

Europe and the Mediterranean

The restoration of peace and stability in the post-conflict countries in the European and Mediterranean region advanced in 2009, as efforts to re-establish their institutions and social and economic infrastructure continued. A number of issues remained unresolved, however, and in some of the countries the peace process was seriously challenged.

The international community, led by the European Union (EU), continued to assist Bosnia and Herzegovina to move towards full integration into Europe through the EU Stabilization and Association Process. The Parliamentary Assembly's adoption in March of the Brcko amendment, which ensured the Brcko District access to the Bosnia and Herzegovina Constitutional Court, was the first constitutional change since the 1995 Dayton Peace Agreement was signed. The country also issued its first biometric passports in October. Progress on the reform agenda was limited, however, due to anti-Dayton rhetoric challenging the sovereignty and constitutional order of the country.

In Kosovo, developments continued to be shaped by its declaration of independence in February 2008 and the entry into force of the Kosovo Constitution in June. In April 2009, the European Union Rule of Law Mission in Kosovo reached its full operational capacity, while reconfiguration of the United Nations Interim Administration Mission in Kosovo was completed in July. The UN position on Kosovo's status remained status-neutral. As of 15 December, Kosovo was recognized by 64 States.

Although representatives of the former Yugoslav Republic of Macedonia (FYROM) and Greece met twice in 2009 under UN auspices, with a view to reaching an agreement on the name of the State of FYROM, the issue remained unresolved at year's end.

The Georgian-Abkhaz peace process continued to be affected by the August 2008 war in South Ossetia and its aftermath, as well as Georgian-Russian relations. One of the five rounds of international discussions held in Geneva during the year resulted in an agreement addressing security issues on the ground. As the Security Council was unable to reach agreement on a future security regime that included activities of a UN mission, however, the mandate of the United Nations Observer Mission in Georgia was terminated effective 16 June 2009.

In March, the Secretary-General reported on the situation in the occupied territories of Azerbaijan. The Organization for Security and Cooperation in

Europe Minsk Group continued to mediate negotiations on the Nagorno-Karabakh conflict, yet the issue remained unresolved.

The situation in Cyprus continued to improve, and efforts were focused on assisting the two sides in implementing the 8 July 2006 Set of Principles and Decision. Full-fledged negotiations between the Greek Cypriot and Turkish Cypriot sides continued under UN auspices, with progress achieved in the areas of governance and power-sharing, the economy and EU matters. The United Nations Peacekeeping Force in Cyprus continued to cooperate with the two communities, to facilitate projects benefiting Greek and Turkish Cypriots in the buffer zone and to advance the goal of restoring normal conditions and humanitarian functions on the island.

Bosnia and Herzegovina

During 2009, efforts to assist the two entities comprising the Republic of Bosnia and Herzegovina—the Federation of Bosnia and Herzegovina (where mainly Bosnian Muslims (Bosniacs) and Bosnian Croats resided) and the Republika Srpska (where mostly Bosnian Serbs resided)—in implementing the 1995 General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (the Peace Agreement) [YUN 1995, pp. 544 & 551] were directed by the European Union (EU). Those efforts were accomplished through the activities of the Office of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina (OHR), responsible for the Agreement's civilian aspects [YUN 1996, p. 293]; the European Union Police Mission in Bosnia and Herzegovina, responsible for helping develop sustainable policing arrangements; and the EU Force (EUFOR) mission, responsible for the Agreement's military aspects, which were transferred to it by the North Atlantic Treaty Organization (NATO) in 2004 [YUN 2004, p. 401]. The Peace Implementation Council (PIC) and its Steering Board continued to monitor and facilitate the Agreement's implementation.

During the year, the High Representative reported on the progress made in the implementation process and related political developments in the country in the context of his mission implementation plan, which set out a number of core tasks

to be accomplished [YUN 2003, p. 401]. Bosnia and Herzegovina made progress with the adoption of the Brcko amendment in March, which ensured the Brcko District access to the Bosnia and Herzegovina Constitutional Court, and was the first change to the Constitution since 1995. It also issued the country's first biometric passports in October. Despite those achievements, limited progress was made on the reform agenda owing to political rhetoric challenging the sovereignty, territorial integrity and constitutional order of Bosnia and Herzegovina, as well as challenges to the authority of the High Representative and the Steering Board.

In November 2009, the Security Council extended the mandate of EUFOR for a further twelve-month period (see p. 405).

Implementation of Peace Agreement

Civilian aspects

The civilian aspects of the 1995 Peace Agreement entailed a broad range of activities, including the provision of humanitarian aid and resources for infrastructure rehabilitation, the establishment of political and constitutional institutions, the promotion of respect for human rights and the holding of free and fair elections [YUN 1995, p. 547]. The High Representative for Bosnia and Herzegovina, who chaired the PIC Steering Board and other key implementation bodies, was the final authority with regard to implementing the civilian aspects of the Peace Agreement [YUN 1996, p. 293].

Office of High Representative

Reports of High Representative. On 13 March, PIC appointed Valentin Inzko (Austria) to succeed Miroslav Lajčák (Slovakia) as the High Representative for Bosnia and Herzegovina, which was welcomed by the Security Council on 25 March in resolution 1869(2009) (see below). The new High Representative reported to the Council, through the Secretary-General, on the peace implementation process for the periods 1 November 2008 to 30 April 2009 [S/2009/246], 1 May to 31 October [S/2009/588] and 1 November to 30 April 2010 [S/2010/235]. The Council considered those reports on 28 May [meeting 6130] and 23 November [meeting 6222]. (For details on the reports, see below.)

OHR-EUSR transition. In 2009, while some gains were achieved in the remaining objectives and conditions for a transition from OHR to an EU Special Representative (EUSR) presence, progress was limited. In November, the PIC Steering Board determined that the Office would remain in place until the "5 plus 2" agenda was achieved (see p. 402).

SECURITY COUNCIL ACTION

On 25 March [meeting 6099], the Security Council unanimously adopted **resolution 1869(2009)**. The draft [S/2009/154] was submitted by Austria, Croatia, France, Germany, Italy, the Russian Federation, Turkey, the United Kingdom and the United States.

The Security Council,

Recalling all its previous relevant resolutions,

Recalling also the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"), and the conclusions of the Peace Implementation Conferences held in Bonn, Germany, on 9 and 10 December 1997, in Madrid on 15 and 16 December 1998 and in Brussels on 23 and 24 May 2000, the declarations made by the Steering Board of the Peace Implementation Council on 27 February and 20 November 2008, as well as the statement made by the Steering Board on 13 March 2009,

1. *Welcomes and agrees* to the designation by the Steering Board of the Peace Implementation Council on 13 March 2009 of Mr. Valentin Inzko as High Representative for Bosnia and Herzegovina in succession to Mr. Miroslav Lajčák;
2. *Pays tribute* to the efforts of Mr. Lajčák in his work as High Representative;
3. *Reaffirms* the importance it attaches to the role of the High Representative in pursuing the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement;
4. *Reaffirms also* the final authority of the High Representative in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement;
5. *Takes note* of the declarations of the Steering Board of the Peace Implementation Council of 27 February and 20 November 2008 regarding fulfilment of the five objectives and two conditions required for a transition from the Office of the High Representative to an Office of the European Union Special Representative in Bosnia and Herzegovina;
6. *Decides* to remain seized of the matter.

Political situation and other developments

The High Representative, briefing the Security Council on 28 May [meeting 6130], said that some progress had been made towards the objective of making Bosnia and Herzegovina a peaceful, viable State; the country remained stable and the physical environment was secure. However, the State was not yet fully viable, and its role and competencies were contested by some of its political leaders.

In May, he reported [S/2009/246] that discussions following the signing of the Prud Agreement in November 2008 [YUN 2008, p. 429] resulted in the passage of the 2009 State budget in January and an agreement that led to the 26 March adoption by the Bosnia and

Herzegovina Parliamentary Assembly of the Brcko amendment. The amendment ensured the Brcko District access to the Bosnia and Herzegovina Constitutional Court. Despite those achievements, limited progress was made on the Bosnia and Herzegovina reform agenda. Divisive and nationalist, anti-Dayton rhetoric challenging the sovereignty, territorial integrity and constitutional order of Bosnia and Herzegovina, as well as challenges to the authority of the High Representative and the PIC Steering Board, continued to occur. Of particular note were attacks by the Republika Srpska Government against State institutions, competencies and laws. In March, the Steering Board recognized the progress made towards the “5 plus 2” agenda, the five objectives (resolution of State property, resolution of defence property, completion of the Brcko Final Award, fiscal sustainability, entrenchment of the rule of law) and two general conditions (signing of the Stabilization and Association Agreement and a positive assessment of the situation by the Steering Board) set by PIC in 2008 for the transition of OHR to EUSR [ibid.]. It also expressed concern about the prevailing political situation.

In November [S/2009/588], the High Representative said that progress had been achieved in the area of visa liberalization with the signing of an agreement on the electronic exchange of data between registers of police bodies and prosecutors’ offices; the issuance of the first biometric passports in October; and the adoption by the House of Representatives of the Law on the Agency for the Prevention of Corruption and the Coordination of the Fight against Corruption, with passage by the House of Peoples pending. However, ongoing attacks against State institutions, competencies and laws, mainly by the Republika Srpska Government, and challenges to the authority of the High Representative and PIC Steering Board hampered progress. On 20 June and 18 September, the High Representative issued decisions, respectively, to annul the conclusions of the Republika Srpska National Assembly on transfers of constitutional competencies, which called into question the constitutional basis and legality of State competencies; and to prevent an imminent move by the Republika Srpska authorities to illegally dismantle the State electricity transmission company Elektroprijenos Bosnia and Herzegovina. In addition, due to the Republika Srpska’s refusal to meet its remaining obligations under the Brcko Final Award and its attempts to assert authority in the Brcko District, the District Supervisor suspended preparations for the closure of his office and reserved the right to refer Republika Srpska non-compliance to the Arbitral Tribunal. As the parties failed to build on the success of the Brcko amendment to the Constitution adopted in March, or to engage in any meaningful dialogue on constitutional reform, they were also unable to launch a parliament-led constitutional reform process. In October, the EU and the United States initiated

a high-level political dialogue (the “Butmir process”) aiming to break the political stalemate and facilitate reforms needed for the country’s Euro-Atlantic perspective and institutional capacity.

In a later report [S/2010/235], the High Representative indicated that the negotiations ended in November without a breakthrough. In other efforts, OHR began an inventory of State property in September, which was completed and turned over to State-level, entity and Brcko District governments in December; however, the relevant authorities had yet to start discussions on allocation of the property. Limited progress was made on the question of immovable defence property as political leaders remained divided on the matter. Consequently, none of the remaining three objectives on the “5 plus 2” agenda (apportionment of State property, apportionment of defence property and completion of the Brcko Final Award) was fully met in 2009. In November, the PIC Steering Board stated that until the domestic authorities delivered fully on the agenda, OHR would remain in place to exercise its mandate under the Peace Agreement.

Civil affairs

In May, the High Representative reported [S/2009/246] that despite a proclaimed commitment to the EU agenda, the State institutions made inadequate progress in relation to EU reforms during the reporting period. The Bosnia and Herzegovina Council of Ministers adopted only six EU reform laws and made limited progress on EU requirements. The State and entities continued to adopt legislation in an uncoordinated manner, and the lack of coordination on the part of the Republika Srpska in regard to the European integration process with State-level and other authorities was of particular concern. In April, the European Commission addressed the Bosnia and Herzegovina Parliamentary Assembly, noting a number of outstanding issues and referring to six outstanding laws, as well as the implementation of police reform laws, five of which had been blocked in parliament because of opposition from Republika Srpska parties. Bosnia and Herzegovina authorities took steps to establish the new State-level police bodies.

In his November report [S/2009/588], the High Representative indicated that more than one year after the elections, the City of Mostar still did not have a mayor and the parties had failed to negotiate seriously. In July, the city was gripped by widespread strikes and work stoppages, which prompted the High Representative to enact a temporary financing decision. On 30 October, he imposed a decision compelling the Mostar City Council to hold a Council session within 30 days to elect a mayor by secret ballot. He later reported [S/2010/235] that by December, the Council

had proved unable to either elect a mayor or pass the 2009 budget. On 14 December, with support from the PIC Steering Board, the High Representative issued a decision enacting amendments to the Statute of the City of Mostar, which resulted in the election of a mayor and the adoption of a city budget on 18 December. He also used his executive powers, with PIC Steering Board support, to extend the mandates of international judges and prosecutors working in State-level judicial institutions in the War Crimes Divisions of the State Court and the Prosecutor's Office of Bosnia and Herzegovina that were to expire in late December (see below). The Republika Srpska Government and National Assembly rejected those decisions and called for a referendum on the High Representative's powers. In November, the High Representative issued decisions lifting bans on persons previously barred from being a candidate for elections or from holding any executive office at any level because of earlier obstruction of the General Framework Agreement for Peace.

Judicial reform

In 2009, implementation of both the National Justice Sector Reform Strategy and the National War Crimes Prosecution Strategy, adopted, respectively, in June and December 2008 [YUN 2008, p. 430], was marked by stagnation. Moreover, blockage by the Republika Srpska of the extension requested by the Bosnia and Herzegovina Court President and the Chief Prosecutor of the mandates of the international judges and prosecutors working in the State Court and Prosecutor's Office highlighted the continuing fragility of earlier justice sector reforms.

Although a Supervisory Board had been set up to monitor implementation of the National War Crimes Prosecution Strategy, performance lagged far behind the goals it outlined. The only visible progress achieved on the Strategy—the first comprehensive policy document for dealing with the war crimes caseload facing Bosnia and Herzegovina—was the adoption by the Council of Ministers of two amendments to the Criminal Procedural Code. However, the Parliamentary Assembly had yet to enact them. The lack of a central database with exact information on war crimes cases made further implementation of the Strategy nearly impossible. Following a request from the Board for assistance, OHR wrote to all prosecutors' offices urging them to cooperate in speeding up data collection from lower-level jurisdictions. Meanwhile, the State-wide Justice Sector Reform Strategy also fared poorly. Although implementation working groups were established in January, the process was hampered by the limited participation of the Republika Srpska Ministry of Justice and by the weak contribution of the Federation's Ministry of Justice.

A ministerial conference in May concluded that implementation rates had averaged less than 20 per cent over the preceding five months, and between 40 and 50 per cent of projects had registered no progress at all. By year's end, only 30 per cent of the requirements of the Strategy had been met. A technical secretariat was established to assist the Bosnia and Herzegovina Ministry of Justice to meet its coordination role. The Ministry also signed a memorandum of understanding with five civil society associations to reinforce their monitoring of the implementation of the Strategy.

On other rule of law issues, following the failure by the Bosnia and Herzegovina Parliamentary Assembly to adopt the required amendments requested by the Court and the Prosecutor's Office, as well as the International Tribunal for the Former Yugoslavia, on 14 December, the High Representative enacted amendments to the Law on the Court of Bosnia and Herzegovina and to the Law on the Prosecutor's Office. The presence of international judges and prosecutors working on war crimes cases in the State-level judicial institutions was thereby extended for a further three-year period. The High Representative's decision did not cover the extension of the mandates of international judges and prosecutors in the organized crime, economic crime and corruption departments; it was agreed that internationals might serve as advisers in those sectors. OHR also convened an international donors' meeting in December to address the departure of a number of international prosecutors, judges and legal assistants whose contracts had expired earlier in the year. Other problems affecting the judiciary were the ongoing failure to appoint three judges to the Federation Constitutional Court, which prevented the Court from ruling on vital national interest cases; and expenditure cuts required by the country's International Monetary Fund (IMF) standby arrangement that affected the salaries of judges and prosecutors.

Economic reforms

Economic indicators in the first half of 2009 demonstrated the adverse impact of the global economic crisis on Bosnia and Herzegovina. To mitigate those effects, the Bosnia and Herzegovina Fiscal Council [YUN 2008, p. 430] and IMF agreed in May to a three-year, €1.2 billion standby arrangement, which was approved by the IMF Executive Board on 8 July with the first tranche of funds being released on 10 July. Agreement within the Governing Board of the Indirect Taxation Authority facilitated the 18 June adoption of the Bosnia and Herzegovina Law on Excises and accompanying implementation legislation ensuring a boost in annual indirect tax revenues. On 24 November, the Governing Board agreed on a temporary methodology for the allocation of road toll tax revenues, unblocking over €28 million from the Single

Account. Since the issue of assets received by Bosnia and Herzegovina as a consequence of the post-Yugoslav succession agreement remained unresolved as at the 15 September deadline set by the PIC Steering Board, OHR issued on 18 September a decision enacting the Law on the Distribution, Purpose and Use of Financial Assets Obtained under Annex C to the Agreement on Succession Issues, which addressed the distribution of succession assets in a systematic manner; established exact allocation shares for the State, entities and Brcko; and established a method of rebalancing the assets allocated in April in line with the allocation shares. In the energy sector, operations of Elektroprijenos Bosnia and Herzegovina continued to deteriorate as a result of actions taken by Republika Srpska authorities and their representatives in the firm. On 18 September, OHR issued a second decision ensuring the continuity of the Elektroprijenos electric transmission operations.

Public administration reform

Due to concerns about amendments to the State law on the civil service that could reverse long-standing efforts to establish a merit-based, politically independent civil service, as well as undermine the State-level Civil Service Agency, a February intervention by the Acting High Representative led the parliamentary committee discussing the amendments to make the changes necessary to safeguard the core principles underlying the civil service system. The Bosnia and Herzegovina Parliamentary Assembly adopted the amendments at the end of April. As at July, the 2006 Public Administration Reform Strategy and the action plan [YUN 2006, p. 456] had been only partially (36 per cent) implemented. Meanwhile, severe delays in appointing directors and other key personnel to State-level institutions—owing to disagreement between the leading political parties on how to distribute the positions—affected the performance of the public administration. The appointments of more than 10 Directors were pending at the State level. On 23 December, the Republika Srpska National Assembly adopted legislation abolishing the institution of the Republika Srpska Ombudsman, clearing the last major obstacle for the Bosnia and Herzegovina Ombudsman's Office to become fully operational.

Media development

Media development and reform progressed slowly and was hampered by setbacks, including a deterioration of media freedoms at the beginning of the year. Between January and April, the Free Media Helpline of the Bosnia and Herzegovina Union of Journalists registered a 20 per cent increase of verbal assaults, direct physical attacks, death threats and other violations of journalists' rights compared with 2008. The little cooperation that existed be-

tween local media organizations responsible for media freedom had diminished. On 29 April 2009, the Radio Televizija Republike Srpske, the Republika Srpska public broadcaster and the Republika Srpska daily newspaper *Glas Srpski* walked out of the association of Bosnia and Herzegovina journalists, announcing the establishment of a separate, Republika Srpska-only association of journalists. Reform of the public broadcasting system (PBS) proceeded slowly, with many elements of the State-level PBS legislation adopted in 2005 [YUN 2005, p. 462] not yet implemented. The PBS System Board, finally inaugurated on 11 August, had yet to adopt a statute or register the PBS corporation. Meanwhile, the Communications Regulatory Agency, responsible for regulating the telecommunications and electronic media sectors, remained in a difficult position due to the continuing blockade of appointments both to its council and of its general director.

Relations with other countries

Relations between Bosnia and Herzegovina and its immediate neighbours, Croatia, Montenegro and Serbia, remained relatively stable, despite some political arguments among the leaders and small, unresolved border issues. Croatia and Serbia remained the most important trading partners of Bosnia and Herzegovina. The potential threat to that trade represented by the Parliamentary Assembly's adoption of protectionist legislation in June was averted in September when the Constitutional Court ruled that the legislation was unconstitutional. Meanwhile, the dispute with Croatia over its construction of a bridge from the Dalmatian mainland to the Peljesac peninsula that could imperil Bosnia and Herzegovina's access to the sea was put on hold when Croatia was forced, for fiscal reasons, to suspend construction during the summer. The most serious blow to good relations with Serbia was the September conviction by a court in Belgrade of Ilija Jurišić, a Bosnia and Herzegovina citizen sentenced to 12 years' imprisonment for his alleged part in ordering an attack by Tuzla Civil Defence units on a retreating Yugoslav People's Army convoy in May 1992. The verdict inflamed passions and underscored the need to improve regional cooperation and clarify jurisdictional responsibilities when it came to processing war crime cases.

Brcko District

On 26 March, two positive developments brought the Brcko District nearer to the point where closure of the supervisory regime was possible: the adoption by the Bosnia and Herzegovina Parliamentary Assembly of an amendment to the Bosnia and Herzegovina Constitution giving the Brcko District access to the Bosnia and Herzegovina Constitutional Court; and

the formation of a new “concentration government” representing all political parties and constituent peoples. The amendment came into effect on 5 April. However, the entities and the State failed to resolve by the 15 September deadline the remaining issues specified in the PIC Steering Board’s March communiqué regarding the Brcko District, including the settlement of mutual debts with the entities; the possibility for District residents to choose, declare or change their entity citizenship; the District’s legal inclusion in the regulatory framework of the Bosnia and Herzegovina electricity market; and the District’s right to share in the apportionment of ex-Yugoslav succession funds. The High Representative resorted to his executive powers and enacted the requisite legislation on 18 September. At that point, the only requirement for the State and entities was to publish the decisions in their respective official gazettes, thereby putting them into effect. Although the State, the Federation and the Brcko District complied with the High Representative’s decisions, the Republika Srpska Government and Assembly rejected them. Consequently, the Brcko District Supervisor was unable to recommend the closure of his office.

SECURITY COUNCIL ACTION

On 18 November [meeting 6220], the Security Council unanimously adopted **resolution 1895(2009)**. The draft [S/2009/591] was submitted by Austria, Croatia, France, Germany, Italy, the Russian Federation, Turkey, the United Kingdom and the United States.

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and the relevant statements by its President, including resolutions 1031(1995) of 15 December 1995, 1088(1996) of 12 December 1996, 1423(2002) of 12 July 2002, 1491(2003) of 11 July 2003, 1551(2004) of 9 July 2004, 1575(2004) of 22 November 2004, 1639(2005) of 21 November 2005, 1722(2006) of 21 November 2006, 1764(2007) of 29 June 2007, 1785(2007) of 21 November 2007, 1845(2008) of 20 November 2008 and 1869(2009) of 25 March 2009,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the “Peace Agreement”), as well as the relevant decisions of the Peace Implementation Council,

Recalling all the agreements concerning the status of forces referred to in appendix B to annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Recalling also the provisions of its resolution 1551(2004) concerning the provisional application of the status-of-forces agreements contained in appendix B to annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (the European Union Force), the Senior Military Representative and personnel of the North Atlantic Treaty Organization Headquarters Sarajevo, the Organization for Security and Cooperation in Europe, the European Union and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Recognizing that full implementation of the Peace Agreement is not yet complete, while paying tribute to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the fourteen years since the signing of the Peace Agreement,

Emphasizing the importance of Bosnia and Herzegovina’s progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while recognizing the importance of Bosnia and Herzegovina’s transition to a functional, reform-oriented, modern and democratic European country,

Taking note of the reports of the High Representative, including his latest report, of 6 November 2009,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994 and the statement by its President on 9 February 2000,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the conclusions of the Ministers for Foreign Affairs and Ministers of Defence of the European Union at their joint meeting held on 18 May 2009, in which they welcomed the positive contribution of the European Union Force to the safe and secure environment in Bosnia and Herzegovina, and added that the European Union Force continued to provide reassurance and remained ready to respond to possible security challenges throughout the country, and the conclusions of the Ministers for Foreign Affairs and Ministers of Defence of the European Union at their joint meeting held on 17 November 2009,

Recalling the letters between the European Union and the North Atlantic Treaty Organization sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina in which both organizations recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement,

Recalling also the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina,

including its constituent entities, of the arrangements for the European Union Force and the North Atlantic Treaty Organization Headquarters presence,

Welcoming the increased engagement of the European Union in Bosnia and Herzegovina and the continued engagement of the North Atlantic Treaty Organization,

Reiterating once again its calls upon the authorities in Bosnia and Herzegovina to implement in full their undertakings, as also confirmed in the declaration by the Steering Board of the Peace Implementation Council of 30 June 2009, and recognizing, in particular, the need to find a solution on State and defence property,

Welcoming the progress achieved by Bosnia and Herzegovina on some European Partnership priorities, towards implementing the Interim Agreement and towards fulfilling the visa liberalization road map requirements, and calling upon the authorities in Bosnia and Herzegovina to strengthen and step up their efforts to complete the urgent reforms highlighted by the European Commission in its progress report of 14 October 2009 to implement the European Partnership and to prepare to meet obligations under the Interim Agreement and, in due course, the Stabilization and Association Agreement,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"), as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995, and calls upon the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial or apprehension

of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for the European Union Force and the continued North Atlantic Treaty Organization presence and their confirmation that both are the legal successors to the Stabilization Force for the fulfilment of their missions for the purposes of the Peace Agreement, its annexes and appendices and relevant Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with annexes 1-A and 2 of the Peace Agreement and relevant Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (the European Union Force), and in the continued North Atlantic Treaty Organization presence, established in accordance with its resolution 1575(2004) and extended by its resolutions 1639(2005), 1722(2006), 1785(2007) and 1845(2008), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force (the European Union Force) and by maintaining a continued North Atlantic Treaty Organization presence;

9. *Welcomes* the intention of the European Union to maintain a European Union military operation to Bosnia and Herzegovina from November 2009;

10. *Authorizes* the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated

to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of the North Atlantic Treaty Organization to continue to maintain a presence in Bosnia and Herzegovina in the form of a North Atlantic Treaty Organization Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with the European Union Force, and authorizes the Member States acting through or in cooperation with the North Atlantic Treaty Organization to continue to maintain a North Atlantic Treaty Organization Headquarters as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the European Union Force in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both the European Union Force and the North Atlantic Treaty Organization presence as they have applied to and in respect of the Stabilization Force and that, therefore, references in the Peace Agreement, in particular in annex 1-A and the appendices thereto, and in relevant resolutions to the Implementation Force and/or the Stabilization Force, the North Atlantic Treaty Organization and the North Atlantic Council shall be read as applying, as appropriate, to the North Atlantic Treaty Organization presence, the European Union Force, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses its intention* to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force and the North Atlantic Treaty Organization presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either the European Union Force or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force and the North Atlantic Treaty Organization presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of the European Union Force, the North Atlantic Treaty Organization presence and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation* for the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

21. *Requests* the Secretary-General to continue to submit to the Security Council reports of the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996, and later Peace Implementation Conferences, on the implementation of the Peace Agreement and, in particular, on compliance by the parties with their commitments under that Agreement;

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

Communications. On 1 December [S/2009/616], Turkey transmitted to the Security Council the final report of the meeting of the Organization of the Islamic Conference (OIC) Contact Group on Bosnia and Herzegovina (Istanbul, 9 November). In a letter [A/64/614-S/2009/677] dated 15 December to the Secretary-General, Syria, in its capacity as Chair of the OIC Group, submitted the Final Communiqué of the OIC Annual Coordination Meeting of Ministers for Foreign Affairs (New York, 25 September), which expressed its commitment to acting in solidarity with Bosnia and Herzegovina in its ongoing efforts towards ensuring an efficient state structure in the country.

European Union missions in Bosnia and Herzegovina

EUPM

The European Union Police Mission (EUPM), which was established as part of a broader rule of law approach and welcomed by the Security Council in presidential statement S/PRST/2002/33 [YUN 2002, p. 363], became operational on 1 January 2003. In 2009, the Mission continued to focus on support-

ing the fight against organized crime and assisted in coordinating the policing aspects of efforts to combat major and organized crime. In coordination with OHR and the EU Special Representative, EUPM continued to support police reform by monitoring and assessing the implementation of the police reform legislation adopted in 2008 [YUN 2008, p. 434]; promoting implementation of the new legislation; and encouraging the harmonization of existing laws. Their joint efforts also focused on harmonizing entity, cantonal and Brcko District police legislation; and developing proposals on reforming State-level legislation covering the State Investigation and Protection Agency and the Border Police.

EUFOR

The EU Force (EUFOR) mission in Bosnia and Herzegovina executed the military aspects of the Peace Agreement as specified in annexes 1-A and 2, which were transferred to it by NATO in 2004 [YUN 2004, p. 401]. Its activities in 2009 were described in five reports, covering the periods from 1 December 2008 to 28 February 2009 [S/2009/418], 1 March to 31 May [S/2009/354], 1 June to 31 August [S/2009/525], 1 September to 30 November [S/2010/113] and 1 December 2009 to 28 February 2010 [S/2010/510], submitted by the EU High Representative for the Common Foreign and Security Policy in accordance with various Security Council resolutions.

EUFOR continued to provide deterrence, ensure compliance in relation to the responsibilities specified in the Peace Agreement and contribute to maintaining a safe and secure environment. It provided support to law-enforcement agencies in fighting organized crime in close cooperation with the EU Police Mission, and to the International Tribunal for the Former Yugoslavia in the search for persons indicted for war crimes. As at 30 November, the force of some 2,000 EUFOR troops was concentrated in Sarajevo, with liaison and observation teams deployed throughout Bosnia and Herzegovina.

In the area of joint military affairs tasks, the law on civilian movement control (control of the movement of weapons and military equipment by Bosnia and Herzegovina contractors) came into force on 15 July. On 19 November, EUFOR handed that responsibility—the last task in the area of joint military affairs—to the Bosnia and Herzegovina authorities. EUFOR continued to monitor, mentor and advise in order to enhance the self-sustainability of the Bosnia and Herzegovina capabilities. In that context, EUFOR monitored some 1,300 joint military affairs activities by the Bosnia and Herzegovina authorities between September and November. EUFOR and the Armed Forces of Bosnia and Herzegovina continued to conduct combined training.

On 18 May, the EU Council approved the concept for a possible evolution of EUFOR towards a non-executive capacity-building and training operation. On 17 November, the EU Council assessed the political and security situation in the country; welcomed progress with preparatory planning work for the possible future evolution of EUFOR; and reiterated that a decision on that issue would need to take political developments into account, including the future role of the EU Special Representative.

Kosovo

In 2009, the United Nations Interim Administration Mission in Kosovo (UNMIK) faced challenges in fulfilling its mandate as envisaged in Security Council resolution 1244(1999) [YUN 1999, p. 353] owing to Kosovo's declaration of independence in February 2008 [YUN 2008, p. 437], the entry into force of the Kosovo Constitution on 15 June [ibid., p. 439], and the deployment of the EU Rule of Law Mission in Kosovo (EULEX) throughout Kosovo in December [ibid., p. 442]. Serbia condemned Kosovo's declaration of independence and maintained that action by Kosovo's Provisional Institutions of Self-Government violated resolution 1244(1999), which reaffirmed Serbia's sovereignty and territorial integrity, including Kosovo and Metohija. As at 15 December 2009, Kosovo was recognized by 64 States. The UN position on Kosovo's status was of status neutrality. During the year, the Secretary-General exercised the authority vested in him by resolution 1244(1999) to make adjustments to the presence, profile and priorities of the Mission as a result of changing circumstances on the ground. The Mission's strategic goal remained the promotion of security, stability and respect for human rights in Kosovo and in the region. The Organization for Security and Co-operation in Europe (OSCE) and EULEX played increasingly important roles that complemented UNMIK, within the framework of resolution 1244(1999).

In response to General Assembly resolution 63/3 [YUN 2008, p. 1404], the International Court of Justice (ICJ) held public hearings in December on the request for an advisory opinion on the question of the *Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo* (see p. 1277).

Political and security developments

Report of Secretary-General (March). In March [S/2009/149], the Secretary-General said that the Kosovo authorities continued to act on the basis of the Constitution of the Republic of Kosovo, which entered into force in June 2008 [YUN 2008,

p. 439], some three months after Kosovo declared its independence [ibid., p. 437]. In December, the Assembly of Kosovo had passed laws on the Constitutional Court, on the Foreign Service and on the Consular Service of Diplomatic and Consular Missions in Kosovo, which made no reference to the powers of the UN Special Representative for Kosovo under Security Council resolution 1244(1999) [YUN 1999, p. 353] or to the 2001 Constitutional Framework for Provisional Self-Government [YUN 2001, p. 352]. In accordance with Security Council presidential statement S/PRST/2008/44 [YUN 2008, p. 442] and the Secretary-General's November 2008 report [ibid., p. 441], the Government of Serbia and a majority of Kosovo Serbs had accepted the deployment of EULEX on the condition that it would operate under the overall authority of the United Nations and within its status-neutral framework. As of March 2009, some 2,493 staff members were working for EULEX. Meanwhile, the accelerated reconfiguration of UNMIK was being implemented in consultation with the main stakeholders on the ground, including the review and handover of UNMIK files to EULEX and the drawdown of UNMIK rule-of-law personnel.

On 17 February, celebrations organized in Pristina—the capital of Kosovo—and at the municipal level, on the one-year anniversary of Kosovo's declaration of independence took place without incident. On the same date, in Zvečan/Zvečan municipality in northern Kosovo, over 80 Serbian opposition lawmakers from the Serbian Parliament joined delegates from the Assembly of the Association of Serb Municipalities and approved a declaration affirming the constitutional status of Kosovo and Metohija within the Republic of Serbia and rejecting all unilateral and separatist activities of the provisional institutions in Pristina. In line with Belgrade's official policy, Kosovo Serbs continued to reject the authority of Kosovo institutions derived from the Kosovo Constitution, although increasing numbers were applying for Kosovo identity cards, driver's licences and other Kosovo documentation that facilitated their ability to live, work and move about freely in Kosovo. In the north, four municipal structures in Kosovo Serb-majority areas continued to function on the basis of Serbia's law on local self-governance. The reluctance of the Kosovo Serb community to participate in the new framework on local governance adopted by the Kosovo authorities hindered the creation of Kosovo Serb-majority municipalities and progress in decentralization throughout Kosovo.

The overall security situation remained stable, except for a series of incidents that occurred in the region of Mitrovicë/Mitrovica. Following the launch of the Kosovo Security Force (КСФ) on 21 January, which rendered the Kosovo Protection Corps non-

operational [YUN 2000, p. 364], UNMIK took appropriate measures, including abolishing the post of the Coordinator of the Corps. NATO, which had overseen the establishment and operations of the Security Force, announced that it would consist of 2,500 active members and 800 reservists. Serbia protested against the establishment of the Security Force.

UNMIK reconfiguration. Following the assumption by EULEX of operational responsibility in the area of rule of law in December, UNMIK personnel began transferring policing, judicial and customs-related responsibilities/functions to EULEX. As at 9 March 2009, all except 55 of 1,582 UNMIK police personnel on the ground on 1 December 2008 had been repatriated or assumed functions with EULEX police. The drawdown of UNMIK personnel was expected to be concluded before the start of the 2009–2010 budget cycle. The reconfigured Mission would maintain a small field presence, in particular in Mitrovicë/Mitrovica, that would focus on minority issues, including minority representation, returns and freedom of movement, as well as issues relating to the protection, preservation and reconstruction of cultural heritage in Kosovo. The office in Skopje advised on and provided evaluations of political developments in its area of responsibility. UNMIK would continue working towards the advancement of regional stability and prosperity, based on its continued mandate under resolution 1244(1999), in coordination with OSCE and the Kosovo Force (KFOR), and in cooperation with authorities in Pristina and Belgrade. Its main functions included monitoring and reporting, facilitation of external representation, facilitation of dialogue between Pristina and Belgrade, and activities related to the practical arrangements on the six points referred to in the Secretary-General's June [YUN 2008, p. 438] and November [ibid., p. 441] 2008 reports. As EULEX would perform the full range of rule of law operations, the UNMIK rule of law component would be replaced by a small police and justice liaison office with residual functions.

Report of Secretary-General (June). The Secretary-General reported in June [S/2009/300] that the reconfiguration and downsizing of UNMIK was close to finalization. On 6 April, EULEX assumed full operational capability and as at 31 May, mission staff numbered 2,569 (1,651 international and 918 local employees). The handover of case files from UNMIK to EULEX was completed, and the two missions exchanged information and coordinated on issues of mutual concern on a regular basis. Although Kosovo authorities maintained minimal contact with Special Representative Lamberto Zannier (Italy), and practical cooperation between UNMIK representatives and Kosovo officials continued, the Kosovo authorities—acting on the basis of the Kosovo Constitution and the assertion that resolution 1244(1999) was no longer relevant—

made a series of public statements requesting UNMIK to conclude its mission. The Special Representative and international stakeholders encouraged Pristina to take a more constructive stance towards UNMIK engagement. He also continued, together with the United Nations Office in Belgrade and UNMIK and EULEX experts, substantial technical discussions with Belgrade officials, with EULEX leading technical discussion on issues related to its role and activities in the areas of justice, police and customs, within the framework of resolution 1244(1999). The Belgrade authorities were keen to discuss arrangements in those areas, while Kosovo authorities remained reluctant to engage. Some progress was made in implementing solutions on the protection of Serbian cultural heritage in Kosovo.

In other developments, the Secretary-General said that municipal elections were expected to take place in October or November 2009. Following the entry into force of the Kosovo Constitution, Kosovo authorities had begun to assume full responsibility for the Central Elections Commission and its secretariat, but there was concern over the capacity of the local institutions to manage an electoral process. Despite the appointment of a new chairperson in May, the Commission continued to face serious challenges in terms of its proper management and functioning, owing to its increasing politicization, political deadlocks and limited professional capacities. OSCE, which had, as a part of UNMIK, been in charge of organizing Kosovo elections since the establishment of an international presence there in 1999, continued its regular capacity-building activities for the Commission, and the OSCE secretariat provided daily advice. Meanwhile, municipalities in the north continued to operate largely separately from the rest of Kosovo, and Northern Serb leaders maintained their non-acceptance of any institutions or symbols of Kosovo authorities. UNMIK continued to lend its good offices to all communities in northern Kosovo and to provide links with institutions in Pristina when required.

The overall security situation remained relatively calm. A series of incidents in the Kroi i Vitakut/Brdjani suburb of Mitrovicë/Mitrovica, where Kosovo Albanian residents started rebuilding their houses, which had been destroyed in 1999, led to daily protests by Kosovo Serbs. The Kosovo Police, EULEX and KFOR took action to protect the construction sites from demonstrators and continued to monitor the situation after an agreement was facilitated between the two sides that entailed the rebuilding of Kosovo Albanian homes and the building of Kosovo Serb homes on parcels of land in the same area. Training by NATO of the newly established KSF continued. As over 90 per cent of the members of the Kosovo Protection Corps applied to join the Force, the UNMIK

Office of the Protection Corps would cease operations on 15 June.

In the justice sector, meetings with the Serbian authorities were held in Belgrade on 8 April, with the participation of UNMIK and EULEX representatives. Discussions focused on the reintroduction of local judges and prosecutors to the Mitrovicë/Mitrovica courthouse. Some progress was achieved in forming a commission composed of local staff to inventory the active case material stored in the courthouse. During the reporting period, UNMIK handed over to EULEX all remaining active cases with the exception of one ongoing criminal case and four proceedings of the Special Chamber of the Supreme Court in Kosovo. On other judicial matters, the ICJ received written statements by 36 UN Member States, as well as Kosovo authorities, on the question of whether Kosovo's declaration of independence was in accordance with international law (see p. 1277).

Report of Secretary-General (September).

In September, the Secretary-General [S/2009/497] reported that as at 1 July, UNMIK had successfully concluded its reconfiguration, reached its authorized strength of 510 personnel, and moved into a new phase characterized by a focus on facilitating practical cooperation between communities, as well as between the authorities in Pristina and Belgrade. The UNMIK Office for Community Support and Facilitation was tasked with monitoring, reporting and facilitation functions, and with residual external representation and economic coordination functions. UNMIK and EULEX regularly exchanged information and coordinated at all levels, including through the UNMIK Rule of Law Liaison Office. OSCE and EULEX played increasingly important roles that complemented those of UNMIK. EULEX experts continued to take the lead in technical discussions with the Serbian authorities in the rule of law area.

Special Representative Zannier operated against a complex political background. Decision-making by the authorities in Pristina and Belgrade was influenced by concerns over how the ICJ might interpret their actions in considering the request of the General Assembly for an advisory opinion on whether Kosovo's declaration of independence was in accordance with international law. Authorities in Belgrade adopted a pragmatic approach to resolving some of the pending matters, while Pristina authorities remained unprepared to engage unless they could deal with their Belgrade counterparts directly as equals. The three Kosovo Serb-majority municipalities in the north functioned with few links to the authorities in Pristina, and the political leadership in northern Kosovo continued to consider UNMIK and KFOR as the only legitimate international presence under resolution 1244(1999).

On elections and decentralization, the Kosovo authorities announced on 16 June that municipal elections would be held on 15 November and called on the Central Election Commission to begin preparations for their organization. The electoral operations would be conducted by the Commission. OSCE would provide support in managing elections-related issues and planning electoral operations, but would have no role in the monitoring, observation and counting process. It would also be the first time that UNMIK was not expected to certify the election results since its deployment in 1999. On 28 June, the Assembly of the Association of Serbian Municipalities called on Serbian political parties to oppose the participation of Kosovo Serbs in the elections and appealed to Serbian institutions and the Serbian Orthodox Church to boycott them. In July, the Serbian Government declared that conditions for the participation of Kosovo Serbs in the elections did not exist and that the elections were not in line with resolution 1244(1999). On 16 August, local by-elections organized by the Serbian authorities took place in two Kosovo Serb-majority areas, Graçanicë/Gračanica (Pristina region) and Gorazhdec/Goraždevac (Pejë/Peć region). While the Kosovo authorities did not try to obstruct the by-elections, maintaining that they had no legal bearing and were invalid, opposition members and civil society representatives viewed the elections as an aggression by Serbia. Voter turnout was low, at around 20 per cent, due in part to the much lower turnout of internally displaced persons voting at polling stations.

The security situation remained calm, yet fragile in the north. UNMIK continued its mediation between the Kosovo Albanian and Kosovo Serb communities, including by defusing tensions surrounding the Kroi i Vitakut/Brdjani reconstruction activities, in cooperation with EULEX and KFOR. The Secretary-General urged all sides to adopt constructive policies in dealing with sensitive inter-ethnic issues and observed that in the light of ongoing tensions in northern Kosovo, EULEX and KFOR remained critical to security and stability. In other developments, the mid-August announcement of a possible EULEX-Serbian Ministry of the Interior agreement on police cooperation was met with resistance by the Kosovo authorities, who maintained that signing such agreements was their exclusive responsibility. On 26 August, some 60 activists of Self-Determination (Vetëvendosje), an ethnic Albanian nationalist group, vandalized 26 EULEX vehicles in Pristina in protest of the protocol. Other acts of vandalism against EULEX vehicles and some UN vehicles occurred in the ensuing days. On 14 September, three days after the agreement was signed, a demonstration against the agreement was organized in Pristina by 23 local non-governmental organizations (NGOs), with some 1,000 demonstrators calling for the withdrawal of EULEX from Kosovo.

ICJ advisory opinion request. On 14 September, following a request by Serbia [A/63/PV.105] that the agenda item on “Request for an advisory opinion of ICJ on whether the unilateral declaration of independence of Kosovo is in accordance with international law” be included in the draft agenda of its sixty-fourth (2009) session, the General Assembly approved the request (**decision 63/570**). On 24 December, the Assembly decided that the agenda item would remain for consideration during its resumed sixty-fourth (2010) session (**decision 64/549**).

Year-end developments. In a later report [S/2010/5], the Secretary-General said that the municipal and mayoral elections organized by Kosovo authorities on 15 November, which took place without major incident, marked an important step in the decentralization process. The elections were held in 36 municipalities—six more than in the local election held in November 2007—and were monitored by some 23,000 observers, including 600 international observers, who found that they adhered to democratic standards, despite some irregularities. Elections for the envisaged new municipalities in northern Mitrovicë/Mitrovica and Partesh/Parteš were postponed, due to lack of progress in gaining support for decentralization in those areas. Although Belgrade authorities had stated that the elections were not in line with resolution 1244(1999) and did not call on Kosovo Serbs to vote, the Serbian President made it clear that the Government would not stigmatize Kosovo Serbs who chose to participate. On 29 November, Serbia organized by-elections in the northernmost municipality in Kosovo, Leposaviq/Leposavić. The Kosovo authorities stated that they would not recognize those elections. On the other hand, the 15 November elections organized by the Kosovo authorities had no real political impact on the north, with virtually no turnout of Kosovo Serbs there. The UNMIK Office in Mitrovicë/Mitrovica continued to function as a go-between for Kosovo Serb municipal leaders and the Kosovo Albanian community in the north. UNMIK also served as the bridge between EULEX and local political leaders. Although the tension between Kosovo Albanians and Kosovo Serbs had significantly decreased in the northern Kosovo community of Kroi i Vitakut/Brdjani, the situation in the north remained fragile, with inter-ethnic incidents occurring in northern Mitrovicë/Mitrovica.

ICJ held public hearings from 1 to 11 December on whether Kosovo’s unilateral declaration of independence was in accordance with international law. In addition to Serbia and Kosovo, representatives of 27 States, including all 5 permanent members of the Security Council, participated in the hearings. As at 15 December, Kosovo was recognized by 64 States.

The Secretary-General further reported [S/2010/169] that the election results for the second round of mayoral elections, organized by the Kosovo authorities and held on 13 December, were certified in 18 municipalities on 24 December. On 21 December, the President of Slovenia, Danilo Türk, became the first Head of State to visit Pristina since the Kosovo authorities declared independence.

Communication. On 1 April [A/63/820-S/2009/208], the Russian Federation transmitted a statement adopted by the State Duma of the Federal Assembly on 20 March supporting the policy adopted by the Serbian leadership in the search for a legal resolution to the conflict.

EULEX

The European Union Rule of Law Mission in Kosovo (EULEX), established to undertake an enhanced operational role in the rule-of-law area, with a focus on policing, justice and customs [YUN 2008, p. 441], was deployed throughout Kosovo in December 2008 [ibid., p. 442] and became fully operational in April 2009. EULEX operated under the overall authority and within the status-neutral framework of the United Nations, and submitted reports to it on a regular basis. On the occasion of the Mission's first anniversary in December, Kosovo President Fatmir Sejdiu and Prime Minister Hashim Thaçi commented on the work of EULEX during its first year of operations; the Prime Minister expressed confidence in the Mission's success. Meetings of the Joint Rule of Law Coordination Board, co-chaired by the Head of EULEX and the Deputy Prime Minister, took place on a monthly basis, and working groups were set up to coordinate the consultations. UNMIK and EULEX staff worked together in the UNMIK International Criminal Police Organization Office. On 24 December, EULEX was invited for the first time to take part in a Joint Implementation Committee meeting at the Serbian Border Police headquarters in Kuršumljaja, Serbia.

The reports of the EU High Representative for the Common Foreign and Security Policy to the UN Secretary-General on EULEX activities were annexed to the UN Secretary-General's reports to the Security Council on UNMIK [S/2009/149, S/2009/300, S/2009/497, S/2010/5 and S/2010/169].

UNMIK

The United Nations Interim Administration Mission in Kosovo (UNMIK), established in 1999 [YUN 1999, p. 357] to facilitate a political process to determine Kosovo's political future, comprised five components: interim administration, institution-building, economic reconstruction, humanitarian affairs, and police and justice. Following Kosovo's declaration of independence in February 2008 [YUN 2008, p. 437]

and the deployment of EULEX throughout Kosovo in 2009, the profile and size of UNMIK was gradually reconfigured in accordance with changing circumstances on the ground. As at 1 July, the Mission reached its authorized strength of 510 personnel. The strategic goal of UNMIK remained the promotion of security, stability and respect for human rights in Kosovo and in the region through engagement with all communities in Kosovo, as well as with Pristina and Belgrade and with regional and international actors. UNMIK was headed by the Special Representative of the Secretary-General, Lamberto Zannier (Italy).

Financing

In June, the General Assembly considered the financial performance report for UNMIK for the period from 1 July 2007 to 30 June 2008 [A/63/569], the proposed budget for 1 July 2009 to 30 June 2010 [A/63/803 & Corr.1] and the related report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) [A/63/746/Add.14].

GENERAL ASSEMBLY ACTION

On 30 June [meeting 93], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/63/902], adopted **resolution 63/295** without vote [agenda item 142].

Financing of the United Nations Interim Administration Mission in Kosovo

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Interim Administration Mission in Kosovo and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1244(1999) of 10 June 1999 regarding the establishment of the United Nations Interim Administration Mission in Kosovo,

Recalling also its resolution 53/241 of 28 July 1999 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 62/262 of 20 June 2008,

Acknowledging the complexity of the Mission,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

Mindful also of the need to ensure coordination and cooperation with the European Union Rule of Law Mission in Kosovo,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006 and 61/276 of 29 June 2007, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Interim Administration Mission in Kosovo as at 30 April 2009, including the contributions outstanding in the amount of 62.7 million United States dollars, representing some 2 per cent of the total assessed contributions, notes with concern that only eighty-eight Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Decides* to create three positions at the P-5, P-4 and P-3 levels in the Office of the Special Representative of the Secretary-General, to be funded under general temporary assistance and accommodated within the level of the approved budget;

12. *Takes note* of paragraph 35 of the report of the Advisory Committee;

13. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266 and 61/276;

14. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

15. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2007 to 30 June 2008

16. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2007 to 30 June 2008;

Budget estimates for the period from 1 July 2009 to 30 June 2010

17. *Decides* to appropriate to the Special Account for the United Nations Interim Administration Mission in Kosovo the amount of 48,864,900 dollars for the period from 1 July 2009 to 30 June 2010, inclusive of 46,809,000 dollars for the maintenance of the Mission, 1,711,000 dollars for the support account for peacekeeping operations and 344,900 dollars for the United Nations Logistics Base;

Financing of the appropriation

18. *Also decides* to apportion among Member States the amount of 48,864,900 dollars, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006, and for 2010;

19. *Further decides* that, in accordance with the provisions of General Assembly resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 18 above, their respective share in the Tax Equalization Fund in the amount of 4,204,600 dollars, comprising the estimated staff assessment income of 3,992,400 dollars approved for the Mission, the prorated share of 178,100 dollars of the estimated staff assessment income approved for the support account and the prorated share of 34,100 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

20. *Decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 18 above, their respective share of the unencumbered balance and other income in the total amount of 5,413,700 dollars in respect of the financial period ended 30 June 2008, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2008, as set out in resolution 61/237;

21. *Also decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 5,413,700 dollars in respect of the financial period ended 30 June 2008, in accordance with the scheme set out in paragraph 20 above;

22. *Further decides* that the increase of 317,000 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2008 shall be added to the credits from the amount of 5,413,700 dollars referred to in paragraphs 20 and 21 above;

23. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

24. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

25. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

26. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled “Financing of the United Nations Interim Administration Mission in Kosovo”.

In December, the Secretary-General submitted the performance report for UNMIK for the period 1 July 2008 to 30 June 2009 [A/64/604].

On 24 December, the Assembly decided that the agenda item on UNMIK financing would remain for consideration during its resumed sixty-fourth (2010) session (**decision 64/549**).

KFOR

In accordance with Security Council resolution 1244(1999) [YUN 1999, p. 353], the Secretary-General transmitted to the Council reports on the activities during 2009 of the Kosovo Force (KFOR), also known as Operation Joint Guard, covering the periods from 1 January to 31 March, 1 April to 30 June and 1 July to 30 September [S/2010/77], and 1 October to 31 December [S/2010/197]. As at 31 December, the Force, which operated under NATO leadership, comprised 11,600 troops, including 1,800 troops from non-NATO countries.

KFOR units continued to focus on maintaining a safe and secure environment and freedom of movement throughout Kosovo; preventing non-compliant-group activities; deterring outbreaks of violence by supporting the Kosovo Police and EULEX; and standing ready to assist them in a third responder position upon request. KFOR also conducted high-visibility operations throughout Kosovo to deter any possible attempt at destabilization.

The former Yugoslav Republic of Macedonia

Relations with Greece

In accordance with the 1995 Interim Accord on the normalization of relations between the former Yugoslav Republic of Macedonia (FYROM) and Greece

[YUN 1995, p. 599], representatives of both countries met twice during 2009 (11 February and 22 June), under the auspices of the Secretary-General. The countries exchanged views in the context of article 5 of the Accord, which provided for the continuation of negotiations towards reaching agreement on their differences, as described in Security Council resolutions 817(1993) [YUN 1993, p. 208] and 845(1993) [ibid., p. 209], concerning the name of the State of FYROM. Representatives of both countries also held separate meetings with the Secretary-General’s Personal Envoy in July and November. The issue remained unresolved at year’s end.

Communications. During the year, letters from Greece and from FYROM to the Secretary-General or General Assembly President dealt with relations between the two States [A/63/712-S/2009/82, A/63/772-S/2009/150, A/63/869-S/2009/285, A/63/934-S/2009/381, A/64/468 and A/64/500].

Georgia

In 2009, efforts to move the Georgian-Abkhaz peace process forward based on the 2001 Basic Principles for the Distribution of Competences between Tbilisi (Georgia’s Government) and Sukhumi (the Abkhaz leadership) [YUN 2001, p. 386]—the framework for negotiations on the status of Abkhazia as a sovereign entity within the State of Georgia—continued to be affected by the 2008 war in South Ossetia [YUN 2008, p. 454] and its aftermath, as well as Georgian-Russian relations. The Russian Federation recognized Abkhazia and South Ossetia as independent States, while Georgia declared them territories occupied by the Russian Federation. In accordance with the six-point agreement of 12 August 2008 and implementing measures of 8 September, international discussions were held in Geneva. In February 2009, Georgia, the Russian Federation, the United States, and the Abkhaz and South Ossetian representatives participated in a discussion that resulted in the agreement on “Proposals for joint incident prevention and response mechanisms”, which aimed to address security issues on the ground. Four subsequent rounds of talks were held during the year.

Despite the new challenges, the United Nations Observer Mission in Georgia (UNOMIG) continued to carry out its patrolling, observation and liaison activities as at 7 August 2008 and prior to the war in South Ossetia. However, as the context in which the UN Mission carried out that mandate—as defined by Security Council resolution 937(1994) [YUN 1994, p. 584]—had changed considerably, the Mission’s role was reviewed. Although the Secretary-General submitted recommendations in May on a future security

regime, which included activities of a UN mission, the Security Council was unable to reach an agreement and the UNOMIG mandate was terminated on 15 June 2009.

Situation in Abkhazia

Political developments and UN Mission activities

Report of Secretary-General (February).

In a February report on the situation in Abkhazia [S/2009/69 & Corr.1], the Secretary-General stated that developments such as the recognition by the Russian Federation of Abkhazia's independence on 26 August 2008 [YUN 2008, p. 456], Georgia's withdrawal from the 1994 Moscow Agreement on a Ceasefire and Separation of Forces [YUN 1994, p. 583] on 29 August 2008 [YUN 2008, p. 456], and the termination of the mandate of the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS) on 10 October 2008 [YUN 2008, p. 457], had considerably affected the context in which UNOMIG carried out its mandated tasks as defined by Security Council resolution 937(1994) [YUN 1994, p. 584] and subsequent resolutions. The overall security situation in the Mission's area of responsibility remained tense, with a considerable number of security incidents involving casualties on both sides. On the Abkhaz-controlled side, Russian Federation forces had taken over previous positions of the CIS peacekeeping force and constructed new fortified positions in the zone of conflict. Abkhaz heavy weapons and military personnel had also been introduced into the zone. At the same time, Georgian Ministry of Internal Affairs personnel had established new positions and deployed light armoured vehicles in the security zone. Both sides had largely continued to respect limitations that were in place under the Moscow Agreement. Also of concern were the burdens experienced by local populations, including restrictions on their freedom of movement across the ceasefire line. In accordance with the six-point agreement of 12 August 2008 [YUN 2008, p. 456] and implementing measures of 8 September [ibid., p. 457], the UN Mission continued to carry out patrolling and other tasks mandated to UNOMIG as at 7 August 2008. Notwithstanding the new challenges, the UN Mission carried out those functions, on both sides of the ceasefire line, without major impediments.

Persistent tensions in Georgian-Russian relations continued to affect the overall situation in the region. Georgia maintained that Abkhazia and South Ossetia were territories occupied by the Russian Federation. It restricted access to those territories and prohibited economic and financial activities that did not comply with Georgian law. The Russian Federation, on the other hand, made references to the "new realities"

created after the August 2008 developments—specifically the recognition of Abkhazia and South Ossetia by the Russian Federation—and based the presence of Russian armed forces there on the Russian-Abkhaz and Russian-South Ossetian treaties on friendship, cooperation and mutual assistance [YUN 2008, p. 458]. It also planned to establish military bases and deploy some 3,700 troops. In accordance with the August 2008 six-point agreement and 8 September 2008 implementing measures, three rounds of international discussions co-chaired by the Secretary-General's Special Representative, together with EU and OSCE representatives, were held in Geneva in 2008 [ibid.]. A fourth round of discussions was scheduled for 17 and 18 February 2009. Although the Geneva discussions on security and stability had made some progress, the Secretary-General observed that they had yet to deliver tangible results. Discussions undertaken by his Special Representative with the parties and international stakeholders on the future role of the UN Mission had confirmed support for a continued UN presence, but had also identified considerable differences as to the nature and scope of its mandate.

In the absence of a renewed agreement on a comprehensive security regime, the Secretary-General recommended measures for consideration by the parties as a basis for a discussion on an effective security regime, which included strict observation of the ceasefire on land, at sea and in the air; a security zone on both sides of the ceasefire line where the presence of armed forces and equipment would not be allowed; a ban on overflights by military aircraft and unmanned aerial vehicles in the zone and additional zones; advanced notification of any changes in the deployment of armed personnel and equipment in the zones; and designation by each party of authorized representatives to liaise on a regular basis with a view to exchanging information and resolving incidents. Due to the precarious security situation and to contribute to the well-being of local populations, the Secretary-General also proposed that the Council endorse the continued presence of a UN mission, retaining the current mission's configuration and deployment. The mission's tasks would include, among other activities, patrolling its area of responsibility (the former zone of conflict), liaising with all parties to resolve incidents and ensure freedom of movement across the ceasefire line for local populations, monitoring parties' adherence to any elements of a security regime endorsed by the Council, contributing to improving the humanitarian situation, assisting the parties in the further development of a mutually agreed, comprehensive security regime and assisting law enforcement agencies on both sides of the ceasefire line.

UN Mission extension. On 13 February, in resolution 1866(2009), the Security Council extended the mandate of the UN Mission for a new period termi-

nating on 15 June, and expressed its intention to outline elements of a future UN presence in the region by that date, taking into account the recommendations in the Secretary-General's forthcoming report, the Geneva discussions and developments on the ground.

SECURITY COUNCIL ACTION

On 13 February [meeting 6082], the Security Council unanimously adopted **resolution 1866(2009)**. The draft [S/2009/88] was prepared in consultations among Council members.

The Security Council,

Recalling its previous resolutions, including resolutions 1808(2008) of 15 April 2008 and 1839(2008) of 9 October 2008,

Having considered the report of the Secretary-General of 3 February 2009,

Welcoming the six-point agreement of 12 August 2008 and subsequent implementing measures of 8 September 2008,

Taking note of the Geneva discussions which commenced on 15 October 2008, and encouraging the participants to reach practical results,

Underlining the importance of the peaceful resolution of disputes,

1. *Recalls* the arrangements entered into under the agreements of 12 August and 8 September 2008;

2. *Calls for* the provisions that were set out in paragraph 2 (a) of the Agreement on a Ceasefire and Separation of Forces signed at Moscow on 14 May 1994 to be respected, pending consultations and agreement on a revised security regime, taking note of the recommendations on the security regime contained in the report of the Secretary-General of 3 February 2009;

3. *Underlines* the need to refrain from the use of force or from any act of ethnic discrimination against persons, groups of persons or institutions, and to ensure, without distinction, the security of persons, the right of persons to freedom of movement and the protection of the property of refugees and displaced persons;

4. *Calls for* facilitating and refraining from placing any impediment to humanitarian assistance to persons affected by the conflict, including refugees and internally displaced persons, and further calls for facilitating their voluntary, safe, dignified and unhindered return;

5. *Also calls for* the intensification of efforts to address the issue of regional security and stability and the issue of refugees and internally displaced persons, through the discussions currently under way in Geneva, and requests the Secretary-General, through his Special Representative for Georgia, to continue to fully support this process and to report on progress thereon;

6. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution and on the situation on the ground and the activities of the United Nations mission, including recommendations on future activities, by 15 May 2009;

7. *Expresses its intention* to outline the elements of a future United Nations presence in the region by 15 June 2009, taking into account the recommendations to be con-

tained in the report of the Secretary-General referred to in paragraph 6 above, the Geneva discussions and developments on the ground;

8. *Decides* to extend the mandate of the United Nations mission for a new period terminating on 15 June 2009;

9. *Decides also* to remain actively seized of the matter.

Gali sector

In the Gali sector security and restricted-weapons zones, UNOMIG continued to observe the presence of Abkhaz military personnel and heavy military equipment, including a rotation of the heavy military equipment introduced in the zone of conflict by the Russian forces in August 2008 and the establishment of a new position in the restricted-weapons zone near Ilori village south of the Ochamchira training area. On 10 February 2009, two consecutive explosions occurred on a road routinely used by UN patrols between Zeni and Tagiloni villages in the security zone. On 4 March, Russian forces denied a UN patrol access through a Russian position near Lekukhona village in the security zone. The Mission also observed on several occasions Russian military helicopters overflying the security zone close to the ceasefire line. On 30 March, UNOMIG observed an armed Abkhaz naval patrol vessel, anchored approximately 700 metres offshore in waters adjacent to the security zone—the first Abkhaz navy vessel to be sighted in the area since August 2008. UNOMIG regularly conveyed to the representatives of the Russian Federation forces that the presence of military personnel and heavy military equipment in the security and restricted-weapons zones was inconsistent with Security Council resolution 1866(2009). The UN police continued to liaise with local law enforcement agencies in the Gali, Ochamchira and Tkvarcheli districts. It also conducted 18 training courses in forensics, police management, police tactics and other policing skills. In other efforts, the UN police conducted a training programme in drug abuse awareness for 366 schoolchildren and organized an international round-table discussion on traffic safety.

Zugdidi sector and Kodori valley

While the situation in the Zugdidi sector in January was tense and characterized by exchanges of fire along the ceasefire line, including 15 reported explosions near the village of Orsantia that UNOMIG assessed were caused by grenades, the situation from February on was generally calm. The Georgian Ministry of Internal Affairs maintained approximately 250 personnel at 15 observation posts and their headquarters in the security zone. It continued to deploy "Cobra" light armoured vehicles to patrol the ceasefire line. The Mission brought to the attention of the Georgian side that the deployment of those vehicles

was inconsistent with resolution 1866(2009). The UN police continued to liaise and conduct joint patrols with the Georgian police regularly and to visit law enforcement facilities. It organized 45 training courses in police tactics, forensics and other policing skills; its also arranged training in drug abuse awareness for 1,475 schoolchildren in the Zugdidi district and held a 6 April round-table discussion with the participation of local and international NGOs in the framework of the project. In carrying out the operational aspects of its mandate, the Mission maintained regular contacts with the Georgian authorities and with the EU monitoring mission.

Following the conduct of four 1-day patrols to the Kodori Valley in February, March and April to observe the security and humanitarian situation, the Mission assessed the overall situation as calm. The Abkhaz side continued to maintain control of the Kodori valley with the support of Russian forces. The Mission's human rights officers participated in two patrols and noted the absence of school services but the availability of basic medical services in the valley.

Georgian–Russian relations

Report of Secretary-General (May). The Secretary-General reported [S/2009/254] that his Special Representative, together with EU and OSCE representatives, co-chaired the fourth round of discussions (Geneva, 17–18 February), in which Georgia, the Russian Federation, the United States and the Abkhaz and South Ossetian representatives participated. The participants agreed on “Proposals for joint incident prevention and response mechanisms”, which envisaged regular meetings between officials responsible for security and public order and representatives of international organizations with the purpose of addressing security issues on the ground. On humanitarian issues, they agreed to focus efforts on facilitating the voluntary and safe return of refugees and internally displaced persons (IDPs). The Abkhaz side insisted that the meetings within the mechanism in which it would participate be held after 15 June, following the decision by the Security Council on a future UN presence. It also suggested that the meetings be chaired by the United Nations. On 23 April, the first meeting within the mechanism relating to South Ossetia was convened in Ergneti, Georgia, with the participation of the Georgian and South Ossetian sides, as well as representatives of the Russian Ministry of Defence, OSCE and the EU.

Following a period of relative stability along the ceasefire line in February and March, the situation on the ground changed on 9 April when the Georgian opposition started demonstrations against the Government, resulting in the introduction of additional Russian forces, including heavy military equipment, into the Mission's area of responsibility.

The Georgian side continued to protest against Russian plans to establish military bases in Abkhazia and South Ossetia. It called on the international community to stop the Russian military build-up, induce the Russian side to withdraw troops from the Georgian territory pursuant to the 12 August 2008 ceasefire agreement and reverse the recognition by the Russian Federation of Abkhazia and South Ossetia. Russian officials reiterated that the military bases were established on the basis of agreements with the Abkhaz and South Ossetian leaderships and claimed that there was increased military presence and activity by the Georgian side. On 30 April, the “Agreement between the Russian Federation and the Republic of Abkhazia on joint efforts in protection of the state border of the Republic of Abkhazia” and the “Agreement between the Russian Federation and the Republic of South Ossetia on joint efforts in protection of the state border of the Republic of South Ossetia” were signed in Moscow. The agreements were effective for five years, with the possibility of a five-year extension. The Georgian authorities called the signing of the documents a violation of the 12 August 2008 ceasefire agreement.

The Special Representative engaged with the Georgian and Abkhaz sides and key international stakeholders in discussions on a possible revised security regime as a core element of a future UN presence. The Secretary-General, during his discussions in Moscow on 26 and 27 March, also emphasized the need for an agreement on a credible security regime as the basis for a future UN mission. In May, he observed that the security situation in the Mission's area of responsibility remained fragile, with a continued threat of incidents, including from mines and improvised explosive devices. The local population, in particular in the Gali district, remained in a precarious situation, with limitations on its freedom of movement across the ceasefire line. In addition, the ceasefire regime—the key foundation for the separation of forces and stabilization—had continued to erode. Heavy military equipment and military personnel remained in the Mission's area of responsibility, despite the call in resolution 1866(2009) that the provisions in the Moscow Agreement be respected. The Secretary-General concluded that an agreement on a revised security regime was essential for long-term stabilization and a viable UN role. On the basis of consultations with the parties and international stakeholders, he made a series of recommendations on a future security regime.

Security Council consideration (June). On 15 June [meeting 6143], the Security Council considered a draft resolution [S/2009/310] extending the mandate of the UN Mission until 30 June. The Council also had before it two letters dated 10 June from Georgia. The first [S/2009/305] transmitted a document regarding violations by the Russian Federation of the six-

point ceasefire agreement; and the second [S/2009/306] transmitted a statement by the Georgian Ministry of Foreign Affairs on the military actions in the Tskhinvali Region in August 2008. With regard to the draft resolution, the Russian Federation stated that the earlier mandate of UNOMIG had ceased to exist in August 2008 and there was no point in extending the Mission, as it was built on old realities. In the context of the new political and legal conditions, the majority of the old terms and terminology used in the international documents could not be applied. Moreover, the draft resolution affirmed Georgia's territorial integrity, while denying Abkhazia as a State, and the inclusion of a reference to Security Council resolution 1808(2008) [YUN 2008, p. 450] did not reflect the new military and political position of States in the region. Following the vote (10-1-4), the draft resolution was not adopted, owing to the negative vote of the Russian Federation, a permanent member of the Council. Four members abstained (China, Libya, Uganda, Viet Nam).

Termination of UNOMIG. On 15 June [SG/SM/12315], the Secretary-General, took note of the lack of agreement within the Security Council on the future activities of a UN stabilization mission. In accordance with the outcome, he would instruct his Special Representative to take measures to cease UNOMIG operations effective 16 June and consult with his senior advisers and the Special Representative on the immediate next steps.

Geneva talks. In accordance with the 12 August 2008 ceasefire agreement and 8 September 2008 implementing measures, international discussions co-chaired by the United Nations, the EU and OSCE continued to be held throughout 2009, including the fifth (18 May), sixth (1 July), seventh (17 September) and eighth (11 November) rounds. On 18 November, Georgia transmitted a statement [A/64/541-S/2009/600] of its Foreign Affairs Ministry on the eighth round of talks, which discussed the issues of security and stability and the return of refugees and IDPs. Participants also reviewed the report of the Independent International Fact-Finding Mission on the Conflict in Georgia (Tagliavini report). The ninth round of talks would be held on 28 January 2010.

Communications. On 5 August, Georgia transmitted [A/63/936-S/2009/409] a statement condemning the entry of Russian President Dmitry Medvedev into the Georgian occupied territory as an illegal crossing of the Georgian State border.

On 7 August, the Russian Federation transmitted [A/63/938-S/2009/413] a statement marking the one-year anniversary of the events in South Ossetia and stating that the presence of Russian troops and border guards under the bilateral agreements with Abkhazia and South Ossetia was legitimate.

Georgia transmitted on 10 August [A/63/953] the "Report by the Government of Georgia on the aggression by the Russian Federation against Georgia", covering the period from 1989 to October 2008; and on 17 December 2009 [A/64/585-S/2009/661] a statement condemning the 12 December presidential elections in Abkhazia as illegal. Georgia also transmitted letters regarding shootings, military and gang attacks, breaches of the six-point ceasefire agreement, the illegal use of its resources, air space and sea, and other violations of its sovereignty on 22 January [A/63/688-S/2009/48], 3 March [A/63/750-S/2009/127], 4 June [A/63/879], 11 June [A/63/885-S/2009/308], 17 July [A/63/932-S/2009/371], 1 September [A/63/955-S/2009/441], 8 December [A/64/560-S/2009/630] and 29 December [A/64/618-S/2010/6].

Human rights and humanitarian situation

The UN Mission's Human Rights Office in Abkhazia continued to implement its programme for the promotion and protection of human rights and to provide support to local NGOs. The Office conducted visits to detention facilities to monitor court proceedings and provided advisory services to the local population on the Abkhaz-controlled side of the ceasefire line. It also followed up on individual cases involving the right to physical integrity; the right to the security and safety of the person; equal treatment and non-discrimination; and the right to access health services, as well as on cases of alleged extortion. The Office facilitated the Assisting Communities Together project, which offered grants to local NGOs for human rights education and training at the grass-roots level.

On humanitarian and rehabilitation activities, the Mission contributed donations to schools, dispensaries, maternity clinics and residences of displaced persons. It also offered English classes to the local communities on both sides of the ceasefire line. In March, the Mission completed the renovation of the Gali hospital. The United Nations High Commissioner for Refugees began verifying and screening over 650 applications for its shelter rehabilitation programme and assisted a new project to rehabilitate 100 houses. The World Food Programme served 11,600 beneficiaries through its food-for-work programmes in the Gali, Tkvarcheli and Ochamchira districts. In April, the United Nations Children's Fund began a programme to improve access to health care for women and children and to promote the social inclusion of children with disabilities in the Gali district.

IDPs and refugees. On 9 September, the General Assembly adopted **resolution 63/307** (see p. 779) on the status of internally displaced persons (IDPs) and refugees from Abkhazia and South Ossetia, which recognized the right of return of all refugees and

IDPs, regardless of their ethnicity, to Abkhazia and South Ossetia; emphasized the need for unimpeded access for humanitarian activities to IDPs, refugees and other persons in conflict-affected areas in Georgia; and called upon the participants in the Geneva discussions to take steps to ensure respect for human rights and create security conditions conducive to the voluntary and safe return of IDPs and refugees to their places of origin.

UN Observer Mission in Georgia

The United Nations Observer Mission in Georgia (UNOMIG) was established by Security Council resolution 858(1993) [YUN 1993, p. 509]. It monitored compliance with the 1994 Moscow Agreement [YUN 1994, p. 583] and fulfilled other tasks as mandated by Council resolution 937(1994) [ibid., p. 584] and subsequent resolutions. In accordance with the 12 August 2008 six-point ceasefire agreement [YUN 2008, p. 456] and 8 September 2008 implementing measures [ibid., p. 457], during 2009, the Mission carried out the mandated UNOMIG functions as of 7 August 2008 and prior to the 2008 war in South Ossetia. On 13 February 2009, the Council extended the Mission's mandate until 15 June 2009 (see p. 416). However, on that date, Council members were unable to agree on the future activities of a UN stabilization mission and the UNOMIG mandate was terminated effective 16 June 2009.

UNOMIG's main headquarters was located in Sukhumi (Abkhazia, Georgia), with a liaison office in the Georgian capital of Tbilisi, and the team bases and sector headquarters in the Gali and Zugdidi sectors. A team in the Kodori Valley was manned by observers operating from Sukhumi.

As at 30 April, Mission strength stood at 129 military observers and 16 police advisers. Johan Verbeke (Belgium) continued to lead the Mission as the Secretary-General's Special Representative for Georgia and Head of the Mission. He was assisted by the Chief Military Observer, Major General Anwar Hussain (Bangladesh).

Financing

In June, the General Assembly had before it the Secretary-General's report on the UNOMIG budget for the period from 1 July 2009 to 30 June 2010 [A/63/684] and the related ACABQ report [A/63/746/Add.6]. In December, the Assembly also considered the reports of the Secretary-General on the revised UNOMIG budget for the period 1 July 2009 to 30 June 2010 [A/64/464] and the UNOMIG performance report for the period 1 July 2008 to 30 June 2009 [A/64/463], as well as the related ACABQ report [A/64/529].

GENERAL ASSEMBLY ACTION

On 30 June [meeting 93], the General Assembly, on the recommendation of the Fifth Committee [A/63/900], adopted **resolution 63/293** without vote [agenda item 140].

Financing of the United Nations Observer Mission in Georgia

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Observer Mission in Georgia and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 854(1993) of 6 August 1993, by which the Council approved the deployment of an advance team of up to ten United Nations military observers for a period of three months and the incorporation of the advance team into a United Nations observer mission if such a mission was formally established by the Council,

Recalling also Security Council resolution 858(1993) of 24 August 1993, by which the Council established the United Nations Observer Mission in Georgia, and the subsequent resolutions by which the Council extended the mandate of the Observer Mission, the last of which was resolution 1866(2009) of 13 February 2009,

Recalling further its decision 48/475 A of 23 December 1993 on the financing of the Observer Mission and its subsequent resolutions and decisions thereon, the latest of which was resolution 62/260 of 20 June 2008,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Observer Mission with the financial resources necessary to enable it to complete its administrative liquidation,

1. *Takes note* of the status of contributions to the United Nations Observer Mission in Georgia as at 30 April 2009, including the contributions outstanding in the amount of 14.2 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only seventy-four Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Observer Mission in full;

3. *Takes note* of the report of the Advisory Committee on Administrative and Budgetary Questions;

4. *Requests* the Secretary-General to take all action necessary to ensure that the administrative liquidation of the Observer Mission is administered with a maximum of efficiency and economy;

5. *Also requests* the Secretary-General to submit the administrative liquidation budget for the Observer Mission to the General Assembly at the main part of its sixty-fourth session for consideration;

Financial performance report for the period from 1 July 2007 to 30 June 2008

6. *Takes note* of the report of the Secretary-General on the financial performance of the Observer Mission for the period from 1 July 2007 to 30 June 2008;

Budget estimates for the period from 1 July to 31 December 2009

7. *Decides* to appropriate to the Special Account for the United Nations Observer Mission in Georgia the amount of 15 million dollars for the administrative liquidation of the Observer Mission for the period from 1 July to 31 December 2009;

Financing of the appropriation

8. *Also decides* to apportion among Member States the amount of 10 million dollars for the period from 1 July to 31 December 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

Estimates for the support account for peacekeeping operations and the United Nations Logistics Base at Brindisi, Italy, for the period from 1 July 2009 to 30 June 2010

9. *Further decides* to appropriate to the Special Account the amount of 652,700 dollars for the period from 1 July 2009 to 30 June 2010, comprising 543,200 dollars for the support account for peacekeeping operations and 109,500 dollars for the United Nations Logistics Base at Brindisi, Italy;

10. *Decides* to apportion among Member States the amount of 652,700 dollars for the period from 1 July 2009 to 30 June 2010, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2009, as set out in resolution 61/237, and for 2010;

11. *Also decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the Tax Equalization Fund of 67,400 dollars, comprising the prorated share of 56,600 dollars of the estimated staff assessment income approved for the support account and the prorated share of 10,800 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

12. *Further decides* that, for Member States that have fulfilled their financial obligations to the Observer Mission, there shall be set off against their apportionment, as provided for in paragraph 8 above, their respective share of the unencumbered balance and other income in the amount of 3,560,400 dollars in respect of the financial period ended 30 June 2008, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2008, as set out in resolution 61/237;

13. *Decides* that, for Member States that have not fulfilled their financial obligations to the Observer Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 3,560,400 dollars

in respect of the financial period ended 30 June 2008, in accordance with the scheme set out in paragraph 12 above;

14. *Also decides* that the decrease of 164,500 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2008 shall be set off against the credits from the amount of 3,560,400 dollars referred to in paragraphs 12 and 13 above;

15. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Observer Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

16. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Financing of the United Nations Observer Mission in Georgia".

On 22 December [meeting 67], the Assembly, on the recommendation of the Fifth Committee [A/64/552], adopted **resolution 64/234** without vote [agenda item 154].

Financing of the United Nations Observer Mission in Georgia

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Observer Mission in Georgia and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 854(1993) of 6 August 1993, by which the Council approved the deployment of an advance team of up to ten United Nations military observers for a period of three months and the incorporation of the advance team into a United Nations observer mission if such a mission was formally established by the Council,

Recalling also Security Council resolution 858(1993) of 24 August 1993, by which the Council established the United Nations Observer Mission in Georgia, and the subsequent resolutions by which the Council extended the mandate of the Observer Mission, the last of which was resolution 1866(2009) of 13 February 2009,

Recalling further its decision 48/475 A of 23 December 1993 on the financing of the Observer Mission and its subsequent resolutions and decisions thereon, the latest of which was resolution 63/293 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Observer Mission with the financial resources necessary to enable it to complete its administrative liquidation,

1. *Takes note* of the status of contributions to the United Nations Observer Mission in Georgia as at 30 September 2009, including the contributions outstanding in the amount of 8.9 million United States dollars, representing some 2 per cent of the total assessed contributions, notes with concern that only thirty-seven Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Observer Mission in full;

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

4. *Requests* the Secretary-General to take all action necessary to ensure that the administrative liquidation of the Observer Mission is administered with a maximum of efficiency and economy;

Financial performance report for the period from 1 July 2008 to 30 June 2009

5. *Takes note* of the report of the Secretary-General on the financial performance of the Observer Mission for the period from 1 July 2008 to 30 June 2009;

6. *Decides* to reduce the appropriation of 36,084,000 dollars approved for the Mission for the period from 1 July 2008 to 30 June 2009 under the terms of its resolution 62/260 of 20 June 2008 by the amount of 501,985 dollars, to 35,582,015 dollars;

7. *Also decides* to apportion among Member States the amount of 934,857 dollars, representing the difference between the amount of 33,047,358 dollars already apportioned by the General Assembly for the maintenance of the Mission and the actual expenditure of 33,982,215 dollars for the period from 1 July 2008 to 30 June 2009;

8. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 7 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 200,345 dollars, representing the difference between the amount of 2,313,129 dollars already assessed for the maintenance of the Mission and the actual expenditure of 2,513,474 dollars for the period from 1 July 2008 to 30 June 2009;

9. *Decides* to apportion among Member States the total amount of 66,658 dollars, comprising 58,108 dollars for the support account for peacekeeping operations and 8,550 dollars for the United Nations Logistics Base at Brindisi, Italy, remaining to be apportioned by the General Assembly for the period from 16 to 30 June 2009, taking into account the amount of 1,599,800 dollars already appropriated for the period from 1 July 2008 to 30 June 2009 under the terms of General Assembly resolution 62/260, comprising 1,394,600 dollars for the support account for peacekeeping operations and 205,200 dollars for the United Nations Logistics Base;

10. *Also decides* that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 9 above, their respective share in the Tax Equalization Fund of 6,258 dollars, comprising the prorated share of 5,583 dollars of the estimated staff assessment income approved for the support account and the prorated share of 675 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

Revised budget estimates for the period from 1 July 2009 to 30 June 2010

11. *Further decides* to reduce the appropriation of 15 million dollars approved by the General Assembly under the terms of resolution 63/293 for the administrative liquidation of the Mission for the period from 1 July to 31 December 2009 to the amount of 10,946,000 dollars for the period from 1 July to 31 October 2009;

Financing of the appropriation

12. *Decides* to apportion among Member States the amount of 946,000 dollars for the period from 1 July to 31 October 2009, taking into account the amount of 10 million dollars already apportioned by the General Assembly under the terms of resolution 63/293, in accordance with the levels updated in Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

13. *Also decides* that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 12 above, their respective share in the Tax Equalization Fund of 933,500 dollars of the estimated staff assessment income approved for the Observer Mission;

14. *Further decides* that, for Member States that have fulfilled their financial obligations to the Observer Mission, there shall be set off against their apportionment, as provided for in paragraph 12 above, their respective share of other income in the total amount of 821,900 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2009, as set out in resolution 61/237;

15. *Decides* that, for Member States that have not fulfilled their financial obligations to the Observer Mission, there shall be set off against their outstanding obligations their respective share of other income in the total amount of 821,900 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 14 above;

16. *Also decides* to keep under review during its sixty-fourth session the item entitled "Financing of the United Nations Observer Mission in Georgia".

On 24 December, the Assembly decided that the agenda item on UNOMIG financing would remain for consideration during its resumed sixty-fourth (2010) session (**decision 64/549**).

Armenia and Azerbaijan

In 2009, Armenia and Azerbaijan maintained their positions with regard to the Nagorno-Karabakh region of Azerbaijan, which had erupted in conflict in 1992 [YUN 1992, p. 388], followed by a ceasefire agreement in May 1994 [YUN 1994, p. 577]. Both sides addressed communications regarding the conflict to the

Secretary-General. The Organization for Security and Cooperation in Europe (OSCE) Minsk Group (France, Russian Federation, United States) continued to mediate the dispute between Armenia and Azerbaijan. The issue remained unresolved at year's end.

Report of Secretary-General. In accordance with General Assembly resolution 62/243 [YUN 2008, p. 461], the Secretary-General submitted a March report [A/63/804 & Corr.1] on the situation in the occupied territories of Azerbaijan. The report contained the replies received as at 10 February from the 3 Co-Chair countries of the OSCE Minsk Group (France, Russian Federation and United States), 12 Member States (Armenia, Azerbaijan, Belarus, Indonesia, Kazakhstan, Malaysia, Mexico, Pakistan, Slovakia, Sudan, Turkey, Ukraine), and the 2008 OSCE Chairman-in-Office (Finland) to notes verbales dated 15 and 24 September 2008, which invited Member States to contribute information for the preparation of the report. Replies were subsequently received from Iraq and Jordan [A/63/804/Add.1].

In the OSCE Minsk Group reply, the United States explained the Group's vote against resolution 62/243; took note of the Moscow Declaration [YUN 2008, p. 462] signed by the Presidents of Armenia, Azerbaijan and the Russian Federation on 2 November 2008, in which they reaffirmed the importance of continuing the mediation efforts of the Group's Co-Chairmen; and transmitted the statement addressed to the OSCE Permanent Council on 6 November 2008 outlining their activities relating to the Nagorno-Karabakh during the preceding year.

On 14 September 2009, the General Assembly deferred consideration of the agenda item on the situation in the occupied territories of Azerbaijan until its sixty-fourth (2009) session (**decision 63/569**).

Ongoing negotiations. Negotiations on the Nagorno-Karabakh conflict continued during the year, with meetings being convened under the aegis of the OSCE Minsk Group. Presidents Ilham Aliyev (Azerbaijan) and Serzh Sarkisyan (Armenia) met on 28 January, on the margins of the World Economic Forum, and on 4 June, in Saint Petersburg, Russia. Armenia transmitted the texts of the statements by the Co-Chairs of the OSCE Minsk Group concerning the ongoing negotiations on 20 February [A/63/733] and 9 June [A/63/880]. At the meeting between the two Presidents held on 22 November in Munich, the sides achieved some progress in drawing their positions closer on several issues. In addition, in the framework of the seventeenth OSCE Ministerial Council (Athens, 1–2 December), the Council adopted a statement on the Armenia-Azerbaijan conflict.

Communications. Azerbaijan on 23 January transmitted to the Secretary-General [A/63/692-

S/2009/51] a report that discussed the international legal responsibilities of Armenia as an occupier of Azerbaijani territory; on 17 February [A/63/730-S/2009/103], supplementary documentation in response to the request for information on resolution 62/243 (see above); and on 6 July [A/63/917-S/2009/343], the press release on the Congress of the Azerbaijani Community of the Nagorno-Karabakh held on 5 June. Azerbaijan also transmitted letters on 11 September [A/63/963-S/2009/457], 30 September [A/64/475-S/2009/508], 12 October [A/64/491-S/2009/533], 30 October [A/64/514-S/2009/575], 30 November [A/64/546-S/2009/619] and 23 December [A/64/608-S/2009/670] regarding position statements, as well as ceasefire violations, belligerent rhetoric and other action taken by Armenia that challenged efforts to resolve the conflict. Armenia on 23 March transmitted to the Secretary-General [A/63/781-S/2009/156] the text of a memorandum refuting allegations, statements and reports made by Azerbaijan; and on 17 November [A/64/539-S/2009/596] a letter also refuting anti-Armenian documents disseminated by Azerbaijan.

On 24 December, the General Assembly decided that the agenda item would remain for consideration during its resumed sixty-fourth (2010) session (**decision 64/549**).

Organization for Democracy and Economic Development-GUAM

The Organization for Democracy and Economic Development-GUAM (Azerbaijan, Georgia, Moldova, Ukraine), a regional cooperation organization established by the Kyiv Declaration in 2006 [YUN 2006, p. 486] was headquartered in Kyiv, Ukraine. As for conflict settlement, GUAM emphasized respect for sovereignty, territorial integrity and the inviolability of the internationally recognized borders of those States.

On 24 December, the General Assembly decided that the agenda item on the protracted conflicts in the GUAM area and their implications for international peace, security and development would remain for consideration during its resumed sixty-fourth (2010) session (**decision 64/549**).

Cyprus

During 2009, the United Nations continued efforts through the Secretary-General's good offices to help resolve the Cyprus problem. The Secretary-General's Special Adviser on Cyprus, with support from the Special Representative, assisted the two sides in implementing the 8 July 2006 Set of Princi-

ples and a Decision [YUN 2006, p. 487], which included commitment to the unification of Cyprus based on a bizonal, bicomunal federation and political equality, and an agreement to meet regularly on issues affecting the day-to-day life of the Cypriot people. The Greek Cypriot and Turkish Cypriot leaders continued negotiations under UN auspices and in April agreed to implement 4 of the 23 confidence-building measures aimed at improving the daily life of Cypriots across the entire island. In April and May, the Security Council welcomed the progress made in the negotiations. In August, the leaders completed the first phase of the discussion of all six chapters: governance and power-sharing, property, EU-related matters, economic matters, territory, and security and guarantees. The pace of the meetings increased during the second phase, which began in September, and on 21 December the leaders issued a joint statement confirming their decision to hold negotiations in January 2010.

The United Nations Peacekeeping Force in Cyprus (UNFICYP) continued to cooperate with its UN partners and local actors to facilitate projects benefiting both Greek and Turkish Cypriots in and outside the buffer zone and to promote confidence-building measures between them. In December, the Council extended the UNFICYP mandate until 15 June 2010.

Political and security developments

Good offices mission

During the year, the Special Adviser on Cyprus, as the principal person responsible for the Secretary-General's good offices on the Cyprus problem, continued efforts to assist the parties in the conduct of full-fledged negotiations aimed at reaching a comprehensive settlement. He was supported by the Secretary-General's Special Representative and Head of UNFICYP, who served as his deputy on issues relating to the good offices. The Secretary-General described UN mediation efforts during 2009 in reports to the Security Council of 15 May [S/2009/248], 30 November [S/2009/610] and 11 May 2010 [S/2010/238].

As at 10 May, the Secretary-General reported that the Greek and Turkish Cypriot leaders had maintained a steady pace of almost 1 meeting per week, and since December 2008, they had held 18 meetings, bringing the number of meetings since the negotiation process was launched on 3 September [YUN 2008, p. 464] to 27. All of the meetings, which revolved around governance and power-sharing arrangements, property issues, EU matters and, partially, economic matters, took place in the presence of Special Adviser Alexander Downer (Australia) or Special Representative Tayé-Brook Zerihoun (Ethiopia), or both. In parallel to the negotiations, four of the seven technical committees established by the leaders in March 2008

[*ibid.*] continued to meet, namely, those on crime and criminal matters, cultural heritage, health matters, and the environment. On 14 April 2009, the leaders agreed to implement 4 of the 23 confidence-building measures identified by the technical committees, which were aimed at improving the daily life of Cypriots across the entire island. On 30 April, in presidential statement S/PRST/2009/10 (see below), the Security Council welcomed the progress achieved by the parties and reiterated its support for the negotiation process.

SECURITY COUNCIL ACTION

On 30 April [meeting 6115], following consultations among Security Council members, the President made **statement S/PRST/2009/10** on behalf of the Council:

The Security Council commends the Greek Cypriot and Turkish Cypriot leaders for the political leadership they have shown and warmly welcomes the progress made so far in the fully fledged negotiations, and the leaders' joint statements.

The Council strongly urges the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement based on a bicomunal, bizonal federation with political equality as set out in the relevant Council resolutions.

The Council emphasizes the importance of all parties engaging fully, flexibly and constructively and looks forward to decisive progress in the negotiations in the near future.

The Council recognizes that a solution requires the support of both sides and will require the approval of both communities in separate and simultaneous referendums. In this context, the Council fully supports the Secretary-General's good offices mission and encourages the Special Adviser to the Secretary-General on Cyprus to continue to offer the leaders any support they need to achieve a settlement.

The Council reiterates its full support for the process and underlines the benefits that reunification will bring to the island.

In May, the leaders publicly committed, through the Special Representative, to intensify their efforts further, not least through additional meetings at the level of their representatives. Topics remaining to be addressed in the first reading or review of negotiation issues related to security and guarantees and territory.

In August, the leaders completed the first phase of the discussion of all six chapters: governance and power-sharing, property, EU-related matters, economic matters, territory, and security and guarantees. Steady progress was made during the talks, with the leaders reaching agreement on a number of issues and gaining a better understanding of each other's position on the remaining issues. Considerable convergence was achieved in the areas of governance and power-sharing, the economy and EU matters. As the question of how

power would be shared between the communities was at the heart of the debate in all chapters, the area of governance was considered to be among the most pivotal. The second phase of the discussion commenced on 11 September, and as agreed, the leaders began by focusing on governance and, in particular, on the election of the executive, federal competencies and external relations. The leaders increased the pace of the talks, deciding to meet twice a week from October onwards. As at 25 November, five meetings had been devoted to governance and power-sharing issues. Although both sides had introduced bridging proposals, convergence had yet to be achieved. The sides also established an expert group on treaties to discuss the process whereby they would jointly decide which treaties would be applicable to a united Cyprus. Meanwhile, since returning to the discussion of property in late October, the leaders had held five meetings on the subject and tasked their representatives with preparing the groundwork for fuller discussions on the issue. On 21 December, the leaders issued a joint statement reconfirming their earlier decision to hold intensive rounds of negotiations in January 2010, with the aim of reaching further convergence on governance and power-sharing, the economy and EU matters, as well as continuing discussion on the property issue.

Beyond his immediate office, the Special Adviser engaged several international experts to advise him on some of the more complex issues being discussed in the negotiations, such as governance and power-sharing, and property. The experts also met with their counterparts from the negotiating teams of both sides on their specific issues of focus. In October, as part of the EU commitment to provide technical support to the settlement process, the European Commission appointed an official to act as a liaison between the Commission and the good offices mission in Cyprus. On confidence-building measures, the four technical committees met regularly and made steady progress. The crime and criminal matters committee established a joint contact room for the exchange and provision of timely information on those topics; the cultural heritage committee established an advisory board for the preservation, physical protection and restoration of the immovable cultural heritage of Cyprus; the health committee began to implement the measure concerning the passage of ambulances through crossing points in cases of emergency; and the environment committee focused on the implementation of a joint awareness campaign aimed at saving water. On 26 June, the leaders decided to open a seventh crossing point between the communities and through the buffer zone to the northwest of the island, linking the villages of Limnitis/Yeşilirmak, in the north, and Kato Pyrgos, in the south. In November, the Secretary-General observed that while nearly two

dozen measures had been agreed upon during the preparatory phase of the talks, little progress had been made in their implementation, and urged the parties to make greater efforts to implement them.

Incidents and position statements

Communications. Throughout 2009, the Secretary-General received letters from the Government of Cyprus and from Turkish Cypriot authorities containing charges and countercharges, protests and accusations, and explanations of positions regarding the question of Cyprus. Letters from the “Turkish Republic of Northern Cyprus” were transmitted by Turkey. In communications dated between 10 February and 18 December, Cyprus reported violations of the international air traffic regulations and the national airspace or the maritime space of Cyprus by Turkish military aircraft [A/63/711-S/2009/81, A/63/813-S/2009/187, A/63/875-S/2009/291, A/63/878-S/2009/294, A/63/939-S/2009/417, A/64/488-S/2009/529, A/64/607-S/2009/668]. The “Turkish Republic of Northern Cyprus” refuted the allegations, stating that the flights mentioned took place within the sovereign airspace of the “Turkish Republic of Northern Cyprus” [A/63/742-S/2009/115, A/63/887-S/2009/313, A/63/948-S/2009/428, A/64/498-S/2009/543, A/64/639-S/2010/60].

On 17 April [A/63/828-S/2009/216], Turkey transmitted a letter from the “Turkish Republic of Northern Cyprus” conveying a 14 April letter from President Mehmet Ali Talat, which referred to prospective talks between the Greek Cypriot administration and Israel regarding the delimitation of maritime jurisdiction areas in the Eastern Mediterranean, as well as a preliminary deal reached between the Greek Cypriot administration and an energy company for drilling in an exclusive economic zone of Cyprus. He stated that the Greek Cypriot side’s activities before a comprehensive settlement was achieved were aimed at violating the rights and interests of the Turkish Cypriot people, who had equal rights and say over the natural resources and the sea areas of the island of Cyprus.

In other communications, Cyprus transmitted position statements on 5 June [S/2009/296] and 25 September [A/64/467]. In reply, Turkey transmitted statements from the “Turkish Republic of Northern Cyprus” on 19 June [A/63/888-S/2009/321] and 21 October [A/64/502]. A further communication conveying a letter from President Talat was transmitted on 9 November [A/64/523-S/2009/581].

Nakhchivan Declaration. On 9 November [A/64/522-S/2009/580], Azerbaijan, Kazakhstan, Kyrgyzstan and Turkey transmitted to the Secretary-General the Nakhchivan Declaration and the Nakhchivan Agreement on the Establishment of the Cooperation Council of Turkic-speaking States,

signed at the Ninth Summit of the Heads of the Turkic-speaking Countries (Nakhchivan City, Azerbaijan, 3 October). The Declaration supported, among other issues, the ongoing settlement negotiations between the two sides in Cyprus and lifting the isolation of the Turkish Cypriots.

OIC meeting. On 15 December [A/64/614-S/2009/677], Syria, in its capacity as Chair of the Organization of the Islamic Conference (oic) Group in New York, transmitted the Final Communiqué of the oic Annual Coordination Meeting of Ministers for Foreign Affairs (New York, 25 September). The Meeting expressed its support for the cause of the Muslim Turkish people of Cyprus and welcomed the commencement of the full-fledged negotiations in Cyprus.

On 24 December, the General Assembly decided that the agenda item on the question of Cyprus would remain for consideration during its resumed sixty-fourth (2010) session (**decision 64/549**).

UNFICYP

The United Nations Peacekeeping Force in Cyprus (UNFICYP), established in 1964 [YUN 1964, p. 165], continued in 2009 to monitor the ceasefire lines between the Turkish and Turkish Cypriot forces on the northern side and the Cypriot National Guard on the southern side of the island; to maintain the military status quo and prevent recurrence of fighting; and to undertake humanitarian and economic activities.

During 2009, Tayé-Brook Zerihoun (Ethiopia) continued to serve as the Secretary-General's Special Representative in Cyprus and Head of the Mission. As of 31 October, UNFICYP, under the command of Rear Admiral Mario Sánchez Debernardi (Peru), comprised 858 troops and 69 civilian police.

Activities

Report of Secretary-General (May). In May, the Secretary-General reported [S/2009/248] that the situation in the buffer zone remained stable and that the opposing forces had cooperated well with UNFICYP. Total military violations and other incidents during the reporting period amounted to 276, a 22 per cent decrease from the previous period. Typical violations were minor in nature and had little effect on the stability of the ceasefire lines. UNFICYP submitted a package of military confidence-building measures to both opposing forces. The Greek Cypriot National Guard responded by nominating a designated committee on confidence-building measures to work with UNFICYP. It was hoped that the Turkish Forces would follow with similar steps. Meanwhile, the Turkish Forces had increased restrictions on UNFICYP movements. Since 1 January, there had been 43 such incidents in the north, including preventing

UNFICYP personnel from crossing at Turkish Cypriot checkpoints and escorting them out of the northern part of the island. Further to those incidents, routes continued to be denied on the Karpas peninsula and tight controls were imposed on access to, as well as the conduct of operations within, the fenced area of Varosha. Positions established by the opposing forces in the Dherinia area that violated the status quo remained in place. On demining the buffer zone, the Cyprus Mine Action Centre continued to manage mine clearance operations. By the end of April, 21 of the 26 minefields agreed for clearance in 2008 [YUN 2008, p. 465] had been cleared. Discussions continued with a view to obtaining the agreement of the Turkish Forces on the clearance of 12 additional mined areas.

Cypriots from both sides sought UNFICYP assistance in facilitating day-to-day issues arising from the division of the island, including on educational matters, medical evacuations and the transfer of deceased individuals, as well as on commemorative, religious and sociocultural gatherings. The Mission facilitated 65 bicomunal events, bringing together more than 4,000 people from both communities. During the reporting period, UNFICYP recorded some 873,700 crossings through the buffer zone, with 210,950 through the Ledra Street crossing point. Regular meetings between Greek Cypriot and Turkish Cypriot political party leaders and representatives continued to be held at the Ledra Palace Hotel under the auspices of the Embassy of Slovakia. UNFICYP also delivered humanitarian assistance to Greek Cypriots and Maronites living in the northern part of the island; assisted Turkish Cypriots living in the south in obtaining identity documents, housing, welfare services, medical care, employment and education; and authorized 18 requests from both communities to use the buffer zone for various civilian activities. It also continued efforts to assist in maintaining good relations between the Greek Cypriot and Turkish Cypriot communities in the mixed village of Pyla in the buffer zone. The technical committee on crime and criminal matters, which was facilitated by the UN police, agreed to open a joint communications room staffed by representatives from both sides to exchange information and provide timely intelligence—the first formal arrangement of this type between the two sides.

As UNFICYP continued to play a vital role on the island, the Secretary-General recommended that the Security Council extend the Mission's mandate until 15 December 2009.

SECURITY COUNCIL ACTION

On 29 May [meeting 6132], the Security Council adopted **resolution 1873(2009)** by vote (14-1-0). The draft [S/2009/276] was submitted by China, France, the Russian Federation, the United Kingdom and the United States.

The Security Council,

Welcoming the report of the Secretary-General of 15 May 2009 on the United Nations operation in Cyprus,

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2009,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, stressing that there now exists a rare opportunity to make decisive progress, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Commending the Greek Cypriot and Turkish Cypriot leaders for the political leadership they have shown, and warmly welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements,

Strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions,

Emphasizing the importance attached by the international community to all parties engaging fully, flexibly and constructively in the negotiations, and looking forward to decisive progress in those negotiations in the near future,

Welcoming the intention of the Secretary-General to keep the Council informed of further development and progress,

Welcoming also the implementation of some of the confidence-building measures announced by the leaders, and calling for a renewed effort to implement the remaining measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, encouraging the opening by mutual agreement of other crossing points, noting the commitment in the leaders' joint statements to pursue the opening of the Limnitis/Yeşilirmak crossing point, encouraging implementation of the commitment to a second phase of the restoration of the Ledra Street crossing, and in this context urging the leaders to make every effort to implement those measures,

Convinced of the many important benefits for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, and encouraging both sides clearly to explain these benefits, as well as the need for increased flexibility and compromise in order to secure them, to both communities well in advance of any eventual referendums,

Highlighting the supportive role that the international community will continue to play in helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, welcoming the decrease in the overall number of incidents involving the two sides, and urging all sides to avoid any action, including restrictions on the movements of the Force as noted in the report of the Secretary-General, which could lead to an increase in tension, undermine the good progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the progress made in proceeding with demining activities, and looking forward to the clearance of the remaining minefields,

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, echoing the Secretary-General's call for every possible action to be taken to speed up the exhumation process, and trusting that this process will promote reconciliation between the communities,

Agreeing that active participation of civil society groups is essential to the political process and can contribute to making any future settlement sustainable, welcoming all efforts to promote bicomunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of co-operation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations, including those of the Force, under close review, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the analysis of developments on the ground over the last six months in the report of the Secretary-General in accordance with his mandate;

2. *Welcomes also* the progress made so far in the fully fledged negotiations, and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created;

3. *Urges* full exploitation of this opportunity, including by intensifying the momentum of negotiations, improving the current atmosphere of trust and goodwill and engaging in the process in a constructive and open manner;

4. *Urges also* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including the opening of other crossing points;

5. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251(1999) of 29 June 1999 and subsequent resolutions;

6. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 December 2009;

7. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

8. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovolia the military status quo which existed there prior to 30 June 2000;

9. *Requests* the Secretary-General to submit a report on implementation of the present resolution, including on contingency planning in relation to the settlement, by 1 December 2009 and to keep the Security Council updated on events as necessary;

10. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

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

VOTE ON RESOLUTION 1873(2009):

In favour: Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Libyan Arab Jamahiriya, Mexico, Russian Federation, Uganda, United Kingdom, United States, Viet Nam.

Against: Turkey.

Abstaining: None.

Report of Secretary-General (November). In November the Secretary-General reported [S/2009/609] that the situation in the buffer zone remained stable and that the UNFICYP military chain of command maintained good relationships with their counterparts from both of the opposing forces. Military violations during the reporting period reflected a reduction in violations by the Turkish Forces following the positive approach they had taken in the previous months. For the second successive year, both the National Guard and the Turkish Forces announced the cancellation of their major annual exercises, "Nikiforos" and "Toros", respectively—an important confidence-building measure. However, despite a significant relaxation of restrictions on the movement of UNFICYP military personnel, the continued restriction on the movement of locally employed UN civilian personnel imposed by the Turkish Forces remained a concern. The number Greek Cypriot National Guard violations would have been markedly reduced if not for incidents of bayonet fixing by soldiers in observation posts along the buffer zone. In June, the National

Guard was responsible for an overmanning violation that resulted in two UNFICYP mobile patrols being threatened with weapons and detained. The prompt intervention of the respective Military Observation and Liaison Officers led to the immediate release of the UNFICYP personnel. Positions established by the opposing forces in the Dherinia area, in violation of the status quo, remained in place. The Turkish Forces retained the checkpoint in the Laroujina pocket; conducted regular inspections of the liaison post at Strovolia; repeatedly overmanned the position in violation of the military status quo in the area; and continued to impose tight controls on UN operations in the fenced area of Varosha. UNFICYP also mobilized its Mobile Force Reserve and the Force Military Police Unit in support of some 50 meetings held between the two leaders at the premises of the good offices mission in the United Nations Protected Area. While demining in the buffer zone progressed, with 57 of the 72 minefields cleared, a civilian contractor of the Mine Action Centre was killed in a demining accident on 28 October. A list of the remaining 15 minefields was submitted to the National Guard and Turkish Forces requesting their release for clearance.

UNFICYP efforts to restore normal conditions in the buffer zone and deliver humanitarian assistance to the communities continued. On 26 June, the Greek Cypriot and Turkish Cypriot leaders agreed on opening a buffer zone crossing at Limnitis/Yeşilirmak. A first trial crossing by ambulances from both sides was facilitated by UNFICYP on 6 August. UNFICYP facilitated 89 bicomunal events in which 4,472 people from both communities participated. The Mission also conducted 63 humanitarian convoys and visits to 364 Greek Cypriots and 131 Maronites in the north; authorized 28 projects in the buffer zone; and facilitated 17 religious and commemorative events on the island. Following an agreement reached by the two sides within the Technical Committee on Health, a mechanism was established to facilitate medical evacuations across the buffer zone on humanitarian grounds. On contingency planning in relation to a settlement, the Secretary-General observed that while considerable progress had been achieved in the Cyprus talks, the two sides had not yet considered in depth the UN role in support of the settlement. It was, therefore, too early to identify the parameters of UN involvement in the context of a possible solution. He recommended that the Council extend the UNFICYP mandate until 15 June 2010.

SECURITY COUNCIL ACTION

On 14 December [meeting 6239], the Security Council adopted **resolution 1898(2009)** by vote (14-1-0). The draft [S/2009/641] was submitted by China, France, the Russian Federation, the United Kingdom and the United States.

The Security Council,

Welcoming the report of the Secretary-General of 25 November 2009 on the United Nations operation in Cyprus and his report of 30 November 2009 on his mission of good offices in Cyprus,

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2009,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, stressing that there now exists a rare opportunity to make decisive progress in a timely fashion, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Commending the Greek Cypriot and Turkish Cypriot leaders for the political leadership they have shown, and warmly welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements,

Strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions,

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, and looking forward to decisive progress in those negotiations in the near future,

Welcoming the intention of the Secretary-General to keep the Council informed of further developments and progress,

Welcoming also the implementation of some of the confidence-building measures announced by the leaders, and calling for a renewed effort to implement the remaining measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, encouraging the opening by mutual agreement of other crossing points, welcoming the leaders' agreement to open the Limnitis/Yeşilirmak crossing point and the successful first trial crossing of ambulances from both sides, and urging implementation of the second phase of the restoration of the Ledra Street crossing,

Convinced of the many important benefits for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, and encouraging both sides clearly to explain these benefits, as well as the need for increased flexibility and compromise in order to secure them, to both communities well in advance of any eventual referendums,

Highlighting the supportive role that the international community will continue to play in helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and urging all sides to avoid any action which could lead to an increase in tension, undermine the good progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the progress made in proceeding with demining activities, looking forward to the clearance of the remaining minefields, and regretting the tragic death on 28 October 2009 of a civilian contractor working for the Mine Action Centre,

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and trusting that this process will promote reconciliation between the communities,

Agreeing that active participation of civil society groups is essential to the political process and can contribute to making any future settlement sustainable, welcoming all efforts to promote bicomunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations, including those of the Force, under close review, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the analysis of developments on the ground over the last six months in the reports of the Secretary-General, in accordance with his mandate;

2. *Welcomes also* the progress made so far in the fully fledged negotiations, and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created;

3. *Urges* full exploitation of this opportunity, including by intensifying the momentum of the negotiations, improving the current atmosphere of trust and goodwill and engaging in the process in a constructive and open manner;

4. *Urges also* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including the opening of other crossing points;

5. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251(1999) of 29 June 1999 and subsequent resolutions;

6. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 June 2010;

7. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

8. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

9. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on contingency planning in relation to the settlement, by 1 June 2010 and to keep the Security Council updated on events as necessary;

10. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

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

VOTE ON RESOLUTION 1898(2009):

In favour: Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Libyan Arab Jamahiriya, Mexico, Russian Federation, Uganda, United Kingdom, United States, Viet Nam.

Against: Turkey.

Abstaining: None.

Financing

In June, the General Assembly considered the Secretary-General's report on UNFICYP's financial performance for the period from 1 July 2007 to 30 June 2008 [A/63/536], the proposed UNFICYP budget for the period from 1 July 2009 to 30 June 2010 [A/63/693] and the related ACABQ report [A/63/746/Add.9].

GENERAL ASSEMBLY ACTION

On 30 June [meeting 93], the General Assembly, on the recommendation of the Fifth Committee [A/63/897], adopted **resolution 63/290** without vote [agenda item 135].

Financing of the United Nations Peacekeeping Force in Cyprus

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Peacekeeping Force in Cyprus and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 186(1964) of 4 March 1964, regarding the establishment of the United Nations Peacekeeping Force in Cyprus, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1873(2009) of 29 May 2009, by which the Council extended the mandate of the Force until 15 December 2009,

Recalling also its resolution 47/236 of 14 September 1993 on the financing of the Force and its subsequent resolutions and decisions thereon, the latest of which was resolution 62/255 of 20 June 2008,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Force by certain Governments,

Noting that voluntary contributions were insufficient to cover all the costs of the Force, including those incurred by troop-contributing Governments prior to 16 June 1993, and regretting the absence of an adequate response to appeals for voluntary contributions, including that contained in the letter dated 17 May 1994 from the Secretary-General to all Member States,

Mindful of the fact that it is essential to provide the Force with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Acknowledging paragraph 31 of the report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006 and 61/276 of 29 June 2007, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Peacekeeping Force in Cyprus as at 30 April 2009, including the contributions outstanding in the amount of 16.6 million United States dollars, representing some 5 per cent of the total assessed contributions, notes with concern that only forty-eight Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory

treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of the facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Force;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Notes* the reduction in rotation travel costs, and requests the Secretary-General to continue his efforts to increase efficiency gains in this regard;

12. *Takes note* of paragraph 38 of the report of the Advisory Committee;

13. *Welcomes* the progress which has been made so far by the host Government and the Force regarding the renovation of the accommodation of military contingent personnel as well as other personnel of the Force, and requests the Secretary-General to continue making every effort, in coordination with the host Government, to ensure that the renovations are completed as scheduled, without delay, and to report thereon in the context of the next budget submission;

14. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266 and 61/276;

15. *Also requests* the Secretary-General to take all action necessary to ensure that the Force is administered with a maximum of efficiency and economy;

16. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Force against General Service posts, commensurate with the requirements of the Force;

Financial performance report for the period from 1 July 2007 to 30 June 2008

17. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2007 to 30 June 2008;

Budget estimates for the period from 1 July 2009 to 30 June 2010

18. *Decides* to appropriate to the Special Account for the United Nations Peacekeeping Force in Cyprus the amount of 56,794,900 dollars for the period from 1 July 2009 to 30 June 2010, inclusive of 54,412,700 dollars for the maintenance of the Force, 1,982,600 dollars for the support account for peacekeeping operations and 399,600 dollars for the United Nations Logistics Base;

Financing of the appropriation

19. *Notes with appreciation* that a one-third share of the net appropriation, equivalent to 18,074,373 dollars, will be funded through voluntary contributions from the Govern-

ment of Cyprus and the amount of 6.5 million dollars from the Government of Greece;

20. *Decides* to apportion among Member States the amount of 32,220,527 dollars at a monthly rate of 2,685,044 dollars, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006, and for 2010, subject to a decision of the Security Council to extend the mandate of the Force;

21. *Also decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund of 2,517,500 dollars, comprising the estimated staff assessment income of 2,271,700 dollars approved for the Force, the prorated share of 206,400 dollars of the estimated staff assessment income approved for the support account and the prorated share of 39,400 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

22. *Further decides* that, for Member States that have fulfilled their financial obligations to the Force, there shall be set off against their apportionment, as provided for in paragraph 20 above, their respective share of the unencumbered balance and other income in the amount of 704,903 dollars for the financial period ended 30 June 2008, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2008, as set out in resolution 61/237;

23. *Decides* that, for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations, their respective share of the unencumbered balance and other income in the amount of 704,903 dollars in respect of the financial period ended 30 June 2008, in accordance with the scheme set out in paragraph 22 above;

24. *Also decides*, that the increase in the estimated staff assessment income of 214,000 dollars in respect of the financial period ended 30 June 2008 shall be added to the credits from the amount of 704,903 dollars referred to in paragraphs 22 and 23 above;

25. *Further decides*, taking into account its voluntary contribution for the financial period ended 30 June 2008, that one third of other income in the amount of 436,090 dollars in respect of the financial period ended 30 June 2008 shall be returned to the Government of Cyprus;

26. *Decides*, taking into account its voluntary contribution for the financial period ended 30 June 2008, that the prorated share of other income in the amount of 169,307 dollars in respect of the financial period ended 30 June 2008 shall be returned to the Government of Greece;

27. *Also decides* to continue to maintain as separate the account established for the Force for the period prior to 16 June 1993, invites Member States to make voluntary contributions to that account, and requests the Secretary-General to continue his efforts in appealing for voluntary contributions to the account;

28. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

29. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Force under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

30. *Invites* voluntary contributions to the Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

31. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Financing of the United Nations Peacekeeping Force in Cyprus".

On 24 December, the General Assembly decided that the agenda item on UNFICYP financing would remain for consideration during its resumed sixty-fourth (2010) session (**decision 64/549**).

Other issues

SEECF meeting. On 12 June [A/63/886], Moldova transmitted to the Secretary-General the texts of the Chisinau joint statement of the Heads of State and Government of the South-East European Cooperation Process and of the Chisinau Declaration adopted at its twelfth meeting (Chisinau, Moldova, 2–5 June). The participants expressed their determination in forging partnership for European integration, development and prosperity and strengthening of rule of law; and reconfirmed that regional cooperation and good neighbourly relations in South-East Europe were prerequisites for advancement of the countries towards European and Euro-Atlantic integration, and for consolidation and ensuring stability and security in the region.

Strengthening of security and cooperation in the Mediterranean

In response to General Assembly resolution 63/86 [YUN 2008, p. 471], the Secretary-General submitted a July report with a later addendum [A/64/119 & Add.1] containing replies received from Lebanon, Netherlands, Panama, Poland, Spain and Ukraine to his 23 February note verbale requesting the views of States on ways to strengthen security and cooperation in the Mediterranean region.

GENERAL ASSEMBLY ACTION

On 2 December [meeting 55], the General Assembly, on the recommendation of the First (Disarmament and International Security) Committee [A/64/396], adopted **resolution 64/68** without vote [agenda item 101].

Strengthening of security and cooperation in the Mediterranean region

The General Assembly,

Recalling its previous resolutions on the subject, including resolution 63/86 of 2 December 2008,

Reaffirming the primary role of the Mediterranean countries in strengthening and promoting peace, security and cooperation in the Mediterranean region,

Welcoming the efforts deployed by the Euro-Mediterranean countries to strengthen their cooperation in combating terrorism, in particular by the adoption of the Euro-Mediterranean Code of Conduct on Countering Terrorism by the Euro-Mediterranean Summit, held in Barcelona, Spain, on 27 and 28 November 2005,

Bearing in mind all the previous declarations and commitments, as well as all the initiatives taken by the riparian countries at the recent summits, ministerial meetings and various forums concerning the question of the Mediterranean region,

Welcoming, in this regard, the adoption on 13 July 2008 of the Joint Declaration of the Paris Summit, which launched a reinforced partnership, "the Barcelona Process: Union for the Mediterranean", and the common political will to revive efforts to transform the Mediterranean into an area of peace, democracy, cooperation and prosperity,

Welcoming also the entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) as a contribution to the strengthening of peace and security both regionally and internationally,

Recognizing the indivisible character of security in the Mediterranean and that the enhancement of cooperation among Mediterranean countries with a view to promoting the economic and social development of all peoples of the region will contribute significantly to stability, peace and security in the region,

Recognizing also the efforts made so far and the determination of the Mediterranean countries to intensify the process of dialogue and consultations with a view to resolving the problems existing in the Mediterranean region and to eliminating the causes of tension and the consequent threat to peace and security, and their growing awareness of the need for further joint efforts to strengthen economic, social, cultural and environmental cooperation in the region,

Recognizing further that prospects for closer Euro-Mediterranean cooperation in all spheres can be enhanced by positive developments worldwide, in particular in Europe, in the Maghreb and in the Middle East,

Reaffirming the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respecting the purposes and principles of the Charter of the United Nations as well as the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Expressing its concern at the persistent tension and continuing military activities in parts of the Mediterranean

that hinder efforts to strengthen security and cooperation in the region,

Taking note of the report of the Secretary-General,

1. *Reaffirms* that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. *Expresses its satisfaction* at the continuing efforts by Mediterranean countries to contribute actively to the elimination of all causes of tension in the region and to the promotion of just and lasting solutions to the persistent problems of the region through peaceful means, thus ensuring the withdrawal of foreign forces of occupation and respecting the sovereignty, independence and territorial integrity of all countries of the Mediterranean and the right of peoples to self-determination, and therefore calls for full adherence to the principles of non-interference, non-intervention, non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter and the relevant resolutions of the United Nations;

3. *Commends* the Mediterranean countries for their efforts in meeting common challenges through coordinated overall responses, based on a spirit of multilateral partnership, towards the general objective of turning the Mediterranean basin into an area of dialogue, exchanges and cooperation, guaranteeing peace, stability and prosperity, encourages them to strengthen such efforts through, inter alia, a lasting multilateral and action-oriented cooperative dialogue among States of the region, and recognizes the role of the United Nations in promoting regional and international peace and security;

4. *Recognizes* that the elimination of the economic and social disparities in levels of development and other obstacles as well as respect and greater understanding among cultures in the Mediterranean area will contribute to enhancing peace, security and cooperation among Mediterranean countries through the existing forums;

5. *Calls upon* all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation, thus creating the conditions necessary for strengthening peace and cooperation in the region;

6. *Encourages* all States of the region to favour the conditions necessary for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, by participating, inter alia, in the United Nations system for the standardized reporting of military expenditures and by providing accurate data and information to the United Nations Register of Conventional Arms;

7. *Encourages* the Mediterranean countries to strengthen further their cooperation in combating terrorism in all its forms and manifestations, including the pos-

sible resort by terrorists to weapons of mass destruction, taking into account the relevant resolutions of the United Nations, and in combating international crime and illicit arms transfers and illicit drug production, consumption and trafficking, which pose a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation and which jeopardize friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society;

8. *Requests* the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region;

9. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Strengthening of security and cooperation in the Mediterranean region".

Cooperation with the Organization for Security and Cooperation in Europe

On 27 February [meeting 6088], the Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE), Dora Bakoyannis, briefed the Security Council about the work of OSCE and outlined its 2009 priorities, which included, among others: strengthening OSCE in the field, in particular a more comprehensive OSCE presence in Georgia; addressing humanitarian issues in the region; restructuring the international presence in Kosovo; taking OSCE further in border security and policing in Afghanistan; playing a key role in the fight against terrorism; examining cross-dimensional aspects of the migration phenomenon; and maintaining the highest standards for OSCE election observation activities. In addition to those key issues, many of which were common to the agendas of both organizations, she highlighted potential areas of OSCE-UN cooperation, such as new avenues for cooperation in Central Asia, strengthening of the thematic area of the rule of law, and dialogue and exchange of experience with the UN system on gender equality. She concluded that it was vital to strengthen further the OSCE-UN partnership.

Observer status

On 16 December, the General Assembly granted observer status to the Parliamentary Assembly of the Mediterranean (**resolution 64/124**) (see p. 1386) in the work of the Assembly.