpreting their signals. When the parties are reacting to incidents and not seeking to provoke a fight, UNIFIL can **manage an indirect dialogue between them**, helping to create a situation in which both parties can stop firing without being seen to back down first. The establishment of a Tripartite Committee of senior representatives of the Lebanese Armed Forces and the Israel Defense Forces, chaired by the UNIFIL Force Commander, has reinforced UNIFIL's capacity to defuse tense situations and helped to establish conditions which prevent accidental violations from recurring.

The UN Secretary-General is mandated under Security Council Resolution 1701 to "support efforts to secure as soon as possible agreements in principle from the Government of

Lebanon and the Government of Israel to the principles and elements for a long-term solution” and permanent ceasefire.⁵⁹ Both the UNIFIL Force Commander and the UN Special Coordinator for Lebanon are involved in efforts to mediate enduring arrangements between Israel and Lebanon. The division of labour between the two is not clear – Resolution 1701 specifies a number of tasks for the UN which have security and political dimensions. The two work closely together: on some occasions the Force Commander takes the lead on security-related issues and the Special Coordinator deals with the obviously political.

The UN provides an **important channel of communication between Israel and Lebanese parties** on a range of issues. UN Special Coordinator for Lebanon Michael Williams currently travels frequently from his base in Beirut to Tel Aviv and Jerusalem to engage with the Government of Israel on issues relating to implementation of Resolution 1701. This is an unavoidable element of implementation of 1701, a Resolution which applies equally to Israel and Lebanon. The Israelis also find this dialogue useful: both Williams and his predecessor, Geir Pedersen, have enjoyed consistent access to senior Israeli officials.⁶⁰ The UN’s Israeli interlocutors understand that the UN has a longstanding relationship with Lebanese parties, including Hezbollah, and value the UN’s analysis of the situation north of the Blue Line. Israel has also used the UN to convey messages to Hezbollah.⁶¹

The role the UN plays in **facilitating discrete dialogue between the hostile parties** is also valued by the Government of Lebanon. Lebanese government officials understand very well that their relationship with the UN is part of the regional dialogue: one official, commenting on the close relationship between UN officials and Israeli diplomats in New York, remarked that “when you tell the UN, you know it’ll go to Israel.” This was not (or not only) a comment on the UN’s occasional lack of discretion: for the Government of Lebanon, the UN is one of very few channels to their southern neighbour. Such indirect channels matter a great deal to Lebanese, because Israel’s actions can (and do) have a profound impact on the fate of their country.

The UN has also helped to **maintain channels of communication** between Syria and Israel, and between Syria and Lebanon. In 2003, when Syria was relatively isolated and had been described by President Bush as part of an

‘Axis of Evil’, the UN Special Coordinator for the Middle East Peace Process (then Terje Roed-Larsen) stressed on the basis of his discussions with Syrian President Bashar al-Assad that Syria was ready to resume bilateral peace negotiations with Israel, and urged Israel repeatedly to take Assad up on his offer.⁶² Larsen also shuttled between Damascus and Beirut in early 2005, seeking to re-establish dialogue between President Assad and Lebanese leader Rafik Hariri to arrest what he perceived as the “rapidly deteriorating situation between the leadership of the two countries.”⁶³

In addition to regional good offices work, UN envoys are mandated to engage Lebanese parties in support of Lebanon’s internal stability and territorial integrity, and the extension of Lebanese Government control throughout the country. On this basis, the UN has for several years played a role in **internal mediation** – including, on occasion, passing information between members of the Lebanese cabinet which had not been communicated among them directly. One of the UN’s longstanding Hezbollah interlocutors comments that the UN’s “direct relations with all Lebanese parties” has sometimes helped them to solve pending problems between them.⁶⁴

Lebanese parties have occasionally called in the UN to deal with political stand-offs and provoke changes. In May 2008, for example, Prime Minister Siniora sent a letter to the UN Secretary-General describing Hezbollah’s communications network. This was a way to ‘internationalise’ a challenge to the military elements of Hezbollah. A Lebanese official described how this letter “opened the box” – it was “inviting the international community to ‘come and look’ at Hezbollah.”⁶⁵ In requesting a special tribunal to try suspects in the Hariri murder, the Government of Lebanon also used the UN to **establish a legal process** to address an issue that would have been difficult to handle politically if it were undertaken by Lebanese parties within Lebanon.⁶⁶

The UN is regularly used by Lebanese parties as a source of advice and guidance. In some cases, UN technical support has helped to push forward political processes inside the country: in 2005, the UN’s Electoral Assistance mission helped to keep the Lebanese political process on track; and the UN provided technical support to the Government of Lebanon as it approached the June 2009 elections. The UN has also deployed Lebanon International Border Assistance Teams (LIBATs) to advise the Government on measures to strengthen border controls to prevent illegal weapons

transfer. UNRWA's role in managing the Palestinian camps is another essential aspect of the UN's role inside Lebanon. The Palestinian issue in Lebanon continues to pose important peace and security questions, as the events of 2007 demonstrated.⁶⁷

During the 2006 war, the UN also **provided ideas directly to the government** as it sought to develop a set of provisions to end the war between Hezbollah and Israel. UN officials in the field and at Headquarters worked intensely with the parties and Security Council members to establish consensus for what would eventually become Resolution 1701.⁶⁸ The UN was also able to **use its longstanding contacts with Hezbollah to useful effect**: during the war, the Secretary-General's Personal Representative was able to work carefully through the provisions of the draft Security Council Resolution with Hezbollah leaders, helping to ensure their acceptance of the deal even though they were not officially a party to it.⁶⁹ The UN also passed messages between Hezbollah and Israel, seeking to avert an expansion of the conflict.⁷⁰ The UN would have been unable to play this role during the war if it had not built up trust with Hezbollah through sustained dialogue during the previous years.

The UN's long-standing relationship with Hezbollah is well-known by engaged member states. UNIFIL's day-to-day contacts with Hezbollah are unavoidable, given its mandate in the south. But UN-Hezbollah contacts also have taken place at the highest level: with both Israel and US awareness, the Secretary-General met Hezbollah leader Hassan Nasrallah in 2001, in part to discuss a possible prisoner exchange with Israel. The UN good offices function in Lebanon has occasionally included transmission of messages between Hezbollah and members of the international community which do not share the UN's flexibility to engage.⁷¹

Since 2004, the UN has had some successes in pushing Syria towards implementation of its obligations as set out in Security Council Resolution 1559. The UN Secretary-General and his 1559 envoy, Terje Roed-Larsen, have used a **combination of private diplomacy**, supported by the US and France, **and public pressure** (exerted through the 'monitoring mechanism' of the Secretary-General's bi-annual reports to the Security Council) to push Syria towards withdrawing its forces from Lebanon. Syria has done this and made significant steps towards normalising relations with its neighbour.

International priorities for the coming 24 months

Further stabilisation of south Lebanon and implementation of outstanding provisions of resolution 1701 (including Israeli withdrawal from Ghajar, resolution of the Shebaa Farms issue, and consolidation of Government of Lebanon control) will be essential to prevent further conflict in the future between Lebanon and Israel. Israel remains convinced that weapons shipments to Hezbollah continue, as does the United States.⁷² Establishing stronger border controls and ensuring cooperative approaches from Iran and Syria will be essential to prevent further conflict across the Blue Line.

The internal situation in Lebanon remains volatile. The events of May 2008 demonstrated the fragility of the Government and Hezbollah's superior military strength. Following the broadly successful conduct of elections in June 2009, international actors will seek to ensure continuation of the process of national reconciliation inside Lebanon, and of consolidating Government of Lebanon control across Lebanese territory.

The international atmosphere in the region has changed recently with greater international interest (by the United States and others) in engaging Syria and Iran. Whether this approach yields positive outcomes, including the reduction of Syrian and Iranian support to Hezbollah and other rejectionists operating out of Palestinian camps in Lebanon, will influence the situation on the Blue Line and within Lebanon during the coming 24 months. The US administration may also seek to mediate a bilateral peace agreement between Syria and Israel, taking up where the Turks left off at the end of 2008. Such negotiations could lead to a more constructive Syrian approach to Lebanese issues, and could also help to weaken Syrian support to Palestinian rejectionist groups.

Regional and Lebanese political processes are likely to be fraught with difficulties. In the absence of substantial progress, international efforts are likely to focus on maintaining the calm in south Lebanon and pushing for gradual progress towards implementation of the outstanding provisions of Security Council Resolution 1701.

Priorities for the UN

The UN will continue to seek to manage tensions across the Blue Line, to prevent their escalation into broader conflict, and to promote implementation of outstanding aspects of Resolution 1701. The success of the 14 March coalition in the 7 June Lebanese elections bodes well for continued progress.⁷³ The UN also needs to continue to work with others to promote Syrian cooperation in implementing outstanding provisions as specified in Security Council Resolutions 1559⁷⁴ and 1701.

The UN is mandated and in some ways well-placed to support broader international efforts to prevent and resolve conflicts within Lebanon, and among its regional neighbours. Of the current options for pushing forward the regional peace process, the Syria-Israel track currently looks relatively promising. The United States may seek to mediate an Israel-Syria peace agreement, but is likely to seek to investigate options before engaging fully.

The UN, through its existing regular relationships with the parties, has the potential to play a preparatory and supportive role with respect to such negotiations.⁷⁵ However, the US or other possible mediators will be unable to trust the UN as a partner if there are doubts that the Organisation is dealing consistently with the parties.⁷⁶ To maximise the UN's potential to engage effectively, the Secretary-General should consider the following options:

- **The UN Secretary-General should clarify the respective roles and responsibilities of his envoys dealing with Lebanon, Syria and Israel.** The Secretary-General might consider specifying that only one envoy deal with Damascus. The Secretary-General should also consider clarifying the respective responsibilities for UNSCOL and the UNIFIL Force Commander relating to implementation of outstanding provisions of Resolution 1701.
- In the context of this broader clarification process, the Secretary-General should consider **merging processes and reporting for UN Security Council Resolutions 1559 and 1701.**
- The UN should stand ready to support any US-led efforts to mediate between Syria and Israel, at least by drawing from its past experience and clarifying

options relating to UNDOF's redeployment and the Shebaa Farms that might arise in the context of a possible Syria-Israel agreement.

Inside Lebanon, the UN is already providing technical and practical support to the Government in areas such as institution-building, electoral reform and border control. The UN should focus on ensuring that this assistance supports the consolidation of Government authority throughout the country, as specified in Resolution 1701,⁷⁷ and that it is consistent with an overall vision for Lebanon's political and constitutional reform.

The UN's configuration in the Lebanon-Syria-Israel triangle is more complicated than it is anywhere else in the region. Some further ideas for clarifying responsibilities and improving policy coordination are set out in the concluding section of this paper.

Iraq

The UN's record and relationship with the parties

The United Nation's role and reputation in Iraq has changed substantially in the past six years – not least because of the radical changes that have taken place in Iraq itself.

The UN's involvement in Iraq during the 1990s was complex and contradictory. The Organisation's role can be divided into three components: first, the imposition of Security Council-authorized sanctions intended to pressurise the Iraqi regime to cease development of weapons of mass destruction; second, deployment of IAEA technical teams tasked with inspecting the Iraqi government's weapons programmes; and third, deployment of UN specialised agencies to monitor the Iraqi government's delivery of goods in accordance with the provisions of the Oil for Food programme. While some elements of the UN's work at this time were largely welcomed within the country, the Organisation's reputation was tarnished by the contradictions inherent in the Oil for Food programme and rumours that weapons inspections teams were infiltrated by US and Israeli intelligence agents.

The UN's role changed with the US-led invasion in 2003. The UN returned to Iraq after the invasion, with a mandate *inter alia* to "advance efforts to restore and establish national and local institutions for representative governance," facilitate reconstruction and promote conditions for sustainable

development.⁷⁸ A United Nations Assistance Mission for Iraq (UNAMI) was established on 14 August 2003. The experienced UN envoy Sergio Vieira de Mello provided advice to the Coalition Provisional Authority on the basis of the UN's post-conflict experience elsewhere; he also opened the doors of the UN to Iraqis, to provide a credible forum "in which Iraqis could voice their views and be relatively comfortable that (a) they would be listened to; and (b) we would take them sympathetically to those in control of the country." In doing so, de Mello and his staff sought "to ensure that the CPA listened to as many Iraqi voices as possible, even if only through us."⁷⁹ The UN office was known to be very open – far more so than the Green Zone – and de Mello and his colleagues had access to a wide variety of Iraqis, including the Shia religious leader Grand Ayatollah al-Sistani.

Whether the UN's efforts would have succeeded in broadening the Coalition Provisional Authority's approach and helping it to deal with rising extremism is not known. On 18 August 2003 the UN mission was devastated by the bombing of the Canal Hotel, which killed de Mello and 21 others. Most of the UN's 600 staff were withdrawn from Iraq and stationed in Kuwait, Jordan and Cyprus.

By late 2003 it was becoming increasingly clear that the transition from US occupation to a sovereign, democratically elected government would not proceed as the US Government had planned. The UN was called on to negotiate short term political arrangements for transition: the President of the Iraqi Governing Council asked the UN "to help determine whether elections were feasible by 30 June 2004, and, if not, to identify alternative means of forming an interim Iraqi government to which sovereignty could be restored."⁸⁰ The Secretary-General asked his Special Adviser Lakhdar Brahimi to lead UN efforts to support the transition process.

Brahimi made a series of visits to Iraq in the spring of 2004, supported by a team of electoral experts. The UN team determined that elections would not be feasible before 2005. Brahimi undertook wide-ranging consultations with a broad spectrum of Iraqi society and, on this basis, mediated a process for the restoration of Iraqi sovereignty via the establishment of transitional institutions and arrangements. The resulting Interim Iraqi Government assumed power on 30 June 2004.⁸¹ At the same time, UN electoral experts helped Iraqis to lay the essential

groundwork for elections which would be held by January 2005, including the establishment of an Independent Electoral Commission of Iraq.

In June 2004, the Security Council asked the UN to take on additional tasks including assistance in convening an Iraqi national conference to select a Consultative Council; supporting the Independent Electoral Commission, the Interim Government and the Transitional National Assembly on a process for holding elections; and promoting national dialogue and consensus-building on the drafting of a national constitution. The UN was also asked to provide technical and practical support towards reconstruction and the re-establishment civil and social services, and planning for a comprehensive census.⁸²

UNAMI's work at this time was heavily constrained by Iraq's severe security problems. Nonetheless, between 2004 and 2007 Special Representative Ashraf Qazi and his team tried to promote dialogue with "those who are participating in the political process and those who have remained outside."⁸³ Qazi met with a range of Iraqi actors with capacity to influence both the political process and the levels of violence. The UN's efforts to **maintain channels of communication to a range of state and non-state parties**, together with its **technical work** in support of the Independent Electoral Commission and in facilitating the drafting of the Constitution, helped to create an atmosphere in which the UN was increasingly trusted as a source of both technical advice and impartial mediation. As Iraq's internal conflict continued, commentators and engaged member states called for an increased UN role in resolving Iraq's political problems.⁸⁴

UNSCR 1770: An enhanced role for the United Nations

In August 2007, in Resolution 1770, the Security Council authorised a substantial increase in the UN's political and conflict resolution role in Iraq. UNAMI now operates under an extremely wide ranging political, technical and conflict resolution mandate: Resolution 1770 calls, inter alia, for the Mission to "Advise, support, and assist" the Government and people of Iraq "on advancing their inclusive, political dialogue and national reconciliation"; on "the development of processes for holding elections and referendums"; on a "Constitutional review and the implementation of constitutional provisions, as well as on the development of processes acceptable to the Government of Iraq to resolve

disputed internal boundaries”; on facilitating regional dialogue, including on issues of border security, energy, and refugees; on “planning, funding and implementing reintegration programmes for former members of illegal armed groups”; and on planning for the conduct of a comprehensive census.⁸⁵

UNAMI has made an important contribution to the development of democratic political processes in Iraq, employing both **technical capacities and its ability to mediate among Iraqi parties** to help achieve consensus. In 2008, UNAMI’s political and electoral teams facilitated inter-Iraqi negotiations that led to the passage in September 2008 of the provincial elections law and a subsequent amendment ensuring greater minority representation. These efforts helped to ensure that there was no significant boycott by any ethnic group of the election. UNAMI’s technical support to the electoral process also included a voter registration update, a nationwide voter education campaign and assistance to the Iraq High Electoral Commission.⁸⁶ The UN’s work contributed substantially to the remarkable success of the provincial elections in January 2009.⁸⁷

UNAMI’s enhanced mandate has enabled the UN to play a crucial role in addressing the issue of Kirkuk. In the second half of 2007, the UN’s political engagement regarding Kirkuk increased as tensions among Iraqi parties over the region threatened to escalate into conflict. Kirkuk has been described as the “Jerusalem of Iraq”: the region includes up to 13 percent of Iraq’s proven oil reserves, and it has a diverse population, with mixed ethnic and religious groups. Kirkuk has long been affected by enmity between Arab, Kurd and Turkoman populations, which was exacerbated by Saddam Hussein’s policies of Arabisation.⁸⁸ Iraqi Kurdish leaders have long sought to include Kirkuk legally and administratively into the Kurdistan Region. Between 2005 and 2007, the Kurds were expecting to achieve this objective via the process specified in Article 140 of the Constitution of Iraq.⁸⁹

One of Staffan de Mistura’s first steps when he took over from Ashraf Qazi as SRSG in November 2007 was to visit Kurdistan, where the Kurdistan regional government authorities asked him “to pursue a UNAMI facilitation role regarding article 140 of the Iraqi Constitution.”⁹⁰ De Mistura engaged Iraqi parties in Baghdad and Erbil and other stakeholders, exploring with them the options for

implementing Article 140 and seeking to defuse escalating tensions. In December 2007, following a series of meetings, the UN sent letters to the five principal Iraqi leaders⁹¹ and issued a statement noting that while “there was general agreement ... on the urgent need to initiate a process to accelerate the implementation of article 140,” in view of “technical and logistical difficulty of holding a referendum prior to 31 December, and given the corresponding need for a *technical delay*, the next best step would be to initiate, beginning in January 2008 and within six months, a process of facilitating the implementation of article 140 with the *technical assistance* of the United Nations.”⁹² De Mistura had managed to convince the Kurds that holding a referendum at that point would be “shooting themselves in the foot”: through putting forward an alternative proposal, facilitated by the UN, de Mistura enabled the parties to back down, and gained time during which it might be possible to “find a treatment” for the problem of Kirkuk and other disputed areas.⁹³

The problem of Kirkuk, and other disputed internal boundaries in Iraq, is of course highly political; but in UNAMI’s subsequent work on these issues, Staffan de Mistura chose to **emphasise analytical and technical aspects** of the UN’s work on the issue. This emphasis made UN engagement more palatable to engaged parties, in particular the Kurdish leadership. UNAMI began a series of analytical studies of the disputed localities, examining the administrative history of each district, changes made since 2003, and several additional factors.⁹⁴ In June 2008, UNAMI presented initial findings of its early studies to the Government of Iraq, proposing “a series of specific confidence-building measures that could contribute to the balanced administration of the districts under dispute.”⁹⁵ De Mistura pointed out that the UN’s role had been technical and advisory, and the political decision would continue to lie with Iraqis: “the Government of Iraq alone has the sovereign responsibility to decide on the process and methodology used to address disputed internal boundaries. UNAMI’s aim in preparing and presenting this analysis is merely to **contribute to the development of processes** to resolve these complicated and sensitive issues.”⁹⁶ The UN’s findings were received with mixed but peaceful reactions from the various Iraqi parties; a Kurdistan regional government committee was formed to liaise with UNAMI on the issue.⁹⁷

On the basis of its first analytical studies, UNAMI proceeded with work on Disputed Internal Boundaries (DIBs) in 15 districts of northern Iraq. UNAMI officials met with provincial, district and subdistrict officials, political party representatives,

religious leaders, tribal elders, minority groups and members of civil society in the Diyala, Kirkuk, Salahaddin and Ninawa governorates, and Erbil and Suleimaniya in the Kurdistan region. Its “research activities” focused on “contemporary administrative history, socio-economic conditions, government service delivery, security conditions and demographic data.”⁹⁸ UNAMI prepared more than a dozen additional reports relating to other disputed internal boundaries, which it presented to Iraqi parties in April 2009 together with a discussion paper on Kirkuk.⁹⁹ In presenting its analytical studies and the Kirkuk Discussion Paper, the UN emphasised it was not seeking to prejudice sovereign Iraqi processes but rather “**to provide a set of options and ideas that may provide elements of a political consensus**” within existing Iraqi legal and constitutional frameworks.¹⁰⁰

Also in connection with Iraq’s disputed internal boundaries, UNAMI has been working closely with the Article 23 Committee. This is an Iraqi parliamentary committee established according to the provincial election law, tasked with finding consensus on power-sharing arrangements, resolution of property issues, and demographic issues including voter registration – issues that “lie at the epicentre of what have so far been irreconcilable Kurdish, Arab, Turkmen and Christian claims on the future administrative status of Kirkuk.”¹⁰¹ The UN has provided the Committee with resources and advice, and in May 2009 took Article 23 Committee members, members of the Kirkuk Provincial Council and senior police officials from Kirkuk to Northern Ireland to examine power-sharing arrangements, police reform and possible constitutional arrangements, in consultation with relevant politicians and officials there.¹⁰²

During negotiations over Kirkuk, de Mistura has also employed the **UN’s capacity to confer (or deny) legitimacy** to dissuade the Kurdish parties from ‘forcing’ a referendum: he informed the Kurdish leaders that, without the endorsement of the UN, a forced referendum would have no status internationally and would constitute little more than “a story in your local newspaper.” If they sought legitimacy, they would “need to play by certain negotiating rules.”¹⁰³ Kurdish leaders subsequently decided to continue to negotiate with the other Iraqi parties towards a political agreement with internationally recognised status.

To back up its political initiatives and promote stability, UNAMI is considering **specific assistance programmes to the disputed areas**.¹⁰⁴

The UN – working closely with others, in particular the United States and the UK – has, so far, successfully used its various capacities to **convene parties, deploy technical resources and confer (or deny) legitimacy** to help avert the possible “war on Kirkuk” that threatened to break out in December 2007. In late 2007, the problem of Kirkuk had threatened to “hijack” the provincial election process and election law.¹⁰⁵ By proposing an alternative process to address the disputed status of Kirkuk, the UN postponed a crisis between Iraqi parties and enabled the Kurds to back down from their previous adherence to the Article 140 process. The provincial elections went ahead in January 2009, and were a significant success. While the issue of Kirkuk has not been resolved, by March 2009 de Mistura was “detecting signals that the Kirkukis are tired and keen to find a power-sharing formula locally.”¹⁰⁶

UNAMI has sought to help Iraqis to address regional security issues, not only by helping to avoid conflict over Kirkuk.¹⁰⁷ The Government of Iraq has asked the UN to assist with Iran-Iraq border demining, and to **provide technical support** to improve border security and to demarcate borders with Iran. The latter issue is important for Iraqi security, and highly sensitive politically. The UN is a good source of technical support in this context: the Iraqi government could not ask the US, for example, for help in delineating or securing Iraq’s border with Iran. The success of current UN efforts at the regional level, which draw on UN technical capabilities such as cartography and anti-drug trafficking operations, may open opportunities for broader regional engagement and mediation between Iraq and its neighbours.

The UN has an unavoidable role in resolving outstanding issues relating to the 1991 Gulf War. According to UN Security Council Resolution 687 (1991) Iraq is “liable under international law for any direct loss, damage, including environmental damage” arising from “Iraq’s unlawful invasion and occupation of Kuwait.” In Resolution 701 (1991) the Security Council, acting under Chapter VII of the Charter, decided that Iraq should pay compensation to Kuwait “not to exceed 30 per cent of the annual value” of Iraq’s oil exports.¹⁰⁸ Today Iraq is facing a severe fiscal crisis, together with other problems brought about in part by the invasion and occupation of its own territory in 2003. The Government of

Iraq is, unsurprisingly, seeking a revision of its obligations to Kuwait and has asked for a view of the situation by the UN Secretariat. This review will be delivered to the Security Council in June 2009.

The UN is also the co-chair, with the Government of Iraq, in the International Compact for Iraq. The Compact has political, developmental and state-building objectives: it aims “to build a national Compact around the government’s political and economic programme and to restore the Iraqi people’s trust in the state and its ability to protect them and meet their basic needs.” In the Compact, the Government of Iraq has set out “measurable mutual commitments that the Government of Iraq and the International Community will implement together” over a five-year period.¹⁰⁹

The UN’s growing status as a mediator in Iraq

One Iraq-based international official, who has long experience in the country, argues that UNAMI’s status as an influential and impartial mediator grew significantly during 2008-09. He attributes this to two developments: first, the UN’s treatment of the Kirkuk issue, in which UNAMI was seen to be both competent and even-handed when many people had “expected it to be in the pocket of the Kurds”; and second, the UN “surge”, which has meant that more UN officials are out in the field, talking to Iraqi parties and working with up-to-date information.

A third factor has also contributed to the UN’s increasing effectiveness as a mediator: in Iraq, the UN is able to work in close partnership with the United States, while maintaining its distinctive multilateral identity. UN Special Representative de Mistura commented in March 2009 that the UN had been effective in its political work in Iraq because it was “in a team.” De Mistura and his UNAMI colleagues had been working very closely with US Ambassador Ryan Crocker and General David Petraeus, and were also supported by the EU. The US and UN were therefore able to “speak with one voice” when advising Iraqi parties about how best to deal with issues and move forward.¹¹⁰ De Mistura and his team have been able to work closely with the US in Iraq because UN and US objectives since 2007 – the stabilisation of the country and peaceful resolution of outstanding issues, including disputed internal boundaries – have been identical. These objectives are fully consistent with the UN mandates in

Iraq, and with the principles the UN is obliged to uphold as described in the Charter.¹¹¹

De Mistura has also made deliberate efforts to increase the UN’s field presence. He describes the UN’s role in **maintaining channels of communication to a range of state and non-state parties** as a priority, and to ensure the UN has “access to everyone” UNAMI now deploys more than 350 UNAMI staff in Baghdad and in regional hubs. To facilitate the regional deployments, de Mistura sent UN staff out with Provincial Reconstruction Teams. In doing so, he took a risk that the UN would be regarded as too close to the US (the alternative was not to deploy UN staff to the regions). The risk has apparently paid off: the UN’s status as an informed mediator has been boosted, and it continues to be regarded as a distinctive multilateral actor (even though its close relationship with the US is very obvious on the ground, because of continuing UN reliance on US security support).¹¹²

International priorities for the coming 24 months

The improvements Iraq has experienced during the past 18 months are fragile and could easily be reversed. Changes in the security situation during 2008 were brought about by the combination of the US ‘surge’, a number of local ceasefires and alliances (including the US decision to pay around 70,000 former insurgents, most of them Sunni, who as *sahwah* or Awakening militias have since been providing local security), and a public backlash against the chaos and extremism of 2005-06. Improvements in security have been accompanied by a “bureaucratic awakening”: Iraq’s machinery of government “is slowly beginning to turn in defiance of political gridlock, corruption and incompetence”, and improvements in administration and service delivery are evident at both central and local levels.¹¹³

The US ‘surge’, which has helped to improve security, will be gone by mid-2010. The continued employment of the *sahwah* is in doubt: administration of these various militias has been handed over to the Government of Iraq, and it is not clear that it will keep them on. Key challenges will be to consolidate public support for moderate policies, and to continue to improve security while the US forces begin to withdraw. It will be impossible to sustain other improvements in Iraq, from service delivery to the economy and employment, unless current levels of security are at least sustained.

Progress at the political level is needed to sustain these improvements in security and administration. Several complex political challenges must be resolved in the coming 24 months, within the context of the constitutional review process: Iraqi parties must find consensus on the specifics of Iraqi federalism, including a revenue-sharing law. Once new laws are adopted, the Government must take steps towards actual redistribution of powers and revenues in a way that reassures people in the regions that the state is functioning in their interests.

Perhaps most pressing of Iraq's pending political questions relates to the package of issues surrounding the limits of Iraqi Kurdistan's self-determination, including Kirkuk and the disputed territories. Analysts Kenneth Pollack and Michael O'Hanlon argued in February 2009 that efforts to resolve outstanding Kurdish issues would create "one last crucially tense period in the coming 12 to 18 months."¹¹⁴ Kurdish issues have regional dimensions: Turkey has long been reluctant to accept the idea of a federal Iraq, and in particular the inclusion of Kirkuk into the Kurdistan Regional Government. Iran and Syria also have close interests in the outcomes of Iraq's outstanding political issues, including but not only those relating to the Kurds.

In addition to these political issues, the central and regional governments of Iraq will be challenged to address practical questions posed by the return of up to four million displaced people to their homes and the release of thousands of people detained by coalition forces.¹¹⁵ They must also improve basic service delivery and increase employment levels. Iraq faces a spiralling budget deficit, brought about in part by falling oil revenues,¹¹⁶ which may challenge the 'bureaucratic awakening' and affect the government's ability to pay public servants and improve services. The conduct and outcome of parliamentary elections are hugely important for Iraq: the parliament will pick the next Iraqi Prime Minister.

The Government of Iraq needs to stabilise its relationships with regional neighbours: national reconciliation cannot succeed if influential regional parties pull against it. Iraqi Prime Minister Maliki's relationships with key regional neighbours are strained.¹¹⁷ Relations with Iran, Turkey, Kuwait, Jordan and Syria are important as Iraq seeks to resolve outstanding problems relating to refugees, border security and energy policy, as well as Kirkuk.

All these issues have potential to spark further conflict. Iraq is fragile, recovering from externally-enforced regime change and a period of intense inter-communal violence. Outstanding political issues nonetheless need to be resolved promptly to ensure further stabilisation and recovery. One key dilemma facing Iraqi parties, and their international advisers, is whether issues relating to federalism, the hydrocarbon law, and disputed internal boundaries must be addressed as part of a "grand bargain" – or whether the chances of maintaining the current relative calm are greater if the various outstanding aspects of the Iraqi political puzzle are dealt with piece by piece.

Priorities for the UN

As the United States pulls its troops out of Iraq and reduces its diplomatic presence, the UN will be challenged to work with Iraqi parties and regional players to step into the resulting political and security vacuum. The UN must operate with great care: although UNAMI has established considerable credibility through solid, carefully crafted interventions in 2008-09, its capacities are limited and the UN's reputation in Iraq is still fragile.

The UN will continue to work on electoral issues. Elections were described by de Mistura as "the flagship" of UNAMI's mandate" in 2008,¹¹⁸ and there are likely to be further elections in 2009-10, including elections for the Kurdish National Assembly, possible sub-district elections, and national parliamentary elections which now look likely to take place in early 2010.

UNAMI will continue to work closely with Iraqi parties on national political issues, including disputed internal boundaries. UNAMI's analysis of the DIBs presented in April 2009 suggests that Iraq's boundary disputes can be resolved only if discussion takes place within a broader political dialogue. This dialogue should encompass associated issues including the role of security forces operating in some of the disputed areas; the administrative and constitutional status of Kirkuk; power-sharing in each of the disputed areas; the establishment of a transparent revenue sharing system, together with the passing and implementation of an agreed hydrocarbons law; and constitutional amendments that form the basis for effective national government without prejudicing the autonomy enjoyed by the Kurdistan Region. Some analysts have proposed a lead UN role in negotiating the so-called "Grand Bargain" in Iraq.¹¹⁹ The SRSR for Iraq will

have to judge whether the UN should continue to tackle outstanding issues step-by-step or seek an overall deal; but elections during the coming 12 months imply that reaching a such deal in 2009 would be very difficult. For the remainder of 2009, the UN may focus on maintaining dialogue among Iraq parties on these issues rather than striving for their resolution.

If the Government of Iraq fails to find employment for a significant proportion of the men in the *sahwah* militias, these men are likely to pose an increasingly serious security problem.¹²⁰ Currently the UN is not substantially involved in this issue. One option for the UN would be to inquire discreetly into alternative options for engaging them: the UN's employment of former militia fighters in Kosovo is one relevant (if much smaller scale) precedent. It is important to note that this is a highly sensitive political issue, however, which may not be amenable to external intervention. Helping to address this issue may also be too much for the UN's limited capacity in Iraq.

One major issue for the UN will be security: how to continue to maintain a presence in the provinces when the Multi-National Force Iraq troops withdraw and are no longer able to provide protection to the UN. Options include the purchase of more armoured vehicles by the UN, and greater reliance on protection by Iraqi security forces. Getting this right will determine for how long, and how effectively, the UN can continue to operate in Iraq.

Another crucial issue, which the UN Secretary-General can control, is the **staffing of the UN Assistance Mission to Iraq**. The Secretary-General's Special Representative, Staffan de Mistura, is leaving his post in June, and some of UNAMI's senior political staff will leave Iraq at the same time. The UN has a very bad record of filling such senior posts promptly.¹²¹ Given the fragility of Iraq and the important role the UN is playing in internal and regional mediation, the Secretary-General should ensure that an experienced and competent mediator is appointed as soon as possible to replace de Mistura, without leaving a gap. The UN Secretariat should also **consider all available options for maintaining continuity with the existing political team: UNAMI's sensitive political work should be passed to new colleagues with as little interruption as possible**.

Iran

The UN's record and relationship with the parties

The UN's current relationship with Iran is profoundly affected by one prominent aspect of its role there: its responsibility to monitor and evaluate Iran's nuclear programme. Since 2003, the International Atomic Energy Authority¹²² has been tasked by the Security Council with verifying the nature of Iran's nuclear activities.¹²³ The IAEA has been carrying out intrusive inspections of sites inside Iran and the IAEA Director-General, Mohammed El-Barradei, has made periodic reports to the IAEA Board of Governors and the Security Council describing Iran's cooperation with the Agency and the findings of the inspectors. The Security Council has based its joint analysis of the state of Iran's nuclear programme largely (though not exclusively) on IAEA assessments and, in response to Iran's refusal to cooperate with inspectors in key areas, has imposed sanctions on Iran under Chapter VII of the Charter.¹²⁴ The IAEA's role in monitoring Iran's nuclear activities and the Security Council's imposition of sanctions has created tensions between the UN and Iran, leading to what one UN official described as Iran's "innately suspicious" view of the UN.

The UN's relationship with Iran is broader and more complex than the nuclear issue, however. The Organisation is mandated to advise and assist the Government of Iraq in "facilitating regional dialogue, including on issues of border security, energy, and refugees", and to support regional cooperation in working for a stable and prosperous Afghanistan.¹²⁵ On the basis of these mandates, the UN engages Iran on a range of regional political and security issues. Iran appears broadly to welcome this engagement: the Government of Iran has permitted the establishment of liaison offices of two missions, UNAMA (Afghanistan) and UNAMI, in Tehran, and has welcomed visiting UN envoys. Iran also appears to welcome UN involvement in stabilising its neighbours, because problems in both these countries threaten Iranian interests and security. Furthermore, the UN role and presence in neighbouring countries does not (unlike the US presence) constitute a potential threat to Iranian sovereignty. "More UN", as one official put it, "means less US."

Iranian policy and actions affect the UN's ability to implement its mandated tasks elsewhere in the region: Iranian support to Hezbollah limits the UN's capacity to implement Resolution

1701, and its military and financial support to Palestinian rejectionist groups impedes progress towards resolution of the Arab-Israeli conflict, as called for in successive Security Council Resolutions. The UN Secretary-General has chosen not to engage Iran intensively on these issues, however: the current Secretary-General has not visited Tehran. His predecessor, Kofi Annan, went very briefly to the Iranian capital in 2006, during his Middle East regional tour following adoption of Security Council Resolution 1701.

In assessing Iran's relationship with the UN, it is also important to recall the UN's role in Iran during the 1980s, when the Organisation was involved in efforts to end the Iran-Iraq war. The UN made several efforts to mediate an end to hostilities, and deployed technical missions and observers to investigate the use of chemical weapons by both parties and attacks on civilian areas. Secretary-General Javier Pérez de Cuéllar led the international efforts which finally ended the war: his diplomatic initiative resulted in a ceasefire in 1988. Following the cessation of Iran-Iraq hostilities a UN peacekeeping mission, the Iran-Iraq Military Observer Group (UNIIMOG) was established with headquarters in Baghdad and Tehran "to verify, confirm and supervise the ceasefire and withdrawal" of the parties to the agreed border.¹²⁶ The mission continued to monitor the Iran-Iraq border until 1991, and UN civilian offices established to complete implementation of UNSCR 598 were phased out in 1992.

UN roles

The IAEA's role in Iran is clearly defined: the Agency is specifically tasked with **providing authoritative information and analysis** about Iran's nuclear programme. The IAEA conducts inspections seeking "to provide credible assurance about the absence of undeclared nuclear material and activities in Iran"¹²⁷ and "to exclude the existence of possible military dimensions to Iran's nuclear programme."¹²⁸ The IAEA is also mandated to verify whether Iran has suspended "all enrichment-related and reprocessing activities, including research and development" as demanded by the Security Council in 2006.¹²⁹

The IAEA's role is specifically technical. In its reports, the Agency must steer clear of language that might be construed as political. Although Agency staff – and the

Director-General himself – have dealt with the Government of Iran over the course of several years and understand its complex structure and dynamics relatively well, the Agency is very cautious about sharing information it obtains about Iran with the Secretariat. Essentially all information that the IAEA can share with other parts of the UN system is already in the public domain. There is a clause in the IAEA-UN Special Agreement safeguarding confidential information furnished to each party by member states.¹³⁰ Perhaps more importantly, the IAEA needs to take great care to maintain the trust of all concerned parties in its neutrality and its scientific, technical nature. Any suggestion by Iran or other member states that the IAEA is meddling in political issues would render it unable to perform technical inspections.

In addressing the regional dimensions of the Iraq conflict, the UN (via UNAMI) is mandated to "advise, support, and assist ... the Government of Iraq on facilitating regional dialogue,"¹³¹ and in support of this objective it is providing **technical assistance** to help resolve outstanding problems which are important to both Iran and Iraq: i) demining along the Iran-Iraq border; ii) fighting drug trafficking, and iii) demarcation of the Iraq-Iran border in the Shatt al Arab waterway. The demining programme will have important humanitarian consequences; but efforts to resolve this and to delineate the border also signal further steps towards reconciliation between the two countries. UNAMI's engagement with Iran over border demarcation and demining may, in the coming year, provide an opportunity for the UN to help bring Iran into broader regional discussion of border security, energy and refugees.

The UN's engagement with Iran on Iraq and Afghanistan issues constitutes another **channel of communication** between Iran and other engaged members of the international community. Iran appears to welcome informal trilateral UN-Iraq-Iran dialogue: the Government of Iran sees the UN as an interlocutor which gives them legitimacy. One UN official working on Iran issues commented that, at a diplomatic level, Iranians "have been trying to prove to us that they can do some good things" and that the Iranian government would welcome a deepening of engagement with the UN.¹³²

International priorities for the coming 24 months

Iran has immense capacity to influence regional peace and security. It has potential to provoke a regional nuclear race, and conflict with Israel, through its continued enrichment of uranium and refusal to cooperate fully with IAEA inspectors. Iran also has scope to spoil other regional peace efforts through its financial and other support to Hezbollah, Hamas and other rejectionist groups. Iran's acquisition of nuclear weapons would profoundly rebalance the region. A possible Israeli aerial strike on Iranian nuclear facilities would have unpredictable and potentially catastrophic consequences in the region.

The parties currently involved in the diplomatic effort to address Iran's nuclear programme (the E3+3, i.e. France, Germany, the United Kingdom plus China, the Russian Federation and the United States) are likely to continue to lead efforts to resolve the Iranian nuclear issue through negotiations with Tehran. The UN Security Council provides the forum, and its Resolutions the legal basis, for the E3+3 responses to Iran's continued nuclear activities. E3+3 policy is, however, negotiated primarily between officials and ministers in national capitals, rather than among Permanent Representatives to the UN in New York.¹³³ The EU High Representative for Common Foreign and Security Policy also plays an important role in formulating policy and negotiating between E3+3 members. The Obama administration has already shifted the US position towards Iran and is likely gradually to develop its own proposals for engagement.

In addition to efforts to control Iran's nuclear activities, the US and other regional players are likely to seek to encourage Iran to play a more positive role in the region, in particular limiting its support to Palestinian rejectionists and Hezbollah. A reduction or cessation of Iranian funding and support to these groups would transform the regional political and security situation. The approach of Iran itself could be transformed by the outcome of the Iranian presidential election in June 2009.

Priorities for the UN

The IAEA needs to continue to report independently on Iran's nuclear programme. Its inspection activities are an important element in the overall international response to the Iran nuclear issue. **The neutrality and scientific**

nature of the IAEA's work must be maintained to ensure its continued access to Iranian nuclear sites. There is probably no direct role at present for the UN Secretariat or the Secretary-General in dealing with the Iranian nuclear file: the existing diplomatic mechanism for addressing this issue, the E3+3, is already well established and the US administration has signalled its willingness to work with it.

The UN should continue and intensify its engagement with Iran on regional issues relating to Iraq and Afghanistan: the establishment of a UNAMI liaison office in Tehran in 2009 should support this objective.

Beyond this, the Secretary-General should consider whether more intense UN engagement with Iran would contribute to UN efforts to promote peace and security in the region, particularly efforts to promote the consolidation of government control throughout Lebanon and to end the Arab-Israeli conflict. Given Iran's importance in the region and its capacity to impede progress towards peace and security in several contexts, the UN's lack of regular, high-level engagement with the Government of Iran is surprising.

- As a first step, the Secretary-General should **intensify efforts to consolidate information and analysis relating to Iran from different parts of the UN system**, not including the IAEA. Currently several missions engage with Iran on regional issues, but this information is not shared systematically throughout the system or analysed regularly at headquarters.¹³⁴ Analysis should be conducted in a discreet, low-key manner that does not compromise the trusting relationships the separate parts of the system have built with the Government of Iran.
- The Secretary-General should then **assess whether more systematic UN engagement with Iran could add value to broader international efforts to stabilise the Middle East region**. Existing UN-Iran relationships could be leveraged to open up a broader dialogue about regional issues, perhaps conducted by the USG for Political Affairs. Such a dialogue could be used to explore options for improving regional security and enable the UN to understand Iranian perspectives and priorities. The UN's discussions with Iran would be part of a pre-existing relationship which does not threaten Iran; they would therefore take place under

much less pressure than, for example, any possible US-Iran dialogue.

BUILDING UN CAPACITY TO PREVENT CONFLICT IN THE MIDDLE EAST

A huge variety of UN interventions – few of them exclusively ‘political’ – are described in the sections above. No other organisation is capable of deploying an equivalent range of technical, legal and diplomatic tools in support of international efforts to contain or prevent conflict. The UN is also immensely flexible: United Nations officials can cross borders with an ease that is denied to many regional players, and can talk to state and non-state actors in ways that are politically too risky for most engaged western governments. Another source of strength for the UN is its freedom from associations with one or other party or tendency, the fact that it does not have interests in political outcomes. The UN is not a party to any aspect of the regional power struggle.¹³⁵

When the UN’s tools are deployed creatively, the results can be impressive: the Organisation can claim significant recent successes in preventing or containing conflict. Its record is, however, patchy: UN performance is occasionally hampered by lack of discipline and by its own unresolved internal conflicts. UN operations in the Middle East are fragmented: communication and analysis among members of the UN family and between missions is limited. This prevents the UN from using its extensive regional presence to full advantage. And too often, the UN simply disappears as a diplomatic actor for long periods because the Secretariat fails to fill vacancies promptly. A more coherent and disciplined approach would strengthen the UN’s already considerable scope for conflict prevention.

A Coordinated Regional Approach to Conflict Prevention

The causes of instability in the Middle East cut across national boundaries, so it makes sense to analyse the region as a whole, as well as in separate components. In developing its approach to the Middle East’s problems, the United States emphasises the importance of regional solutions.¹³⁶ The UN should be well placed to generate analysis of regional political, economic and social developments, given its diverse presence and variety of contacts. However, systematic examination of the overall

regional picture, and UN’s potential role in preventing conflict, is seldom undertaken by the Organisation.

Coordination among political missions in the region is patchy. The UN’s political and peacekeeping offices generally share much information and analysis, but the extent to which they pass on the details of meetings or analysis of developments varies widely, depending on the inclination and working practices of the particular envoy or his team. Some envoys report their engagements with interlocutors regularly in writing to New York, copied to regional colleagues; others share much less information, either out of personal habit or because they fear leaks.

There is no specific UN mechanism in the region for ensuring that information that might be relevant to another mission is transmitted: UNSCO used to play a strong centralising role,¹³⁷ but the Special Coordinator’s regional role has gradually been reduced and the appointment of three additional Under-Secretaries-General with political mandates has complicated the picture.¹³⁸ In addition to the varying working practices of envoys, information-sharing varies according to the workload of staff in regional offices. Communicating and sharing ideas with colleagues takes time, in a region where UN officials have to cope with long hours, intense demands from the Secretariat in New York, and frequent crises. Despite field-level efforts to share information and coordinate work,¹³⁹ connections between missions vary a great deal depending on circumstances. Often information is simply not communicated between officials working on related issues.

UN Headquarters obviously plays a role in coordinating the Organisation’s approach to peace and security threats in the Middle East. During some periods, Headquarters has taken a very active role in leading UN policy on peace and security issues, and in coordinating the components of the UN family. In 2006, for example, the Deputy Secretary-General chaired a daily meeting of all UN agencies and Headquarters departments engaged in dealing with the Lebanon-Israel war, and the Secretary-General was deeply involved, during and after the war, in formulation of the details of UN policy.

There is a strong sense among Middle East-based UN officials that Headquarters’ capacity to lead and coordinate UN policy is weaker now than it has been in the recent past. One senior UN official commented that, with the exception of one or two individuals, the knowledge base on Middle East political issues is “just not there” at Headquarters. Another official

highlighted information gaps: while the UN possesses detailed information about Lebanon and Israeli-Palestinian political issues, it lacks equivalent information or capacity to analyse developments in Syria and Iran.¹⁴⁰ The limited number of Headquarters-based senior officials with deep Middle East political experience and the capacity to “join up the dots” between different elements of the UN’s work increases the risk that the Organisation may miss indicators of imminent conflict. The value of deploying many senior officials to the field is lost if Headquarters fails to respond to their requests or to authorise prompt action.

The UN’s potential to prevent conflict is also limited by the Secretariat’s role in generating cross-cutting policy oversight.¹⁴¹ According to one field-based official, there is “no policy oversight” by Headquarters of the UN’s various interventions in Lebanon. This may be an exaggeration, but most officials acknowledge there are serious weaknesses in policy coordination. One problem is that most of the officials working in political missions are recruited for their knowledge of “Political Affairs,” and have limited understanding of the capacities of the UN’s aid system. *Ad hoc* mechanisms for policy coordination between different parts of the system are developed at the field level, but these mechanisms fail when differences arise between officials of equivalent rank who possess only limited understanding of each other’s work.¹⁴² Conflicts among members of the UN family tend to leak into the public domain, damaging the UN’s credibility as a diplomatic partner.

The UN’s problems in generating cross-cutting policy coordination are well-known: the establishment of integrated missions has, elsewhere in the world, helped to address them. But integrating the UN’s missions in the Middle East is neither a realistic, nor necessarily desirable, way to improve Middle East policy coordination: it would not solve the issue of coordination between missions in different countries; and integration of UNRWA (and probably other longstanding elements of the UN presence) would be close to impossible.

A three-pronged strategy for policy coordination might be relatively easy to implement:

- The UN Secretary-General could appoint to his Executive Office a senior official as his **Advisor for the broader Middle East**. This official would be

responsible for analysing developments relating to the UN’s peace and security mandates in the Middle East, liaising with field missions, and drawing issues to the attention of the Secretary-General when his interventions might be required. This official should have substantial experience of work in different parts of the Middle East region. He or she should be below USG level, but senior enough to engage with USGs and SRSGs in the region and cut through divisions among Departments in the Secretariat.

- The Secretary-General’s Advisor for the Middle East could chair a **regular policy coordination meeting**, which would include representatives of the envoys, field missions, DPA, DPKO, OCHA, UNDP and UNRWA. This meeting would be used to highlight cross-cutting regional issues, allocate responsibilities, and resolve differences between different parts of the system.

- The appointment within field missions of **more senior officials with cross-cutting political and aid experience, and with broad Middle East experience** would help to connect different parts of the UN’s regional operation and ensure that the various technical tools available to the UN Secretary-General were used to maximum effect in support of peace and security objectives.

For the UN to maintain its relationships with the regional parties and serve as a reliable diplomatic partner, the Secretariat also needs to concentrate on keeping its envoys in place: it must avoid the long gaps in representation that occurred in Lebanon in 2008 and at UNSCO in 2005. This is particularly important in Iraq during the coming year. The Secretary-General also needs to clarify the role of his envoys, taking care to specify their respective roles and responsibilities and ensuring that senior representatives of the UN convey consistent messages.

A New Opportunity to Work with Others

The United Nations may have greater scope to intervene to contain or prevent conflict in the Middle East during the coming years than it had during much of this decade. The UN is an intergovernmental body, and the Secretary-General and his representatives have limited scope to engage in political or security issues without the support of powerful member states. This is particularly obvious in the Middle East region, where strategic interests and historical ties keep the US and other member states continually engaged. UN interventions are seldom effective without the consent, if not active support, of the superpower.

For much of the period since 2001, UN and US objectives and policies in the Middle East have not been closely aligned. US policies have sometimes run counter to the Charter principles the UN is obliged to uphold. As noted above, on one occasion the Secretary-General stated that a US action – the invasion of Iraq – was illegal. In other instances, such as the period after the election of Hamas, the UN officially supported US policies but made strenuous efforts in private to soften them and reduce their impact on civilians and neutral Palestinian institutions.

The approach of the United States has changed with the advent of the Obama administration. To take advantage of the opportunity that this new phase in US foreign policy presents, the UN needs to understand how to deploy the different tools at its disposal to best effect, in appropriate combinations, in pursuit of peace and security. The Secretary-General needs to establish structures which draw on all relevant information and facilitate cross-cutting analysis, enabling effective use of all policy tools at country and regional level. He must also resolve internal differences among senior UN officials which currently reduce the Organisation's diplomatic credibility and dilute its potential impact.

The UN is already playing an important role in containing conflicts in the Middle East and helping to create conditions that could lead to their resolution. If its many tools are deployed to maximum effect and in partnership with others, it has a great deal of scope to improve prospects for peace and security in the region.

Endnotes

*Elizabeth Sellwood is Non-resident Fellow at the New York University's Center on International Cooperation. Between 2003 and 2007 she worked for the United Nations in the Middle East on political and aid issues. She wishes to thank the many colleagues from the United Nations, its member states, regional governments, non-government organisations and think tanks who took time from their busy schedules to discuss the UN's work in the Middle East, and to share their analysis. She hopes that their thoughts and insights are reflected in this report. She wishes to express particular thanks to those who commented on drafts of the text. The author alone is responsible for all errors and misinterpretations contained within the report.

¹This report includes analysis of the UN's work in the field of peace and security in the area affected by the Arab-Israeli conflict, focusing primarily on Israel-Palestine but also touching on the UN's broader regional work (relating to Syria, Lebanon, Jordan and Egypt). The UN role in addressing conflicts in the Lebanon-Syria-Israel 'triangle' is connected, but in some ways distinct, from its work on the Arab-Israeli conflict, so another section is devoted to these issues. The report also includes analysis of the UN's work in Iraq. In light of Iran's hugely important position in the region and its impact on a range of Middle East peace and security issues, we have also decided to include analysis of the UN-Iranian relationship.

²UN Security Council Resolution 242 (1967)

³UNSCR 1397 (2002)

⁴UNSCR 1515 (2003)

⁵On 16 September 2004, then UN Secretary-General Kofi Annan told the BBC that the US decision to invade Iraq was "not in conformity with the UN Charter, from our point of view and from the Charter point of view it was illegal." Kofi Annan interview with the BBC, available at: http://news.bbc.co.uk/2/hi/middle_east/3661640.stm.

⁶Interview with Arab diplomat, Cairo, February 2009

⁷UN Secretary-General Ban Ki-Moon's message to the United Nations Seminar on Assistance to the Palestinian People, as delivered by Karen AbuZayd, Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 10 March 2009, Cairo.

⁸UNAMI emphasised, in de Mistura's words, "the Government of Iraq alone has the sovereign responsibility to decide on the process and methodology used to address disputed internal boundaries. UNAMI's aim in preparing and presenting this analysis is merely to contribute to the development of processes to resolve these complicated and sensitive issues." UN News Centre, 5 June 2008.

⁹UNSCR 1515 (2003)

¹⁰Staffan de Mistura: 'Opportunities and challenges in Iraq,' talk at the Center for Strategic and International Studies, Washington DC, March 2009.

¹¹In 1967, the Security Council requested "the Secretary General to designate a Special Representative to proceed to the Middle East to ... promote agreement and assist efforts to achieve a peaceful and accepted settlement." (Resolution 242 (1967)) The Secretary-General appointed Ambassador Gunnar Jarring of Sweden as his Special Representative. The Jarring Mission worked in two stages between 1967 and 1971, during which Jarring continued to serve as Swedish Ambassador to the Soviet Union. During this period Jarring failed to achieve significant political outcomes.

¹²The General Assembly stressed “the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people,” and welcomed “the convening of the Conference to Support Middle East Peace... and the establishment of the high-level United Nations task force to support the economic and social development of the Palestinian people”. The GA further “Considers that an active United Nations role in assisting in the implementation of the Declaration of Principles on Interim Self-Government Arrangements... can make a positive contribution” and “Calls upon relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people, and to improve coordination through an appropriate mechanism under the auspices of the Secretary-General.” Resolution 48/213.

¹³Letter from the United Nations Secretary-General to President of the Security Council, 14 September 1999.

¹⁴The Government of Israel considered expelling Larsen after he described the destruction wrought by the IDF in Jenin in 2002 as “morally repugnant,” and the Palestinian Authority declared him *persona non grata* in 2004 following his public criticism of the PA and Yasir Arafat in the Security Council.

¹⁵The UN has long been seen by many Israelis as anti-Israel, in part because of a series of highly critical General Assembly Resolutions including Resolution 3379 which declared that Zionism is “a form of racism and racial discrimination... [and] is a threat to world peace and security.” Resolution 3379 was repealed in 1991; but Israeli suspicion of the UN runs deep and is periodically re-aroused by incidents such as President Ahmedinejad’s speech at the UN-hosted Durban II conference in April 2009. The Israeli perception that the UN is “anti-Israel” or “pro-Palestinian” is reinforced, too, by the fact that the largest and oldest UN aid agency, UNRWA, was established exclusively to support Palestinian refugees, and that the UN Department of Political Affairs still has a Division for Palestinian Rights.

¹⁶The quote is from an interview with a senior diplomat in Jerusalem, February 2009. Another experienced official who has been involved in Middle East diplomacy for many years comments that public opinion in Israel is so anti-UN that to be productive, UN interventions must take place behind the scenes.

¹⁷Report of the Secretary-General on the Middle East, 11 December 2006, S/2006/956, paragraph 10.

¹⁸The Roadmap retained the broad political outlines of Oslo but sought to address the weaknesses of the Oslo process by defining the endgame, instituting parallelism, adding a time frame for each phase, and specifying that a monitoring mechanism would provide a means of enforcement. The Roadmap derived political impetus from three important events: the Security Council’s explicit endorsement, in March 2002, of the two-State solution; the adoption by the League of Arab States of the Arab Peace Initiative, which had been presented by then Saudi Crown Prince Abdallah, in the same month; and President Bush’s vision, articulated in June 2002, of “two States, living side by side in peace and security.”

¹⁹The Temporary International Mechanism (TIM) was established by the European Commission shortly after international donors cut off aid to the PA in early 2006. The TIM used EC and other donor funds to pay for core PA functions, and worked through the PA payroll to provide “allowances” to Palestinian civil servants. It was presented as a humanitarian measure, but its effect was to soften the impact of the aid boycott on Palestinian people and institutions. In early 2006, when idea of the TIM was being developed, the UN in the occupied Palestinian territory was under pressure from some member states to take over additional responsibilities normally handled by the PA: to become, as one UN official put it, a “second UNRWA” for the non-refugee Palestinian population. The UN resisted this pressure and tried instead to work with the EC to preserve the Palestinian Authority institutions.

²⁰UNSCO’s idea, which was known as ‘the Gap’, generated considerable interest. During the 2008-09 Gaza conflict UNSCO suggested a full package of sequenced measures for access to Gaza, more ambitious than the text of UNSCR 1860, to be

implemented in the aftermath of the conflict. Neither proposal became Quartet policy but this illustrates the potential of this aspect of the UN's role in the Quartet.

²¹In late 2008, for example, UNSCO conveyed coordinated messages to Hamas about the probable consequences of continued rocket-firing from Gaza.

²²UNSCO contacts with Hamas, sometimes combined with UN agencies, have been used to find practical ways to collect census data, resolve disputes over patient referrals, and other like issues. UNSCO has had mixed success in its efforts to mediate these types of problems.

²³The United States does not engage with Hamas. Officially EU member states are also not engaging Hamas. The Russian Federation has no restrictions in engaging Hamas, but its presence on the ground – especially in Gaza – is far less extensive than that of the UN.

²⁴The Ad Hoc Liaison Committee (AHLC) is a 12-member committee that serves as the principal policy-level coordination mechanism for development assistance to the Palestinian people. The AHLC was established in 1993 by the Multilateral Steering Group of the multilateral talks on Middle East peace in the context of the Washington Conference. It is chaired by Norway and co-sponsored by the US and EU; the World Bank serves as Secretariat. The PA, Israel, the UN, the IMF, Canada, Egypt, Japan, Jordan, Russia, Saudi Arabia and Tunisia are members. For more information, see <http://www.lidf.ps>.

²⁵The UN is the primary source of information and monitoring for a number of issues: In 2005, the UN was asked by the Quartet Representative to monitor the parties' implementation of the Agreement on Movement and Access; and during crises, the UN provides accurate casualty figures and assesses the impact of violence on civilians. Monitoring and data analysis are also carried out by other organisations, but none has the UN's resources or authority to do so.

²⁶It is relevant to note arguments advanced by some commentators that UNRWA has, by institutionalising the status of Palestine refugees, constituted an impediment to conflict resolution. Palestine refugees have hereditary status: because of population growth, there are far more Palestinians with refugee status today than there were in 1949. Measures to dismantle UNRWA will undoubtedly be an important and complicated aspect of implementing any peace agreement.

²⁷Interviews with diplomats, officials and analysts, Jerusalem and Beirut, February 2009.

²⁸A number of privately-voiced disagreements with US policy are set out by Alvaro de Soto in his End of Mission Report of May 2007, which was leaked to The Guardian newspaper. Among them, de Soto highlights instances in which the US opposed reconciliation between Palestinian factions and appears to be pushing for outright confrontation between them. The US envoy professes to "like this violence" erupting in Gaza between Hamas and Fatah because "it means other Palestinians are resisting Hamas." The UN also voiced differences with US policy in public: in February 2007, for example, Alvaro de Soto argued in his briefing to the Security Council that the agreement reached among Palestinian parties in Mecca, which was to pave the way toward establishment of a Palestinian National Unity Government, went a considerable way towards meeting PLO principles and those that had been set down by the Quartet in January 2006. De Soto effectively argued for international support for a National Unity Government. This was not the line taken by the US. For the full Security Council Briefing, see www.unsco.org/Documents/Statements/MSCB/2007/February%202007.pdf.

²⁹In this region, the decision to restrict contacts is specific to the Palestinian context: UN envoys to Lebanon and Iraq talk to all relevant parties, including some that are included on US lists of terrorist organisations.

³⁰In 2002, the UN Special Coordinator Terje Roed-Larsen was in close touch with President Arafat when other international actors had cut contact with Arafat because of his approach to terrorist organisations. The current Special Coordinator,

Robert Serry, does not currently meet Hamas leaders although he has indicated publicly that his advisers have regular contact with Hamas.

³¹SC Robert Serry visits Gaza regularly and has extensive contacts with civil society and business leaders, so in this respect his contacts are different from those of other diplomats. In terms of contact with Palestinian political leadership, however, his primary interlocutors are the Palestinian President and Prime Minister – not the Hamas authorities who control Gaza.

³²Gaza reconstruction in the wake of the 2008-09 conflict is currently limited by a number of factors, including Israel's refusal to allow construction materials through crossings and the complicated (or, in some cases, non-existent) relationship between leading members of the international community and the authorities inside the Strip.

³³President Obama held a series of meetings with Middle East leaders in May 2009, including King Abdullah of Jordan, Israeli Prime Minister Benjamin Netanyahu, Egyptian President Hosni Mubarak and President Mahmoud Abbas. In early June, Obama visited the region and set out some broad principles of his government's policy towards the Islamic world and Middle East region in a speech in Cairo. Tony Blair, the Quartet envoy, told reporters in May that the Quartet would soon unveil a new strategy for Israeli-Palestinian peace talks. "We're about to get a new framework," Blair said, "The reason I say people should be more hopeful, is that this is a framework that is being worked on at the highest level in the American administration, (and) in the rest of the international community." The Associated Press, 6 May 2009.

³⁴Establishment of credible, accountable Palestinian security services has long been a priority for the international community and is acknowledged, in the Roadmap and elsewhere, as a prerequisite for Palestinian statehood. One current concern is that international (and specifically US) support to Palestinian security services might end if Hamas were to become part of the PA.

³⁵UN Secretary-General Ban Ki-moon has been clear about the need for Palestinian unity and has stated that the United Nations will work with "a united Palestinian government encompassing Gaza and the West Bank" (see Ban's opening remarks at a press conference in Gaza, 20 January 2009; his Statement to the Security Council on the Situation in the Middle East, 21 January 2009; and his Remarks to the Ministerial Meeting of the Security Council on the Situation in the Middle East, 11 May 2009). The UN position regarding Palestinian unity is not shared by other members of the Quartet.

³⁶In May, Ban Ki-moon told the Security Council that "As an interim measure, [the UN] would also welcome the establishment of practical mechanisms that could help Palestinians in Gaza focus on reconstruction, security issues and preparations for elections." Remarks to the Ministerial Meeting of the Security Council on the situation in the Middle East, 11 May 2009.

³⁷See analysis of the UN's relationship with Hezbollah and Iraqi parties in relevant sections of this paper.

³⁸The UN's political relationship with Hamas already adds value: senior political affairs officers have been able to engage in informed dialogue with Hamas figures about international politics and Quartet positions, and work with other diplomats to coordinate messages about the consequences of continued violence from Gaza. Hamas are isolated, and do not necessarily get the same level of informed analysis or hard messages from their other regular external interlocutors, such as NGOs, as they do from the UN.

³⁹The question of whether to engage Hamas took on an additional layer of complication when Hamas took over Gaza in mid-2007. In taking the decision to engage, the Secretary-General would have to decide how to deal with responses from the Ramallah government and also from the Government of Israel.

⁴⁰Another option might be a five-party Monitoring Group which includes a Hamas-acceptable partner, such as Qatar.

⁴¹Hillary Clinton, on her first visit to the region as Secretary of State, spoke of the administration's support for the "Palestinian

state that we have an obligation to help create” and referred to Israel’s need to show the Palestinians “that there are benefits to negotiating if their goal is to control their own destiny and live in peace and dignity.” (Intervention at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, 2 March 2009, available at <http://www.state.gov>.) The Obama administration has, since then, proved much more willing than its predecessor to confront the Israeli government on key issues, especially settlement construction. See, for example, Obama’s speech in Cairo on 4 June 2009 and Hillary Clinton’s 5 June denial that any “informal and oral agreements” on settlements between the Government of Israel and the Bush Administration were ever “part of the official position of the United States government” (press conference reported in Haaretz, 6 June 2009).

⁴²According to most interpretations of the Palestinian Basic Law, the Palestinian President’s mandate expired in January 2009. Arguably the only Palestinian institution with a current legal mandate is the Palestinian Legislative Council. However, there is currently little international pressure for fresh Palestinian elections.

⁴³Several diplomats who have extensive experience of Hamas believe that the movement will not shift its position on Israel, violence, etc. unless it has a concrete incentive to do so, i.e. an internationally sponsored plan which would change the situation on the ground. They argue that if the Quartet continues to make repeated calls on Hamas to change its positions with negotiations with Israel as the only incentive, we will be in the same deadlock in a year’s time as we are now. By providing an option for changing the situation on the ground without requiring Israel or Hamas to back down from long-held ideological or principled positions, an international peacekeeping or transitional arrangement might help to break the current political deadlock.

⁴⁴Much work has already been done to identify options for a transitional or peacekeeping operation in the West Bank and Gaza. One retired Israeli general commented to the author in February 2009 that “The only alternative for Israel is now the international organisations – because of the dysfunctionality of the Palestinians.” A non-UN force similar to the Multinational Force and Observers (in Sinai) might be more attractive to Israelis than a UN force (such as UNIFIL), because Israel would be allowed greater influence over which troop contributors participate in the force.

⁴⁵Report of the Secretary-General on the Middle East, 11 December 2006, S/2006/956.

⁴⁶Other engaged member states have historical or strategic ties to regional states and Lebanese communities. France, for example, has longstanding ties to the Maronite community. Hezbollah charges the United States with using its “spearhead”, Israel, to inflict suffering on the Muslims of Lebanon, and argues that the French “should be taught a lesson because of their scorn for other people and their lack of respect for Lebanese Muslims.” (See analysis of Hezbollah’s open letter to the “Downtrodden in Lebanon and in the world” in Augustus Richard Norton, Hezbollah, Princeton University Press, Princeton, 2007.) The UN does, of course, have a history of involvement in Lebanon and is distrusted by sections of Lebanese society. But it does not have the longstanding ties or interests associated with other actors.

⁴⁷The withdrawal of Syrian forces from Lebanon was, of course, prompted by a range of factors, including public pressure from a broad coalition of Lebanese parties and communities following the killing of Rafik Hariri. It is nonetheless important to note that international pressure on Syria, notably from France and the United States, was applied in a unified way via the UN. This agreement between France and the US to work through the UN on Lebanon-Syria issues was particularly significant given public disagreements between the US and France in 2002-03 over Iraq. Furthermore, the UN envoy, Terje Roed Larsen, played a lead role in negotiating the agreement to withdraw from Lebanon with the Government of Syria.

⁴⁸For more information about UNDOF, UNTSO and UNIFIL mandates and roles see: <http://www.un.org/Depts/dpko/missions>.

⁴⁹UNIFIL was first established in 1978 by Security Council Resolutions 425 and 426, and was initially tasked with confirming the withdrawal of Israeli forces, restoring peace and security, and helping the government of Lebanon to re-establish control

over the south. In May 2000, UNIFIL assisted in the withdrawal of Israeli forces behind a “Blue Line” identified by the UN.

⁵⁰UNSCR 1701 added to UNIFIL’s original responsibilities the tasks of monitoring the cessation of hostilities, ensuring that no foreign forces would be present in Lebanon without government consent, assisting the Lebanese Armed Forces in preserving an area free of unauthorised armed personnel between the Blue Line and the Litani River, and fully implementing the Taif Accords. Resolution 1701 allowed for the expansion of UNIFIL up to a strength of 15,000 troops.

⁵¹The UN established an International Independent Investigation Commission (UNIIC) in 2005, pursuant to Security Council Resolution 1595 (2005). In October 2005, the Commission concluded that Syrian and Lebanese intelligence services were likely to have been involved in the attack against Rafik Hariri: “Given the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without their knowledge.” Report of the International Independent Investigation Commission established pursuant to Security Council resolution 1595 (2005) S/2205/662.

⁵²The six countries that abstained from voting on Resolution 1559 were Algeria, Brazil, the People’s Republic of China, Pakistan, the Philippines and Russia. The remaining nine Council members – Angola, Benin, Chile, France, Germany, Romania, Spain, the United Kingdom, and the United States – voted in favour.

⁵³The Security Council verified that the withdrawal had been completed in accordance with Security Council Resolution 425 (1978).

⁵⁴Lebanon expressed its reservations regarding the conformity of the Line in the area known as the Shebaa farmlands.

⁵⁵UNIFIL’s relationship with Israel was damaged by the revelation that the UNIFIL Indian Battalion had video footage of this incident, which the UN did not turn over to Israel at the time. The UN subsequently conducted an internal investigation into the matter.

⁵⁶The parties have made progress on some issues such as delineation of uncertain areas of Lebanon’s borders. The Secretary-General argued in March 2009 that he had been “encouraged by the measures that were taken by all parties to avoid an escalation” of violence which broke out across the Blue Line during the 2008-09 Gaza crisis: the Secretary-General believes “that the mechanisms related to the implementation of resolution 1701 (2006) have acted as an effective deterrent and prevented an escalation of the situation in southern Lebanon” (Ninth report of the Secretary-General on Security Council resolution 1701 (2006), 8 March 2009). Nonetheless a number of issues remain, including a dispute over the divided village of Ghajar. In September 2008, Special Coordinator for Lebanon Michael Williams argued that solving Ghajar could “offer perhaps some hope” of progress towards agreement on the question of the Shebaa Farms. Interview with Financial Times, 26 September 2008.

⁵⁷Depending on the situation, UNIFIL manages the communications with the parties alone or works together with UN political offices in Beirut and Jerusalem.

⁵⁸UNIFIL’s capacity to face up to challenges to its authority has been severely challenged since 2006, and especially in 2007 when six Spanish peacekeepers were killed by a roadside bomb. One analyst said of UNIFIL that, in military terms, “if you remove France, there is nothing there.”

⁵⁹UNSCR 1701 (2006).

⁶⁰UN officials’ access to Israeli figures is not always granted: Israeli ministers or senior officials tend to delegate meetings with UN interlocutors to more junior officials if they distrust the interlocutor or are not interested in the content of the meeting.

⁶¹For example, in February 2009 Israel reportedly “warned Hezbollah ... that it will respond harshly to any attempt to down an Israel Air Force jet over Lebanon or to avenge last year’s assassination of the organization’s operations officer, Imad Mughniyeh... Israel’s message was transmitted via Michael Williams, the United Nations envoy to Lebanon, who visited Jerusalem earlier this week to meet with Israeli officials.” ‘Israel warns of harsh response to any attack by Hezbollah’ Haaretz, 12 February 2009.

⁶²“United Nations special envoy to the Middle East Terje Roed-Larsen on Tuesday urged Knesset members not to reject Syrian President Bashar Assad’s offer to restart negotiations with Israel, supposedly without any preconditions. Meeting with members of the Knesset Foreign Affairs and Defense Committee, Larsen said that “Syrian President Bashar Assad told me three times that he is prepared to renew talks with Israel without any conditions.” Larsen said that Assad has been the one to bring up the subject.” Ha’aretz 12/1/2004.

⁶³Terje Roed-Larsen interview with Nicholas Blanford, 26 January 2006, cited in Blanford, *Killing Mr Lebanon: the assassination of Rafik Hariri and its impact on the Middle East*, I.B Tauris, London and New York, 2006 and 2009.

⁶⁴Interview, Beirut, February 2009.

⁶⁵The letter was a “miscalculation”: the letter provoked a huge and violent response from Hezbollah which nearly proved disastrous. There was no UN envoy in Beirut at the time: one Lebanese official speculated, after the event, that had the UN Special Coordinator been in place at the time, he might have advised the Prime Minister to take a different course and perhaps have help to avert the crisis. Interview, Beirut, February 2009.

⁶⁶In March 2006, in response to a request from the Government of Lebanon, the Security Council asked the Secretary-General “to negotiate an agreement with the Government of Lebanon aimed at establishing a tribunal of an international character” to try those suspected of Hariri’s murder. The Special Tribunal for Lebanon began its work in The Hague on 1 March 2009; it will try four senior Lebanese generals suspected of involvement in the bombing.

⁶⁷In summer 2007, the Nahr El-Bared refugee camp in northern Lebanon was the location for a period of intense fighting between the Lebanese Armed Forces and the Fatah Al-Islam militant group. The camp was besieged and shelled by the LAF and its civilian occupants were forced to flee. This was the most severe of a series of incidents between militants based in the camps (not all of whom are Palestinians) and the Lebanese authorities, which fear that these militants constitute a threat to Lebanese security. UNRWA is responsible for providing for the basic needs of Palestinian refugees in the camps, and the Agency has been trying (despite lack of necessary funds) to reconstruct the severely-damaged Nahr El-Bared infrastructure and buildings. UNRWA liaises with the Palestinian leaders represented in camp committees. UNRWA is not responsible for security in the camps.

⁶⁸An interesting account of the role of the mission of three UN envoys to the region during the 2006 war is included in *34 Days: Israel, Lebanon and the War on Lebanon*, by Amos Harel and Avi Issacharoff, Palgrave Macmillan, New York, 2008.

⁶⁹A longstanding Hezbollah interlocutor comments, on the UN’s role in negotiating 1701, that “We [Hezbollah] expressed our reservations about resolution 1701 as we think that it was not fair to Lebanon and the resistance of Lebanese people... we acted positively with it ... the substance of the resolution is based upon helping the Lebanese State in defending its sovereignty.”

⁷⁰One official involved in the process described how the UN was passing messages between Hezbollah and Israel to explain to each party the possible consequences of specific steps: the consequences for Lebanon, for example, if Hezbollah rockets hit Haifa or Tel Aviv; the consequences for Israel if the Israel Air Force bombed Beirut.

⁷¹Interviews with UN officials, Amman, New York and London, February-May 2009.

⁷² Hezbollah “continues to receive weapons from Syria and Iran in violation of Security Council resolution 1701”: US Acting Assistant Secretary for Near Eastern Affairs Jeffrey Feltman, Testimony before the House Committee on Foreign Affairs, 24 March 2009.

⁷³In its political platform, published in advance of the June 2009 elections, the March 14 coalition promised to “Provide harmony between Lebanon and the international community on the basis of the Charter of the United Nations and the international resolutions”, including 1701.

⁷⁴ For example, delineation of the Syria-Lebanon border: “The timely implementation of tangible measures towards the delineation of the border between the Syrian Arab Republic and Lebanon would constitute an important step towards the extension of the Government’s control over all of its territory and to stability in the region. Lebanon has reiterated to me its willingness to progress swiftly on this issue. I expect the full cooperation of the Syrian Arab Republic to that end.” Seventh semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004), April 2008.

⁷⁵ Acting US Assistant Secretary of State for Near Eastern Affairs Jeffrey Feltman commented in March 2009 that “We are prepared to support any ... dialogue [between Israel and Lebanon], and are pleased to see Israel and Lebanon already engaged, through the UN, over northern Ghajar. We look forward to this issue’s resolution as a demonstration that diplomacy, rather than Hizballah’s weapons, can best secure Lebanon’s interests. As we reinvigorate our efforts to achieve a comprehensive regional peace, no deal will be made at Lebanon’s expense.” Testimony before the House Committee on Foreign Affairs, 24 March 2009.

⁷⁶ During 2008, the UN was apparently sending mixed messages about the appropriate approach to Syria: while the Secretary-General officially welcomed Turkish-mediated indirect negotiations between Syria and Israel, the Special Envoy for 1559 was reported to have complained to the Israeli delegation in New York that by undertaking indirect talks with Syria, “Israel has given Syria a huge gift, without thus far receiving anything in exchange” and that “Syria is receiving legitimacy for free.” (Israeli telegram leaked to Ha’aretz, June 2008).

⁷⁷ Resolution 1701 “emphasises the importance of the extension of the control of the government of Lebanon over all Lebanese territory in accordance with the provisions of resolution 1559 (2004) and resolution 1680 (2006), and of the relevant provisions of the Taif Accords, for it to exercise its full sovereignty, so that there will be no weapons without the consent of the government of Lebanon and no authority other than that of the government of Lebanon” (Operative Paragraph 3).

⁷⁸ UNSCR 1483 (2003).

⁷⁹ Interview with UN official who worked closely with de Mello, March 2009 .

⁸⁰ Report of the Secretary-General pursuant to paragraph 24 of resolution 1483 (2003) and paragraph 12 of resolution 1511 (2003).

⁸¹ Brahimi also negotiated arrangements for a National Conference, which was intended to elect a 100-member commission to organize elections and which would hold veto powers over decrees passed by the interim government.

⁸² Under Resolution 1546 (2004), UNAMI was invited to “assist in the convening of a national conference to select a Consultative Council, to provide advice on the process for holding elections, and to promote national dialogue and consensus building on the drafting of a national constitution; and should also (b) advise the Government in the development of effective civil and social services, contribute to the coordination and delivery of reconstruction, development and humanitarian assistance,

promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq, and advise and assist the Government of Iraq on initial planning for the eventual conduct of a comprehensive census.”

⁸³Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 5 March 2005, S/2005/141.

⁸⁴In 2006, for example, the analyst Toby Dodge argued that “the UN, with full and unrestricted backing from the European Union, has to take over running the country. Such a huge undertaking would involve giving Iraq a similar status to Kosovo. Iraq’s sovereignty would have to be put temporarily into the hands of the international community. The creation of a new post-Saddam political settlement would have to start from scratch.”

⁸⁵UNSCR 1770, operative paragraph 2.

⁸⁶United Nations Mission in Iraq, Factsheet November 2008, available at www.uniraq.org.

⁸⁷In his subsequent briefing to the Security Council, Staffan de Mistura described the election as “a remarkable event in a country that has suffered through so much conflict in recent years. It is a tribute to the growing effectiveness of the Iraqi security forces and attests to the increased stability in the country.” Meeting of the Security Council on the situation concerning Iraq, 26 February 2009, S/PV.6087.

⁸⁸The Baathist government’s practices of administrative, demographic and property manipulation have resulted in administrative confusion in certain parts of the governorate. Human rights abuses against non-Arab populations added to existing tensions.

⁸⁹Article 140 of the 2005 Constitution of Iraq, which was approved by referendum, specifies that the status of Kirkuk and other disputed territories should be determined by “referendum [to] determine the will of their citizens... by a date not to exceed the 31st of December 2007”, preceded by a “normalization [i.e. reversal of Arabisation policies] and census.” Article 140 of the Constitution refers back to Article 58 of the Transitional Administrative Law, which goes into the issue of disputed territories in Iraq in some depth.

⁹⁰Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007), 14 January 2008, S/2008/19, paragraph 24.

⁹¹The five were the three members of the Presidency Council, the Prime Minister of Iraq and the Prime Minister of the Kurdistan regional government.

⁹²Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007), 14 January 2008, S/2008/19, paragraph 27 (emphasis added).

⁹³Staffan de Mistura, Opportunities and challenges in Iraq, talk at CSIS, Washington DC, March 2009.

⁹⁴Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007), 28 July 2008, S/2008/495, para. 7.

⁹⁵Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007), 28 July 2008, S/2008/495, para.7.

⁹⁶“UNAMI presents first analysis to GOI to help resolve disputed internal boundaries”, UN News Centre, 5 June 2008, at www.un.org/apps/news/story.asp?NewsID=26930&Cr=iraq&Cr1=unami.

⁹⁷ Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007), 28 July 2008, S/2008/495, para.7.

⁹⁸ Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008), 28 July 2008, S/2008/688 (6 November 2008), Para. 12.

⁹⁹ In a UN press release on the disputed internal boundaries reports, de Mistura stated his “strong hope that ... the parties will use [the reports] to start a process of dialogue. The UN stressed that “UNAMI has not made any suggestions at this time regarding the administrative jurisdiction of these areas.” The reports submitted on 22 April also included a discussion paper on the future of Kirkuk, in which UNAMI analysed four options.

¹⁰⁰ UNAMI Discussion Paper: Possible Options for the Future Administrative Status of Kirkuk Within the Iraqi Federation, April 2009.

¹⁰¹ Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008), 28 July 2008, S/2008/688 (6 November 2008), Para 11. “The provincial election law stipulates special arrangements for Kirkuk Governorate, whereby a committee comprised of seven representatives (two Members of Parliament each from Kirkuk’s Arab, Turkmen and Kurdish components and one Christian representative) is to submit a consensus report to the Council of Representatives by 31 March 2009 on (a) mechanisms for sharing administrative and security powers and civil service positions in Kirkuk; (b) a review of violations against public and private property within the Governorate of Kirkuk before and after 9 April 2003, with the Government of Iraq guaranteeing the correction of those violations in accordance with the laws applied in Iraq; and (c) an examination of all data and records related to the demographic situation including the voter registry.”

¹⁰² Article 23 Committee Delegation Draws on Northern Ireland Lessons, UNAMI press release, 14 May 2009

¹⁰³ Staffan de Mistura, Opportunities and challenges in Iraq, talk at CSIS, Washington DC, March 2009.

¹⁰⁴ The disputed areas have broadly experienced a lower rate of development compared with other parts of Iraq. The UN has presented an options paper which explores a potential development partnership between the Government of Iraq, the Kurdistan Regional Government, the United Nations and the broader international community to jointly address the development needs of the disputed areas, regardless of any future changes to their administrative jurisdiction.

¹⁰⁵ Staffan de Mistura, Opportunities and challenges in Iraq, talk at CSIS, Washington DC, March 2009.

¹⁰⁶ Staffan de Mistura, Opportunities and challenges in Iraq, talk at CSIS, Washington DC, March 2009. De Mistura also told the Security Council on 26 February 2009 that “During my recent visit to Kirkuk this past December to engage with the wider community on the ground, I, frankly, detected a good momentum for Kirkukis to explore locally generated options regarding the administrative future of Kirkuk. I truly left encouraged that Kirkukis have a growing understanding of kefaya — enough that there is a need now to reach a compromise acceptable to all communities living there.” Meeting of the Security Council on the situation concerning Iraq, 26 February 2009, S/PV.6087.

¹⁰⁷ Iraq’s neighbours have strong interests in the outcome of the Kirkuk dispute. Turkey is wary of any increased Kurdish autonomy in the region. Iran seeks to keep Iraq unified – not least because a consolidated Iraq is more likely to be free of foreign presence – and this translates into misgivings about expanding Kurdish Regional Government autonomy. Syria also has political and economic interests in the outcome of the Kirkuk issue.

¹⁰⁸ This amount was decided following the Council’s acceptance of a letter sent by the Secretary-General to the President of the Security Council on 30 May 1991, which sets out a proposal for compensation to be paid by Iraq. S/22661, 31 May 1991.

¹⁰⁹International Compact with Iraq, 2007.

¹¹⁰Staffan de Mistura, Opportunities and challenges in Iraq, talk at CSIS, Washington DC, March 2009.

¹¹¹The purposes of the United Nations are “To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.” Chapter 1 Article 1 of the Charter of the United Nations.

¹¹²Opinions vary: the UN’s proximity to the US in Iraq is still regarded as a risk by several UN officials working on the issue. Interviews with UN officials, Amman and New York, February-April 2009.

¹¹³ “Technocrats and professionals, including military and security officers, are trying to jump-start whatever is left of the machinery of government and restore a modicum of normalcy.” Yahia Said, Political Dynamics in Iraq within the Context of the ‘Surge’: Submission to the United State Senate’s Foreign Relations Committee Hearing, April 2, 2008.

¹¹⁴ ‘Iraq’s Year of Living Dangerously’, Michael E. O’Hanlon and Kenneth M. Pollack, New York Times, 26 February 2009.

¹¹⁵ The original plan to transfer all United States detainees to Iraqi custody by 1 January 2009 had to be abandoned owing to a lack of space in Iraqi detention facilities and the inability of the Iraqi judicial system to process thousands of cases. Instead, the Iraqi authorities will review 1,500 cases per month while the United States forces retain physical custody of the detainees. Detainees for whom an Iraqi judge issues no arrest warrant will be released 30 days after the submission of the case file to the Iraqi authorities. Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008), 20 February 2009, S/2009/102.

¹¹⁶ Iraq’s 2009 budget is 21 percent lower than originally planned. Its capital investment portion has been cut by 38 percent.

¹¹⁷ Saudi King Abdullah is suspicious of PM Maliki’s relationship with Iran, for example, and refused to meet him at the March 2009 Arab summit in Doha.

¹¹⁸ Meeting of the Security Council on the situation concerning Iraq, 26 February 2009, S/PV.6087.

¹¹⁹ “Rather than items that can be individually and sequentially addressed, Iraq’s principal conflicts – concerning oil, disputed territories, federalism and constitutional revisions – have become thoroughly interwoven. Federalism cannot be implemented without agreement on how the oil industry will be managed and revenues will be distributed. Progress on a federal hydrocarbons law and a companion revenue-sharing law is inconceivable without agreement on the disposition of disputed territories that boast major oil fields, such as Kirkuk. And the constitution review has faltered over failure to settle all those questions, the solutions to which will need to be reflected in amendments reached by consensus.” *Oil for Soil: toward a Grand Bargain on Iraq and the Kurds*: International Crisis Group, 28 October 2008.

¹²⁰ It is also important to note that a Government of Iraq survey released in November 2008 indicated that unemployment was rising among young men (15-34 years of age), currently at 28 per cent versus an 18 per cent national unemployment rate.

¹²¹ The posts of UN Special Coordinator for the Middle East Peace Process and UN Special Coordinator for Lebanon have both been left vacant for long periods during the past few years, for various administrative and security reasons and because of disagreements among member states about the candidates.

¹²² The IAEA has a Special Agreement governing its relationship with the UN: “The United Nations recognizes the International Atomic Energy Agency ... as the agency, under the aegis of the United Nations ... responsible for international activities concerned with the peaceful uses of atomic energy in accordance with its Statute, without prejudice to the rights and responsibilities of the United Nations in this field under the Charter... The United Nations recognizes that the Agency, by virtue of its inter-governmental character and international responsibilities, will function under its Statute as an autonomous international organization in the working relationship with the United Nations established by this Agreement.” The Special Agreement sets out a number of provisions relating to IAEA information-sharing with the UN and cooperation with the Security Council. Agreement Governing the Relationship between the United Nations and the International Atomic Energy Agency, 30 October 1959.

¹²³ As a signatory of the Nuclear Non-Proliferation Treaty (NPT) Iran is obliged to accept some inspections of its nuclear facilities, but the Security Council has authorised more intrusive inspections. A good summary of Iran’s obligations and UN Security Council actions relating to Iran is published by Security Council Report, available at: http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.2400799/k.775D/Publications_on_Iran.htm.

¹²⁴ Following Iran’s failure to suspend uranium enrichment and provide clarifications to the IAEA about aspects of its nuclear programme, the Security Council imposed sanctions in 2006, blocking the import or export of sensitive nuclear materiel and equipment and freezing financial assets of persons or entities suspected of supporting Iran’s nuclear activities or its development of nuclear-weapon delivery systems (UNSCR 1737 (2006)). In 2008 sanctions were imposed under Chapter VII of the Charter.

¹²⁵ UN Security Council Resolutions 1770 (2007) and 1868 (2009).

¹²⁶ UNSCR 598 (1987).

¹²⁷ IAEA report by the Director-General to the Board of Governors: Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran, 19 February 2009 .

¹²⁸ IAEA report by the Director-General to the Board of Governors: Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran, GOV/2008/59, derestricted 27 November 2008.

¹²⁹ UNSCR 1696 (2006).

¹³⁰ “The United Nations or the Agency may find it necessary to apply certain limitations for the safeguarding of confidential material furnished to them by their Members or others, and, subject to the provisions of Article IX, nothing in this Agreement shall be construed to require either of them to furnish any information the furnishing of which would, in its judgement, constitute a violation of the confidence of any of its Members or anyone from whom it shall have received such information.” Agreement Governing the Relationship between the United Nations and the International Atomic Energy Agency, Article II.

¹³¹ UNSCR 1770 (2007).

¹³² Interview, New York, April 2009.

¹³³ In 2006, for example, the decision to initiate the consultations required to adopt measures under Article 41 of the UN Charter (leading to Security Council Resolution 1737 (2006)) were made by three European Foreign Affairs Ministers and their

American, Chinese and Russian counterparts (E3+3) meeting in London. Their analysis at this meeting was based on a report by EU High Representative Javier Solana, following his meetings with the head of Iran's Supreme National Security Council, Mr. Ali Larijani, during the preceding months.

¹³⁴ For example, senior officials in UNSCO and UNSCOL are not systematically informed of the SRSRG Iraq's meetings with the Government of Iran. The Department of Political Affairs is working on Iran primarily from open sources, although the UNAMA liaison officer analyses Iranian political developments from Tehran. The sharing of analysis should be organised systematically, not just done once in preparation for Policy Committee discussions or other specific events.

¹³⁵ Deep policy, religious and historical differences currently divide some of the most powerful actors in the broader Middle East. It is not possible to pinpoint one specific rift between regional political actors; instead, many inter-related divisions exist: between those who favour rapprochement with Israel, and advocates of resistance; between Sunni and Shia, Christian and Muslim, Kurd and Arab; between those who work with the US, and those who oppose its engagement; between secular nationalists and Islamists. Divisions exist within countries of the region, as well as between them: Egypt, which leads the so-called "Arab Quartet" of countries willing to promote regional peace, deals regularly with the Government of Israel; but the Government of Egypt's role is also influenced by the existence of an influential, if officially suppressed, camp of Egyptian rejectionists (including, but not only, the Muslim Brotherhood) within Egypt who advocate an approach closer to that of Syria or Iran. Egypt has significant strengths as a mediator in the Israeli-Palestinian and inter-Palestinian context, but its role is far from impartial and it has pushed internal Palestinian disagreements out of their immediate context and into the broader and highly complicated split among Middle East governments. This regional split was exposed starkly after the Gaza war, with separate Arab meetings in Qatar and Egypt. The split is particularly problematic because it implies that if Egypt negotiates a deal between the Palestinian parties, spoilers from Egypt's Arab opponents – as well as spoilers from within the Palestinian polity – may try to wreck it.

¹³⁶ In the May Ministerial Meeting of the Security Council on the Situation in the Middle East, US Permanent Representative Susan Rice commented that "All states in the region must consider steps that they can take to create an atmosphere that will help foster successful negotiations. This is one reason why we intend to integrate the Arab Peace Initiative into our own approach." Remarks by Ambassador Susan E. Rice, U.S. Permanent Representative, during a Security Council Debate On the Middle East, in the Security Council, May 11, 2009.

¹³⁷ In the past, UNSCO was clearly the UN's lead mission in the region: political affairs officers in Jordan and Lebanon reported to the Special Coordinator at its headquarters in Gaza, and the Secretary-General's Personal Representative to Lebanon reported "through" UNSCO to Headquarters.

¹³⁸ i.e. the UN Special Coordinator for Lebanon, the Special Envoy for Resolution 1559, and the SRSRG in Iraq.

¹³⁹ UNSCO, UNIFIL and UNSCOL have initiated regular meetings at directors' level, and heads of the regional political and peacekeeping missions also meet periodically. However, such meetings seldom occur more than twice a year.

¹⁴⁰ The amount of detailed information the UN possesses about different parts of the region, and its capacity to conduct sound analysis, depend partly on whether the UN has a mandate for political representation and engagement in the various countries. But budgets and personnel in Headquarters are also important: the desk officer for Iran in the Department of Political Affairs, for example, last visited the country in 1974. More regular visits by headquarters officials or the appointment of staff at headquarters with recent regional experience would help to ensure more accurate information and better analysis of regional developments.

¹⁴¹ This is the case despite recent changes such as the establishment of regular field-HQ coordination meetings by video conference. The Policy Committee plays a role in coordinating policy, but some UN officials argue that this mechanism works only "on paper": the meetings on Middle East issues are infrequent and often focused on very specific matters or

geographical areas (such as Gaza) rather than on the regional picture.

¹⁴²The exception to this is Iraq, where UNAMI is an integrated mission.

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