



**United Nations**


# **Repertoire of the Practice of the Security Council**

**Supplement 2012-2013**

**Volume I**



United Nations • New York, 2017

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**Department of Political Affairs**

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of the Security Council**

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## Introduction

The present publication constitutes the eighteenth supplement to the *Repertoire of the Practice of the Security Council, 1946-1951*, which was issued in 1954. It covers the proceedings of the Security Council from the 6700th meeting, on 11 January 2012, to the 7091st meeting, on 24 December 2013. The original *Repertoire* and previous supplements may be consulted at [www.un.org/en/sc/repertoire](http://www.un.org/en/sc/repertoire).

The *Repertoire* was mandated by the General Assembly in its resolution 686 (VII) of 5 December 1952, entitled “Ways and means for making the evidence of customary international law more readily available”. It is a guide to the proceedings of the Council and sets forth in a readily accessible form the practices and procedures to which the Council has had recourse. The *Repertoire* is not intended as a substitute for the records of the Council, which constitute the only comprehensive and authoritative account of its deliberations.

The categories employed to arrange the material are not intended to suggest the existence of procedures or practices that have not been clearly or demonstrably established by the Council itself. The Council is at all times, within the framework of the Charter of the United Nations, its own provisional rules of procedure, and practice established through notes by the President of the Security Council, master of its own procedure. For ease of reference, this introduction contains a table indicating the membership of the Security Council during the period under review.

In recording the Council’s practice, the headings under which the practices and procedures of the Council were presented in the original volume issued in 1954, have been largely retained. Where necessary, however, adjustments have been made to better reflect the Council’s practice. For example, the studies contained in part I of the present publication are organized according to region or thematic issues.

The *Repertoire of the Practice of the Security Council* covers four primary areas, namely the application of the provisional rules of procedure, the application of Articles of the Charter of the United Nations, the subsidiary organs of the Security Council, including peacekeeping and peacebuilding missions, and an overview of Council activities for each item on its agenda. From 1946 to 2007, each Supplement to the *Repertoire*, generally covering a period of two to four years, comprised 12 chapters. Since 2008, each Supplement to the *Repertoire*, covering a period of two years, has been organized into 10 parts.

From 1946 to 2007, the 12 chapters cover the following topics:

- |             |   |
|-------------|---|
| Chapter I   | Provisional rules of procedure of the Security Council (Articles 28, 30, 98; rules 1-5, 13-36, 40-67 of the rules of procedure) |
| Chapter II  | Agenda (rules 6-12 of the rules of procedure)   |
| Chapter III | Participation in the proceedings of the Security Council (Articles 31, 32, 35 (1); rules 37-39 of the rules of procedure)       |
| Chapter IV  | Voting (Article 27; rule 40 of the rules of procedure)  |
| Chapter V   | Subsidiary organs of the Security Council   |
| Chapter VI  | Relations with other United Nations organs  |

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Chapter VII	Practice relative to recommendations to the General Assembly regarding membership in the United Nations
Chapter VIII	Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (overview by agenda item)
Chapter IX	Decisions taken by the Security Council in the exercise of its other functions and powers
Chapter X	Consideration of the provisions of Chapter VI of the Charter
Chapter XI	Consideration of the provisions of Chapter VII of the Charter
Chapter XII	Consideration of the provisions of other Articles (Articles 1 (2), 2 (4), 2 (5), 2 (6), 2 (7), 24, 25, 52-54, 102, 103)

From 2008 onwards, the 10 parts of the *Repertoire* cover the following topics:

Part I	Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (by agenda item)
Part II	Provisional rules of procedure and related procedural developments
Part III	Purposes and principles of the Charter of the United Nations (Chapter I of the Charter)
Part IV	Relations with other United Nations organs
Part V	Functions and powers of the Security Council (Chapter V of the Charter)
Part VI	Consideration of the provisions of Chapter VI of the Charter
Part VII	Action with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter)
Part VIII	Regional arrangements (Chapter VIII of the Charter)
Part IX	Subsidiary organs of the Security Council: committees, tribunals and other bodies
Part X	Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions

The *Repertoire* is based on published documents of the Security Council. Symbols of United Nations documents are composed of letters combined with figures. Security Council documents are indicated by a symbol that includes the year and a sequential number (e.g. [S/2012/33](#)). References to the verbatim records of meetings of the Council are given in the form [S/PV.6700](#), meetings being numbered consecutively, starting with the first meeting in 1946. As in previous recent supplements, reference is made in this Supplement only to the provisional verbatim records of Security Council meetings, as the practice of publishing the meeting records in the Official Records has been discontinued.

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The resolutions and other decisions adopted by the Security Council, including statements and notes issued by the President of the Council and relevant exchanges of letters between the President and the Secretary-General, are published in the yearly volumes of *Resolutions and Decisions of the Security Council*. Resolutions are identified by a number followed by the year of adoption in parentheses, for example resolution [2033 \(2012\)](#). References to the statements by the President on behalf of the Council are given in the form [S/PRST/2012/1](#), for example.

Readers who wish to consult the full record of a meeting or the text of a Security Council document referred to in the *Repertoire* may do so on the official United Nations Documentation Centre website, [www.un.org/en/documents](http://www.un.org/en/documents). Security Council documents can be accessed on the website by selecting “Official Document System (ODS)” or one of the direct links to specific categories of documents. The volumes of *Resolutions and Decisions* may be accessed by symbol ([S/INF/67](#) for 2011/12, [S/INF/68](#) for 2012/13 and [S/INF/69](#) for 2013/14).

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## Members of the Security Council, 2012-2013

<b>2012</b>	Azerbaijan	<b>2013</b>	Argentina
	China		Australia
	Colombia		Azerbaijan
	France		China
	Germany		France
	Guatemala		Guatemala
	India		Luxembourg
	Morocco		Morocco
	Pakistan		Pakistan
	Portugal		Republic of Korea
	Russian Federation		Russian Federation
	South Africa		Rwanda
	Togo		Togo
	United Kingdom of Great Britain and Northern Ireland		United Kingdom of Great Britain and Northern Ireland
	United States of America		United States of America



## **Part I**

# **Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security**

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## Introductory note

Part I of the *Repertoire of the Practice of the Security Council* provides an overview of the proceedings of the Security Council in respect of the agenda items that relate to its responsibility for the maintenance of international peace and security. The range of items covers broadly those that may be deemed to fall under Chapters VI and VII of the Charter.

The overview gives the immediate political context in which consideration by the Council of those items evolved during the period 2012-2013.<sup>1</sup> It also constitutes a framework within which the deliberations of the Council expressly related to the provisions of the Charter and its provisional rules of procedure can be considered. Part I also examines the substantive aspects of the Council's practice that are not covered in other parts of the *Repertoire*.

For ease of reference, the items are grouped by region, with an additional category of thematic issues. Within each region, items are listed in the order in which they were first included in the list of matters of which the Council is seized.

Individual studies highlight developments in the Council's consideration of an item that are considered important for understanding the decisions taken by the Council. In some cases, related items are grouped together under the heading "Items relating to ...".

Each substantive section is followed by a table giving all procedural information relating to the item, including meetings, sub-items, documents referred to and speakers. To illustrate the mainstreaming of thematic issues in items specific to a country or region, some of the studies include an additional table that sets out the relevant provisions of Council decisions.

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<sup>1</sup> The *Repertoire of the Practice of the Security Council* covers formal meetings and documents of the Security Council. Some of the questions considered in part I were also discussed in informal consultations among the members of the Council.

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# Africa

## 1. The situation concerning Western Sahara

### Overview

During the period under review, the Security Council held two meetings and adopted two resolutions relating to the situation concerning Western Sahara. At those meetings, the Council considered the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which was extended twice, for a period of one year each time<sup>2</sup>.

### Extension of the mandate of MINURSO

On 24 April 2012, by resolution [2044 \(2012\)](#), the Council decided to extend the mandate of MINURSO until 30 April 2013. After the vote, the representative of South Africa expressed his disappointment that the Council, once again, had been unable to agree on establishing an international human rights mechanism within MINURSO. He said that MINURSO was one of the few United Nations missions without a human rights mandate, which created the impression that the Council did not give priority to the human rights of the people of Western Sahara. He further raised his

delegation's concern at the manner in which the report of the Secretary-General dated 5 April 2012<sup>3</sup> had been prepared and finalized, underlining the importance of giving due consideration to Article 100 of the Charter.<sup>4</sup> The representative of Morocco, on the other hand, stated that the Council was quite right to refuse, for the third year in a row, to broaden the mandate of MINURSO to include matters irrelevant to its functions and nature, opining that, in adhering to the original mandate, the Council was directing MINURSO to commit itself to the existing agreements.<sup>5</sup>

On 25 April 2013, the Council unanimously adopted resolution [2099 \(2013\)](#), in which it encouraged the parties to continue in their respective efforts to enhance the promotion and protection of human rights in Western Sahara and the Tindouf refugee camps. By the same resolution, the Council extended the mandate of MINURSO until 30 April 2014 and supported the request of the Secretary-General for six additional United Nations police officers to implement the expanded family visit programme.

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<sup>2</sup> Resolutions [2044 \(2012\)](#) and [2099 \(2013\)](#). For more information on MINURSO, see part X, sect. I, "Peacekeeping operations".

<sup>3</sup> [S/2012/197](#).

<sup>4</sup> [S/PV.6758](#), pp. 2-3.

<sup>5</sup> *Ibid.*, pp. 3-4.

### Meetings: the situation concerning Western Sahara

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<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6758</a> 24 April 2012	Report of the Secretary-General on the situation concerning Western Sahara ( <a href="#">S/2012/197</a> )	Draft resolution submitted by France, Russian Federation, Spain, United Kingdom, United States ( <a href="#">S/2012/249</a> )	Spain		Morocco, South Africa	Resolution <a href="#">2044 (2012)</a> 15-0-0
<a href="#">S/PV.6951</a> 25 April 2013	Report of the Secretary-General on the situation concerning Western Sahara ( <a href="#">S/2013/220</a> )	Draft resolution submitted by France, Russian Federation, Spain, United States ( <a href="#">S/2013/243</a> )	Spain			Resolution <a href="#">2099 (2013)</a> 15-0-0

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## 2. The situation in Liberia

### Overview

During the period under review, the Security Council held nine meetings in connection with the situation in Liberia, including two closed meetings with troop-contributing countries,<sup>6</sup> and adopted four resolutions, all under Chapter VII of the Charter. The Council heard three briefings by the Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia (UNMIL), and the Chair of the Liberia configuration of the Peacebuilding Commission.

During the meetings, the Council considered the phased drawdown of the military strength of UNMIL and extended the mandate of UNMIL twice, for periods of one year respectively.<sup>7</sup> By resolutions 2079 (2012) and 2128 (2013), the Council renewed the travel ban and arms embargo imposed by resolution 1521 (2003), for 12 months each time. The mandate of the Panel of Experts was also twice extended for 12 months, by the same resolutions.<sup>8</sup>

In May 2012, the Security Council visited Liberia among other countries during its mission to West Africa.<sup>9</sup>

### Briefings on the situation in Liberia and UNMIL

On 11 September 2012, the Council heard a briefing by the Special Representative of the Secretary-General for Liberia and Head of UNMIL, who reported that since 2003 Liberia had made significant progress in institutional rebuilding as well as the consolidation of its democratic processes and was very close to becoming “a true success story”. She stressed that

improvement of the security situation and the creation of lasting stability in Liberia were not only contingent upon security sector reform, which UNMIL was providing, but that the country also needed to enhance national reconciliation and implement structural political changes, which would require both political commitment and financial resources. With regard to constitutional reform and national reconciliation, she expressed the view that any comprehensive constitutional reform must be endorsed by referendum, which implied a high degree of public awareness. Given the large responsibility the police would bear as UNMIL transitioned, she stated that considerable attention should be given to increasing police professionalism, logistics capacity and recruitment efforts. Concerning the security situation along the border with Côte d’Ivoire, she stated that UNMIL and the United Nations Operation in Côte d’Ivoire (UNOCI) had strengthened their inter-mission cooperation on border issues, and encouraged further cooperation between Liberia and Côte d’Ivoire.<sup>10</sup>

In his briefing to the Council, the Chair of the Liberia configuration of the Peacebuilding Commission emphasized that national reconciliation should be at the centre of the peace process. He said that it was featured as a core peacebuilding priority in the statement of mutual commitments between the Commission and the Government of Liberia, and that it was linked to processes of constitutional review, decentralization and election reform. Concerning capacity-building of the Liberia national police, he said that the Commission, having received the request from the President of Liberia, facilitated consultations on how to strengthen and coordinate training support to the national police. He added that the Commission was finalizing a resource mobilization strategy and corresponding work plan, working closely with the Government and UNMIL.<sup>11</sup>

The representative of Liberia expressed her concerns about the security situation along the border of Liberia and Côte d’Ivoire and stressed that the matter required close attention because of its potential risks to national and regional security. While commending actions that UNMIL and UNOCI were

<sup>6</sup> See S/PV.6828 and S/PV.7021.

<sup>7</sup> Resolutions 2066 (2012) and 2116 (2013). For more information on UNMIL, see part X, sect. I, “Peacekeeping operations”.

<sup>8</sup> For more information on the sanctions measures concerning Liberia, see part VII, sect. III, “Measures not involving the use of armed force in accordance with Article 41 of the Charter”. For more information on the Committee established pursuant to resolution 1521 (2003) concerning Liberia and the mandate of the Panel of Experts, see part IX, sect. I. B.

<sup>9</sup> For more information on the Security Council mission to West Africa, see part I, sect. 34, “Security Council mission”.

<sup>10</sup> S/PV.6830, pp. 2-4.

<sup>11</sup> Ibid., pp. 4-6.

taking to support the national forces, she underlined the need for cooperation and collaboration between national and international forces on both sides of the border. She also reaffirmed the intention of the Government to honour its commitments made in the statement of mutual commitments with the Peacebuilding Commission. She stated that Liberia was seeking to promote justice, security and participation for its people and the effective management and use of the national resources. She also expressed her Government's disappointment with a few assertions in the report of the Secretary-General that were not entirely accurate and stated that the relatively open and constructive relationship between her Government and UNMIL over the years should allow the Government the right to jointly vet and verify assertions that upon publication could influence the views of the international community, including potential investors in Liberia.<sup>12</sup>

On 25 March 2013, in her briefing to the Council, the Special Representative of the Secretary-General reported that the first phase of the security transition of UNMIL responsibilities to the Government had started in October 2012 and had been relatively successful. She added that UNMIL had begun its next military drawdown phase in accordance with resolution [2066 \(2012\)](#), so that, for the first time since 2005, military personnel of UNMIL were not deployed in every one of the 15 counties in Liberia. On developments in the country, she underlined some positive steps such as the conference to launch the National Vision 2030, a long-term political and economic agenda including a fair political system, security, the rule of law and national reconciliation. She also highlighted the launch of Liberia's first justice and security hub with the support of the Peacebuilding Fund. While noting some progress in the area of accountability, she stressed that the issues of corruption and tensions between branches of the Government had remained. Concerning the situation on the Liberian border with Côte d'Ivoire, she said that UNMIL and UNOCI continued their inter-mission cooperation at all levels and were working with both Governments to encourage the development of a common border strategy.<sup>13</sup>

At the same meeting, the Chair of the Liberia configuration of the Peacebuilding Commission

reported on his visit to Liberia in February 2013, which had allowed him to consult with the Government on how to accelerate progress on security sector reform, rule of law and national reconciliation. He reported that the first regional justice and security hub had been inaugurated in Gbarnga during the visit and encouraged the Government to make the appropriate provisions, including planning and budget allocations for recurrent costs and delivery of justice and security services.<sup>14</sup>

On 10 September 2013, the Special Representative of the Secretary-General welcomed the work of the Constitutional Review Committee for preparing the national consultations and the launch of the National Reconciliation Road Map by the President of Liberia, Ellen Johnson-Sirleaf, in June. Warning that many potential causes of conflict still needed to be addressed through long-term reforms, she expressed concern over the mismanagement of natural resources and corruption that was affecting the work of national institutions and economic development. On the three-phase military drawdown of UNMIL, she reported that, while the first phase had been concluded successfully and the Government and UNMIL were able to develop effective joint transition planning mechanisms, the Liberian security forces had been unable to scale up their operational effectiveness to assume increased security responsibilities and remained constrained by weak mobility, resources and administration. She stressed that Liberia required continued support from the international community for the challenges the country would be facing.<sup>15</sup>

The Chair of the Liberia configuration of the Peacebuilding Commission regretted that only limited progress had been made with regard to national reconciliation in Liberia. While the National Reconciliation Road Map had been launched, implementation had been delayed and the funds had not been released by the Government, he added. On security sector reform and the rule of law, he noted that lack of Liberian police capacity, mobility, professional management and limited resources delayed the transition of UNMIL. Acknowledging that the progress in reforming and strengthening the judiciary had been slow, he encouraged the Government to step up its work in the areas of reforms, implementation, allocation of resources and timely disbursement of

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<sup>12</sup> *Ibid.*, pp. 6-8.

<sup>13</sup> [S/PV.6941](#), pp. 2-4.

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<sup>14</sup> *Ibid.*, pp. 5-6.

<sup>15</sup> [S/PV.7029](#), pp. 2-4.

funds. Those efforts, he added, would allow the Commission to better support the Government in marshalling resources for justice and security. He noted the intention to inaugurate the second and third justice and security hubs in the second quarter of 2014, although the first hub, launched in February 2013, was still not fully operational. He also expressed concern over corruption related to land and natural resources and suggested that the international community increase its support to Liberia in this area.<sup>16</sup>

The representative of Liberia noted that the Liberia national police had taken over responsibility for security from UNMIL in some areas, but some personnel, logistic and budgetary challenges remained. He reiterated that, notwithstanding these setbacks, the Government of Liberia remained firmly committed to the road map as agreed. He emphasized that the UNMIL transition plan had been carefully calibrated to account for the capabilities and remaining challenges in Liberia, and warned that any effort to accelerate the transition process could destabilize the situation or undermine the gains achieved.<sup>17</sup>

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<sup>16</sup> Ibid., pp. 5-7.

<sup>17</sup> Ibid., pp. 7-9.

### **Phased drawdown of the military strength of UNMIL**

On 17 September 2012, by resolution [2066 \(2012\)](#), the Council extended the mandate of UNMIL for one year, until 30 September 2013, and endorsed the recommendation of the Secretary-General<sup>18</sup> to decrease the military component of UNMIL from seven to three infantry battalions, totalling approximately 4,200 personnel, in three phases between August 2012 and July 2015. As a result of the reduction, the military strength of UNMIL would total approximately 3,750 personnel by July 2015. The Council also authorized the Secretary-General to implement the first phase of the drawdown, reducing the military component by 1,990 personnel between October 2012 and September 2013.

On 18 September 2013, by resolution [2116 \(2013\)](#), the Council extended the mandate of UNMIL for a further year, until 30 September 2014, and authorized the Secretary-General to implement the second phase of the military drawdown, reducing the military component of UNMIL by 1,129 personnel between October 2013 and September 2014. In both resolutions the Council stressed that the primary tasks of UNMIL were to continue to support the Government in order to solidify peace and stability and to protect civilians.

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<sup>18</sup> See [S/2012/230](#) and [S/2012/641](#).

**Meetings: the situation in Liberia**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6830</a> 11 September 2012	Twenty-fourth progress report of the Secretary-General on the United Nations Mission in Liberia (UNMIL) ( <a href="#">S/2012/641</a> )		Liberia	Special Representative of the Secretary-General for Liberia and Head of UNMIL, Chair of the Liberia configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.6834</a> 17 September 2012	Twenty-fourth progress report of the Secretary-General on UNMIL ( <a href="#">S/2012/641</a> )	Draft resolution submitted by France, United Kingdom, United States ( <a href="#">S/2012/707</a> )				Resolution <a href="#">2066 (2012)</a> 15-0-0
<a href="#">S/PV.6884</a> 12 December 2012	Letter dated 3 December 2012 from the Chair of the Security Council Committee established pursuant to resolution <a href="#">1521 (2003)</a> concerning Liberia addressed to the President of the Security Council ( <a href="#">S/2012/901</a> )	Draft resolution submitted by United States ( <a href="#">S/2012/918</a> )				Resolution <a href="#">2079 (2012)</a> 15-0-0
<a href="#">S/PV.6941</a> 25 March 2013	Twenty-fifth progress report of the Secretary-General on UNMIL ( <a href="#">S/2013/124</a> )			Special Representative of the Secretary-General, Chair of the Liberia configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.7029</a> 10 September 2013	Twenty-sixth progress report of the Secretary-General on UNMIL ( <a href="#">S/2013/479</a> )		Liberia (Minister of National Defence)	Special Representative of the Secretary-General, Chair of the Liberia configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.7033</a> 18 September 2013	Twenty-sixth progress report of the Secretary-General on UNMIL ( <a href="#">S/2013/479</a> )	Draft resolution submitted by France, Morocco, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/556</a> )				Resolution <a href="#">2116 (2013)</a> 15-0-0

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7077</a> 10 December 2013	Letter dated 19 November 2013 from the Chair of the Security Council Committee established pursuant to resolution <a href="#">1521 (2003)</a> concerning Liberia addressed to the President of the Security Council ( <a href="#">S/2013/683</a> )	Draft resolution submitted by Rwanda, Togo, United States ( <a href="#">S/2013/725</a> )				Resolution <a href="#">2128 (2013)</a> 15-0-0



### 3. The situation in Somalia

#### Overview

During the period under review, the Security Council held 22 meetings, adopted 11 resolutions and issued two presidential statements in connection with the situation in Somalia. The Council welcomed the strategic reviews undertaken by both the United Nations and the African Union on their presence and engagement in Somalia, and the development of a new national security strategy by the Federal Government of Somalia. The Council continued to express its concern at the threat posed by piracy and armed robbery off the coast of Somalia, while stressing the need for a comprehensive strategy to tackle piracy and its underlying causes in accordance with international law, including international human rights law.

In accordance with the recommendations of the Secretary-General, the Council in May 2013 replaced the United Nations Political Office for Somalia (UNPOS) by an expanded United Nations Assistance Mission in Somalia (UNSOM), with a mandate of good offices in support of Somalia's peace and reconciliation process and to provide strategic policy advice on peacebuilding and State-building.<sup>19</sup> Acting under Chapter VII of the Charter, the Council extended four times its authorization for the African Union to maintain the deployment of the African Union Mission in Somalia (AMISOM),<sup>20</sup> and requested the African Union to increase the force strength of the Mission.<sup>21</sup> The Council twice extended the mandate of the Monitoring Group supporting the Committee established pursuant to resolution 751 (1992).<sup>22</sup> The Council twice extended the authorization for counter-piracy operations granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia.<sup>23</sup>

<sup>19</sup> For more information on UNPOS and UNSOM, see part X, sect. II, "Political and peacebuilding missions".

<sup>20</sup> Resolutions 2072 (2012); 2073 (2012); 2093 (2013); and 2124 (2013).

<sup>21</sup> Resolution 2036 (2012).

<sup>22</sup> Resolutions 2060 (2012) and 2111 (2013). For more information on the Monitoring Group, see part IX, sect. I.B, under "Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea".

<sup>23</sup> Resolutions 2077 (2012) and 2125 (2013).

#### Briefings on the situation in Somalia

From January 2012 to December 2013, the Council received several briefings from the Special Representative of the Secretary-General for Somalia and Head of UNPOS,<sup>24</sup> as well as the Secretariat,<sup>25</sup> on the basis of the quarterly reports of the Secretary-General, which provided an assessment of the major developments in Somalia mainly in the political, security, human rights and humanitarian recovery and development areas.

On 11 January 2012, the Under-Secretary-General for Political Affairs updated the Council on recent developments in Somalia, including the joint undertaking of the African Union and the United Nations to develop the strategic concept of AMISOM operations. He informed the Council about the outstanding issues that needed to be addressed and outlined the Somalia strategy that had been proposed by the Secretary-General regarding the United Nations "three-pronged" integrated approach, aimed at aligning the political, security and humanitarian tracks. He stressed the importance of the international community, notably the African Union, the Intergovernmental Authority on Development, the Organization of Islamic Cooperation and the League of Arab States, continuing to work in a concerted manner to address all outstanding challenges and build on the recent gains made in the peace process.<sup>26</sup>

The Commissioner for Peace and Security of the African Union reported on the strategic concept for the future of AMISOM operations endorsed by the African Union Peace and Security Council, including the achievements and initiatives of AMISOM. He expressed concern that AMISOM was "under-resourced and under-equipped" and urged the Security Council to authorize the required support for the implementation of the strategic concept for future AMISOM operations.<sup>27</sup>

The representative of Kenya, in his country's capacity as the Chair of the Peace and Security Council of the African Union, highlighted regional efforts in addressing the Somali crisis, especially the threat

<sup>24</sup> See S/PV.6729, S/PV.6770 and S/PV.6848.

<sup>25</sup> S/PV.6701, S/PV.6921 and S/PV.7054.

<sup>26</sup> S/PV.6701, pp. 3-6.

<sup>27</sup> Ibid., pp. 6-9.

posed by Al-Shabaab. He reiterated the request of the African Union regarding provision of capabilities that could cut out Al-Shabaab supply lines, and support for efforts to build the capacity of Somali institutions.<sup>28</sup>

During the discussion, speakers expressed their support for the strengthening of the mandate of AMISOM and welcomed the strategic concept of its operations. Noting the liberation of Mogadishu from Al-Shabaab control, they called upon the Transitional Federal Government to utilize the window of opportunity to bring the transition to a close.

On 5 March 2012, the Secretary-General briefed the Council on the situation in Somalia. He highlighted three major developments that had provided a momentous impetus to the Somalia peace process, namely, the second Somali National Consultative Constitutional Conference, held at Garowe, the adoption of resolution 2036 (2012) on an expanded and well-resourced AMISOM, and the London Conference on Somalia. He encouraged all participants and the international community to support the implementation of the London communiqué and further updated the Council on the relocation of the United Nations Political Office for Somalia to Mogadishu.<sup>29</sup>

The Special Representative of the Secretary-General provided further details on the latest developments in Somalia, including remaining challenges that needed to be addressed. He reported on the activities of UNPOS since its relocation and stressed that it was important for the international community to deploy to Mogadishu without delay in order to expedite the implementation of the road map.<sup>30</sup>

After the briefings, the Council adopted a presidential statement in which it welcomed the London Conference on Somalia, including the consensus to end the mandate of the transitional federal institutions in August 2012, and fully supported the conference communiqué. While welcoming the financial support provided to AMISOM by the African Union's partners, the Council emphasized the need for the international community to provide coordinated, timely and sustained humanitarian assistance to the Somali people. The Council welcomed the fact that effective countermeasures had led to a substantial

reduction in the number of successful piracy-related attacks and welcomed the commitments made at the London Conference on new efforts to repress piracy, as well as efforts by bilateral donors and regional organizations to strengthen the capacity of Somalia and relevant States in the region to prosecute those responsible for acts of piracy and armed robbery off the coast of Somalia. The Council welcomed the intention of the Government of Turkey to hold a conference on Somalia in Istanbul.<sup>31</sup>

Following the adoption of the presidential statement, most speakers stressed the importance of a more representative and inclusive new Government of Somalia to succeed the Transitional Federal Government. They welcomed the adoption of resolution 2036 (2012) and the outcome of the London Conference, while stressing the need for continuous provision of the necessary financial and humanitarian assistance to Somalia.

At the meeting held on 15 May 2012, the President of the Transitional Federal Government of Somalia detailed the progress made by his Government in the implementation of the policies set down in the road map. While expressing appreciation for international efforts in supporting Somalia, he hoped that the outstanding aid and assistance would be forthcoming.<sup>32</sup> In his briefing, the Special Representative of the Secretary-General assessed the progress made in the implementation of the road map for ending the political transition. Noting the challenges, including the tight timelines, he urged the provision of timely logistical and financial support to allow the complete implementation of the road map before August, with strengthened international cooperation and coordination.<sup>33</sup>

Council members welcomed the progress made towards the implementation of the road map, commended the role of AMISOM and emphasized the need for the international community to continue to support such efforts.

On 14 February 2013, the Council heard a briefing from the Assistant Secretary-General for Political Affairs on political developments in Somalia, as well as the options proposed and the recommendations of the Secretary-General for the

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<sup>28</sup> Ibid., pp. 9-11.

<sup>29</sup> S/PV.6729, pp. 2-3.

<sup>30</sup> Ibid., pp. 3-5.

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<sup>31</sup> S/PRST/2012/4.

<sup>32</sup> S/PV.6770, pp. 2-5.

<sup>33</sup> Ibid., pp. 5-7.

future United Nations presence in Somalia. He reported that, on the basis of an integrated strategic assessment conducted in 2012, in which the Secretariat had consulted the African Union, Somali authorities, civil society organizations and international partners, the Secretary-General had recommended the liquidation of UNPOS and the establishment of a broader peacebuilding mission which would be based in Mogadishu. Detailed plans for the future mission would be developed on the basis of the findings of a technical design mission that the Secretary-General intended to deploy.<sup>34</sup>

The representative of Somalia outlined several initiatives based on a “six-pillar” policy framework adopted by her Government. Underlining the importance of security for the consolidation of peace, she requested that the arms embargo be lifted and expressed concern regarding some aspects of the mandate of AMISOM, including a maritime component for AMISOM, while reiterating her Government’s support for an integrated United Nations mission.<sup>35</sup>

On 30 October 2013, the Council was briefed by the Deputy Secretary-General following his visit to Mogadishu. He noted “the beginning of a new Somalia”, adding that the Government had reiterated its commitment to federalism and power-sharing. He had congratulated the Government on the conclusion of the “new deal” for Somalia framework, and pledged United Nations efforts to support those goals. He presented the benchmarks set by the Secretary-General for the deployment of a United Nations peacekeeping operation and noted that the deployment of such an operation could mark an exit strategy for the current operations and a milestone in the work of the United Nations for peace in Somalia. He briefed the Council on the report of the Secretary-General<sup>36</sup> on piracy and armed robbery off the coast of Somalia.<sup>37</sup>

#### **Election of a new President of Somalia**

On 18 September 2012, the Council unanimously adopted resolution [2067 \(2012\)](#), in which it welcomed the progress made in Somalia over the previous 12 months, including the selection of a new President and a Speaker of the newly established Federal

Parliament of Somalia. While encouraging the new President to appoint an inclusive, accountable Government, the Council expressed its determination to work closely with the new institutions and offices of the Somali authorities. Acknowledging the support to AMISOM by the African Union’s partners, especially through the African Peace Facility of the European Union, the Council further welcomed the signing of the National Security and Stabilization Plan; the signing on 11 May 2012 of a memorandum of understanding between the Somali authorities and the United Nations on human rights; and the signing on 6 August 2012 of an action plan by the Somali authorities and the United Nations to eliminate the killing and maiming of children.

Following the adoption of the resolution, the representative of Somalia stated that the resolution was a landmark for the future of Somalia and would enable the new President to forge ahead towards peace and security, including assisting in the fight against piracy off the coast of Somalia. He hoped that the Security Council, the international community and the United Nations would continue with their efforts to sustain the progress made so far.<sup>38</sup>

#### **Strengthening of AMISOM**

On 22 February 2012, by resolution [2036 \(2012\)](#), the Council decided that, in addition to its previous tasks, the mandate of AMISOM should include establishing a presence in the four sectors set out in the strategic concept for the Mission of 5 January 2012 and that the Mission should be authorized to take all necessary measures, as appropriate, in those sectors, and should act in compliance with applicable international humanitarian and human rights law in performance of its mandate. The Council requested the African Union to increase the AMISOM force strength from 12,000 to a maximum of 17,731 uniformed personnel, comprising troops and personnel of formed police units, and decided to expand the logistical support package for AMISOM. The Council also reiterated its request to the United Nations and the African Union to develop a guard force within the mandated AMISOM troop levels.

Following the adoption of the resolution, some Council members made statements in support of the resolution and noted that it had strengthened

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<sup>34</sup> [S/PV.6921](#), pp. 2-4.

<sup>35</sup> *Ibid.*, pp. 4-6.

<sup>36</sup> [S/2013/623](#).

<sup>37</sup> [S/PV.7054](#), pp. 2-5.

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<sup>38</sup> [S/PV.6837](#), p. 2.

AMISOM.<sup>39</sup> The representatives of the United States, India and South Africa, however, expressed regret that the resolution did not include support for maritime assets of AMISOM.<sup>40</sup>

On 16 October 2012, the Council was briefed by the Special Representative of the Secretary-General by videoconference from Mogadishu. He reported on the latest developments in the Somalia peace process, notably the selection of a new Parliament, and a newly elected Speaker and President. He also updated the Council on the activities of UNPOS. Referring to the fourth report of the Chair of the African Union Commission on the implementation of the mandate of AMISOM, he called for an expeditious deployment of AMISOM to its full strength with the necessary logistical support.<sup>41</sup>

During the debate, Council members supported AMISOM and acknowledged the significant progress made in combating Al-Shabaab insurgents. They further expressed concern that Al-Shabaab remained a threat to the peace and stability of Somalia.

On 31 October 2012, the Council adopted resolution [2072 \(2012\)](#), in which it decided to authorize the States members of the African Union to maintain the deployment of AMISOM until 7 November 2012.

On 7 November 2012, by resolution [2073 \(2012\)](#), the Council decided to authorize the States members of the African Union to maintain the deployment of AMISOM until 7 March 2013. It further decided, on an exceptional basis, and owing to the unique character of the Mission, to extend the United Nations logistical support package for AMISOM civilian personnel for a further 50 civilian personnel, on a temporary basis to be reviewed in the light of the upcoming African Union and United Nations strategic reviews.

Following the adoption of the resolution, the representative of the United Kingdom stated that the resolution had provided the necessary support and stability to an important Mission that the Council highly valued and would enable the Council to respond promptly once the United Nations and African Union

reviews had made recommendations on important issues that had an impact on AMISOM.<sup>42</sup> A number of Council members, while welcoming the resolution, expressed regret that it had not addressed all the critical requests made by the African Union, such as those concerning the AMISOM maritime component.<sup>43</sup>

On 6 March 2013, by resolution [2093 \(2013\)](#), the Council welcomed the strategic reviews of both the United Nations and the African Union on their presence and engagement in Somalia and authorized the States members of the African Union to maintain the deployment of AMISOM until 28 February 2014. It requested the Secretary-General to continue to provide a logistical support package for AMISOM. The Council endorsed the Secretary-General's proposal for UNPOS to be replaced by a new expanded special political mission, and decided that the United Nations Support Office for AMISOM should be integrated within the framework of the new United Nations mission. The Council further requested the Secretary-General to conduct a technical assessment mission on the implementation of the new United Nations mission. The Council decided that for a period of 12 months the measures imposed by paragraph 5 of resolution [733 \(1992\)](#) and further elaborated upon in paragraphs 1 and 2 of resolution [1425 \(2002\)](#) would not apply to deliveries of weapons or military equipment or the provision of advice, assistance or training intended solely for the development of the Security Forces of the Federal Government of Somalia, and to provide security for the Somali people.

Following the adoption of the resolution, the representatives of Guatemala and Argentina commented on the partial lifting of the arms embargo and hoped that it would not subsequently jeopardize the stabilization efforts in Somalia.<sup>44</sup>

On 12 November 2013, by resolution [2124 \(2013\)](#), the Council, authorized the States members of the African Union to maintain the deployment of AMISOM until 31 October 2014 and took note of the benchmarks for the potential deployment of a United Nations peacekeeping operation. It requested the African Union to increase the force strength of AMISOM from 17,731 to a maximum of 22,126

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<sup>39</sup> [S/PV.6718](#), p.2 (United Kingdom); p. 3 (United States, Portugal); p.4 (India, South Africa); and p.5 (Germany, France).

<sup>40</sup> *Ibid.*, pp. 3-4.

<sup>41</sup> [S/PV.6848](#), pp. 2-4.

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<sup>42</sup> [S/PV.6854](#), p. 2.

<sup>43</sup> *Ibid.*, p. 3 (South Africa); p. 4 (Germany, Guatemala); and p. 5 (India).

<sup>44</sup> [S/PV.6929](#), p. 2 (Guatemala); and p. 3 (Argentina).

uniformed personnel and decided to expand the logistical support package for AMISOM until 31 October 2014. The Council further requested UNSOM to work closely with the African Union in assisting the Federal Government of Somalia, and took note of the Secretary-General's intention to deploy an appropriate United Nations static guard unit to strengthen security at UNSOM compounds.

Following the adoption of the resolution, the representative of the Russian Federation raised concerns regarding the wording of paragraph 21 of the resolution and stressed that it should not be a precedent.<sup>45</sup> The representative of Somalia expressed the hope that the Somali army contingent fighting together with AMISOM to defeat the Al-Shabaab strongholds would also be supported by United Nations funds in a more consistent and timely manner.<sup>46</sup>

### **Establishment of UNSOM**

On 25 April 2013, the Under-Secretary-General for Political Affairs briefed the Council on the political developments in Somalia, including the findings and observations of the technical assessment mission of the Secretary-General to Somalia, pursuant to the request of the Council in resolution [2093 \(2013\)](#). He outlined the vision of the Secretary-General for the new United Nations Assistance Mission in Somalia, noting that the Mission's core role would be to act as an enabler, helping to create the political and strategic environment for the stabilization and peacebuilding to proceed, including by leveraging other parts of the United Nations system and international partners.<sup>47</sup>

The representative of Somalia expressed appreciation to the assessment team and hoped that the contents of the report would be realized through the full support of the Security Council.<sup>48</sup> The representative of Ethiopia drew attention to some misperception concerning the role of the Ethiopian National Defence Forces and provided an explanation in that regard.<sup>49</sup>

On 2 May 2013, by resolution [2102 \(2013\)](#), the Council, on the basis of the recommendations made by

the Secretary-General in his letter of 19 April 2013,<sup>50</sup> decided to establish UNSOM by 3 June 2013, under the leadership of a Special Representative of the Secretary-General, for an initial period of 12 months with a mandate to provide United Nations good offices functions and support to the Federal Government of Somalia and AMISOM as appropriate. The Council decided that UNSOM would be based in Mogadishu and deployed further across Somalia and that its mandate would be reviewed no later than 30 April 2014.

Following the adoption of the resolution, the representative of Somalia, endorsing the resolution, expressed appreciation for the Secretary-General's efforts and his confidence that the Security Council, the international community and all other partners in the development of Somalia's future would abide by the resolution.<sup>51</sup>

On 6 June 2013, the Council was briefed by the Deputy Secretary-General on the situation in Somalia, including the launch of UNSOM in Mogadishu and its collaboration with AMISOM in ensuring security and freedom of movement in Somalia. He further called attention to the concern of the Secretary-General regarding the fact that AMISOM was reaching its operational limit in terms of holding and expanding areas under its control. He appealed to the Council to support UNSOM in fulfilling its mandate, including by providing the necessary resources to the Mission itself, as well as to Somalia.<sup>52</sup> Many speakers commented on the humanitarian situation and welcomed the establishment of UNSOM and the appointment of the new Special Representative of the Secretary-General.

Towards the close of the meeting, the Council issued a presidential statement, in which it expressed gratitude for the pledges of assistance made at the Somalia Conference held in London on 7 May 2013 and welcomed the launch of UNSOM on 3 June 2013. It underlined the importance of UNSOM quickly establishing a significant presence in Mogadishu and beyond, and reiterated its expectation that UNSOM would be an integrated mission by 1 January 2014. The Council also took note of the closure of UNPOS and thanked the former Special Representative of the Secretary-General and his staff for their service to

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<sup>45</sup> [S/PV.7056](#), p. 2.

<sup>46</sup> *Ibid.*, p. 3.

<sup>47</sup> [S/PV.6955](#), pp. 2-4.

<sup>48</sup> *Ibid.*, p. 4.

<sup>49</sup> *Ibid.*, p. 6.

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<sup>50</sup> [S/2013/239](#).

<sup>51</sup> [S/PV.6959](#), pp. 2-3.

<sup>52</sup> [S/PV.6975](#), pp. 2-4.

Somalia. The Council welcomed the intention of the Secretariat to conduct a joint review of AMISOM with the African Union. The Council also welcomed the signing of a joint communiqué by the Government of Somalia and the United Nations on the prevention of sexual violence in Somalia, and expressed its deep concern at reports of continued violations and abuses of human rights in Somalia. The Council emphasized the need for the international community to provide well-coordinated, timely and sustained humanitarian assistance.<sup>53</sup>

On 12 September 2013, the Special Representative of the Secretary-General and Head of UNSOM presented the report of the Secretary-General on the political and security developments, including an update on the activities of UNSOM in supporting the Government of Somalia. He stated that the people, Government and international partners were on the brink of achieving great things, but cautioned that the Somalia crisis was not over. He emphasized the need to boost efforts in supporting the Somali National Security Forces, enhancing capabilities for AMISOM and ensuring a well-resourced and coherent United Nations role in the exit strategy for AMISOM, which included support to UNSOM.<sup>54</sup>

The Special Representative of the Chair of the African Union Commission for Somalia reported on the activities of AMISOM. While noting the positive political developments in Somalia, he detailed the remaining challenges, which included security issues, streamlining the federal structure as stipulated in the provisional Constitution and the insufficient capacity of the Government.<sup>55</sup>

On 10 December 2013, the Special Representative of the Secretary-General presented the quarterly report of the Secretary-General on the implementation of the mandate of UNSOM by videoconference from Mogadishu.<sup>56</sup> He provided an assessment of the political and security implications of the wider United Nations deployments across Somalia, while recognizing the role of the African Union. He updated the members of the Council on the political challenges, including the humanitarian and human rights situation,

notwithstanding the progress made by the Government.<sup>57</sup>

### **Modification of sanctions measures and extension of the mandate of the Monitoring Group**

On 25 July 2012, by resolution [2060 \(2012\)](#), the Council welcomed the recommendation of the Monitoring Group on Somalia and Eritrea to set up a joint financial management board and decided to extend the mandate of the Monitoring Group until 25 August 2013. The Council expressed its intention to review the mandate, as well as to take appropriate action regarding further extension, no later than 25 July 2013. It requested the Secretary-General to take the necessary administrative measures to re-establish the Monitoring Group for a period of 13 months drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to previous resolutions.

By the same resolution, the Council decided that measures imposed by paragraph 5 of resolution [733 \(1992\)](#) and further elaborated upon in paragraphs 1 and 2 of resolution [1425 \(2002\)](#) should not apply to supplies of weapons and military equipment, or the provision of assistance, solely for the support of or use by UNPOS; that the Eritrea arms embargo imposed by paragraph 5 of resolution [1907 \(2009\)](#) should not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Eritrea by United Nations personnel, representatives of the media and humanitarian and development workers, as well as supplies of non-lethal military equipment intended solely for humanitarian or protective use. The Council decided that, for a period of 12 months from the date of the resolution, the obligations imposed on Member States in paragraph 3 of resolution [1844 \(2008\)](#) should not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia.<sup>58</sup>

On 24 July 2013, by resolution [2111 \(2013\)](#), welcoming the efforts made by the Secretariat to

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<sup>53</sup> [S/PRST/2013/7](#).

<sup>54</sup> [S/PV.7030](#), pp. 2-5.

<sup>55</sup> *Ibid.*, pp. 5-7.

<sup>56</sup> [S/2013/709](#).

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<sup>57</sup> [S/PV.7078](#), pp. 2-6.

<sup>58</sup> For more information on the sanctions measures concerning Somalia, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter".

expand and improve the roster of experts for the Security Council Subsidiary Organs Branch, the Council decided, *inter alia*, to extend the mandate of the Monitoring Group until 25 November 2014. The Council also decided that until 6 March 2014 the arms embargo on Somalia should not apply to deliveries of weapons or military equipment or the provision of advice, assistance or training intended solely for the development of the Security Forces of the Federal Government of Somalia; and that supplies of items in the annex to the resolution to the Federal Government of Somalia by Member States or international, regional and subregional organizations required an advance approval by the Committee pursuant to resolutions 751 (1992) and 1907 (2009) on a case-by-case basis. The Council decided that the arms embargo should not apply to supplies of weapons or military equipment intended solely for the support of or use by UNSOM and AMISOM. The Council decided, further, that the Monitoring Group should no longer be obliged to submit monthly reports to the Committee in the same months in which it provided its midterm brief and submitted its final reports.

#### **Piracy and armed robbery off the coast of Somalia**

On 22 February 2012, the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel briefed the Council and presented the Secretary-General's report on specialized anti-piracy courts in Somalia and other States in the region. She noted that, pursuant to the request of the Council in resolution 2015 (2011), the report had been prepared in conjunction with the United Nations Development Programme (UNDP) and the United Nations Office on Drugs and Crime (UNODC) and had received inputs from other United Nations entities. She acknowledged five States in the region, Kenya, Mauritius, Seychelles, Somalia and the United Republic of Tanzania, that had been prosecuting piracy suspects with the assistance of the United Nations. She said that those States had taken on a heavy responsibility that entailed a commitment of national resources, as well as security risks, and advocated for strong international support and assistance for those States. Turning to the substance of the report, she stated that, through detailed consultations with the relevant police, prosecution, judicial and prison authorities of the five regional States willing to establish specialized anti-piracy courts, their reactions to various proposals and the kind of international assistance they

required to make such courts operational had been addressed. She commended the Government of Seychelles for its willingness to host a regional prosecution centre. She drew attention to the newly established Working Group 5 of the Contact Group on Piracy off the Coast of Somalia, chaired by Italy, mandated to focus on the illicit financial flows linked to piracy. She also drew attention to the detailed implementation proposals for specialized anti-piracy courts set out in the report, and underlined that further research and analysis should be carried out to consider the actual demand for prosecutions in those States before implementing the measures.<sup>59</sup>

The Executive Director of UNODC updated the Council on the activities of the Office in addressing the challenges and crime of piracy, including providing support to regional countries dealing with piracy suspects. He said that the threat of piracy had continued to grow and that there was evidence of collaboration between Al-Shabaab, Al-Qaida and the pirates. He further noted that the UNODC counter-piracy programme had contributed to the criminal justice systems in the region, while emphasizing that the issue of piracy required a strong inter-agency approach.<sup>60</sup>

During the discussions, most Council members, remaining concerned at the continued threat posed by piracy off the coast of Somalia, welcomed the report of the Secretary-General and stressed the need for the establishment of anti-piracy courts in Somalia and other States in the region. They commended the efforts of the Secretary-General, together with those of UNODC and UNDP, in assisting Somalia and regional States in conducting piracy prosecutions and urged the international community to continue to support such efforts. Some members of the Council emphasized the importance of finding a comprehensive approach to addressing the root causes of piracy and armed robbery at sea off the coast of Somalia.<sup>61</sup> Regarding the establishment of an extraterritorial Somali court, a number of speakers stressed that it should be done in consultation with the interested regional States and

<sup>59</sup> S/PV.6719, pp. 2-5.

<sup>60</sup> *Ibid.*, pp. 5-6.

<sup>61</sup> *Ibid.*, p. 9 (Morocco); p. 10 (United States); p. 12 (Colombia); p. 14 (Portugal); p. 18 (Azerbaijan); and p. 20 (United Kingdom).

concerned United Nations agencies, and in agreement with the Somali authorities.<sup>62</sup>

On 21 November 2012, by resolution [2077 \(2012\)](#), the Council extended for 12 months its authorizations granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and encouraged Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea. The Council affirmed that the authorizations would apply only with respect to the situation in Somalia and should not affect the rights or obligations or responsibilities of Member States under international law. The Council welcomed the recommendations and guidance of the International Maritime Organization on preventing and suppressing piracy and armed robbery against ships.

Following the adoption of the resolution, the representatives of South Africa and Togo raised concerns regarding allegations of illegal fishing and

illegal dumping of toxic waste off the coast of Somalia and urged the Council to investigate those issues.<sup>63</sup>

On 18 November 2013, by resolution [2125 \(2013\)](#) the Council, inter alia, extended its authorizations granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia for a further period of 12 months, and decided that the arms embargo on Somalia imposed in resolutions [733 \(1992\)](#), [1425 \(2002\)](#) and [2093 \(2013\)](#) did not apply to supplies of weapons and military equipment or the provision of assistance destined for the sole use of Member States and international, regional and subregional organizations. It further welcomed the work of the UNODC counter-piracy programme with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy were prosecuted and those convicted were imprisoned in a manner consistent with international law, including international human rights law.

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<sup>62</sup> Ibid., p. 9 (India); p. 10 (Morocco); p. 12 (Colombia); and p. 18 (Azerbaijan).

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<sup>63</sup> [S/PV.6867](#), pp. 2-3 (South Africa); and pp. 3-4 (Togo).



## Meetings: the situation in Somalia

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6701</a> 11 January 2012	Letter dated 9 January 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/19</a> )	Report of the Secretary-General on Somalia ( <a href="#">S/2011/759</a> )	Burundi, Kenya (Minister for Foreign Affairs), Somalia, Uganda (Minister of Defence)	Under-Secretary-General for Political Affairs, Commissioner for Peace and Security of the African Union	All Council members, <sup>a</sup> Burundi, Kenya (Minister for Foreign Affairs), Uganda (Minister of Defence), all invitees under rule 39	
<a href="#">S/PV.6718</a> 22 February 2012	Special report of the Secretary-General on Somalia ( <a href="#">S/2012/74</a> )	Draft resolution submitted by United Kingdom ( <a href="#">S/2012/104</a> )			France, Germany, India, Portugal, South Africa, United Kingdom, United States	Resolution <a href="#">2036 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6719</a> 22 February 2012	Report of the Secretary-General on specialized anti-piracy courts in Somalia and other States in the region ( <a href="#">S/2012/50</a> )		Somalia	Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, Executive Director of the United Nations Office on Drugs and Crime	All Council members, all invitees under rule 39	
<a href="#">S/PV.6729</a> and <a href="#">S/PV.6729 (Resumption 1)</a> 5 March 2012	Special report of the Secretary-General on Somalia ( <a href="#">S/2012/74</a> )		17 Member States <sup>b</sup>	Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia (UNPOS), Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, all invitees	<a href="#">S/PRST/2012/4</a>
<a href="#">S/PV.6770</a> 15 May 2012	Report of the Secretary-General on Somalia ( <a href="#">S/2012/283</a> )		Somalia (President of the Transitional Federal Government)	Special Representative of the Secretary-General	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6814</a> 25 July 2012	Letter dated 11 July 2012 from the Chair of the Security Council Committee pursuant to resolutions <a href="#">751 (1992)</a> and <a href="#">1907 (2009)</a> concerning Somalia and Eritrea addressed to the President of the Security Council ( <a href="#">S/2012/544</a> )  Letter dated 11 July 2012 from the Chair of the Security Council Committee pursuant to resolutions <a href="#">751 (1992)</a> and <a href="#">1907 (2009)</a> concerning Somalia and Eritrea addressed to the President of the Security Council ( <a href="#">S/2012/545</a> )	Draft resolution submitted by United Kingdom ( <a href="#">S/2012/575</a> )	Somalia			Resolution <a href="#">2060 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6837</a> 18 September 2012	Report of the Secretary-General on Somalia ( <a href="#">S/2012/643</a> )	Draft resolution submitted by France, Germany, Italy, Morocco, Portugal, South Africa, United Kingdom ( <a href="#">S/2012/708</a> )	Somalia		Somalia	Resolution <a href="#">2067 (2012)</a> 15-0-0
<a href="#">S/PV.6848</a> 16 October 2012	Letter dated 12 October 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/764</a> )		Ethiopia, Finland, Italy, Japan, Somalia, Spain, Turkey	Special Representative of the Secretary-General, Head of the Delegation of the European Union	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6853</a> 31 October 2012		Draft resolution submitted by United Kingdom ( <a href="#">S/2012/792</a> )				Resolution <a href="#">2072 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6854</a> 7 November 2012	Letter dated 12 October 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/764</a> )	Draft resolution submitted by France, United Kingdom ( <a href="#">S/2012/812</a> )	Somalia		Germany, Guatemala, India, Somalia, South Africa, United Kingdom	Resolution <a href="#">2073 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6867</a> 21 November 2012	Report of the Secretary-General pursuant to Security Council resolution <a href="#">2020 (2011)</a> ( <a href="#">S/2012/783</a> )	Draft resolution submitted by France, Germany, Greece, India, Italy, Spain, Ukraine, United States ( <a href="#">S/2012/861</a> )	Greece, Italy, Somalia, Spain, Ukraine		South Africa, Togo	Resolution <a href="#">2077 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6921</a> 14 February 2013	Report of the Secretary-General on Somalia ( <a href="#">S/2013/69</a> )		Somalia (Deputy Prime Minister and Minister for Foreign Affairs)	Assistant Secretary-General for Political Affairs	All invitees	
<a href="#">S/PV.6929</a> 6 March 2013	Report of the Secretary-General on Somalia ( <a href="#">S/2013/69</a> )	Draft resolution submitted by France, Togo, United Kingdom, United States ( <a href="#">S/2013/132</a> )	Somalia		Argentina, Guatemala	Resolution <a href="#">2093 (2013)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6955</a> 25 April 2013	Letter dated 19 April 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/239</a> )		Ethiopia (Minister for Foreign Affairs), Somalia	Under-Secretary-General for Political Affairs	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6959</a> 2 May 2013	Letter dated 19 April 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/239</a> )	Draft resolution submitted by Australia, France, Luxembourg, Republic of Korea, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/259</a> )	Somalia		Somalia	Resolution <a href="#">2102 (2013)</a> 15-0-0
<a href="#">S/PV.6975</a> 6 June 2013	Report of the Secretary-General on Somalia ( <a href="#">S/2013/326</a> )		Ethiopia, Somalia (Deputy Prime Minister and Minister for Foreign Affairs)		Deputy Secretary-General, all Council members, all invitees	<a href="#">S/PRST/2013/7</a>
<a href="#">S/PV.7009</a> 24 July 2013		Draft resolution submitted by France, Republic of Korea, United Kingdom, United States ( <a href="#">S/2013/438</a> )				Resolution <a href="#">2111 (2013)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.7030</a> 12 September 2013	Report of the Secretary-General on Somalia ( <a href="#">S/2013/521</a> )		Somalia	Special Representative of the Secretary-General and Head of the United Nations Assistance Mission in Somalia (UNSOM), Special Representative of the Chair of the African Union Commission for Somalia	All invitees under rule 39	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7054</a> 30 October 2013	Letter dated 14 October 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/606</a> )  Report of the Secretary-General pursuant to Security Council resolution <a href="#">2077 (2012)</a> ( <a href="#">S/2013/623</a> )		Somalia (Deputy Prime Minister and Minister for Foreign Affairs)		Deputy Secretary-General, Somalia	
<a href="#">S/PV.7056</a> 12 November 2013	Letter dated 14 October 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/606</a> )	Draft resolution submitted by Australia, France, Luxembourg, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/653</a> )	Somalia		Russian Federation, Somalia	Resolution <a href="#">2124 (2013)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.7061</a> 18 November 2013	Report of the Secretary-General pursuant to Security Council resolution <a href="#">2077 (2012)</a> ( <a href="#">S/2013/623</a> )	Draft resolution submitted by Australia, France, Luxembourg, Morocco, Republic of Korea, Rwanda, Spain, Togo, United Kingdom, United States ( <a href="#">S/2013/673</a> )	Somalia, Spain			Resolution <a href="#">2125 (2013)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.7078</a> 10 December 2013	Report of the Secretary-General on Somalia ( <a href="#">S/2013/709</a> )		Somalia	Special Representative of the Secretary-General	Special Representative of the Secretary-General	

<sup>a</sup> South Africa was represented by its Minister for International Relations and Cooperation; and Azerbaijan by the Minister for Foreign Affairs.

<sup>b</sup> Australia, Brazil, Denmark, Egypt, Ethiopia, Finland, Indonesia, Italy, Japan, Kazakhstan, Kenya, Luxembourg, Norway, Somalia, Sweden, Turkey and Uganda.

## 4. The situation in Burundi

### Overview

During the period under review, the Security Council held four meetings and adopted one resolution in connection with the situation in Burundi. With a view to the elections scheduled for 2015, the Council centred its attention on progress and challenges in the peacebuilding process, discussing, *inter alia*, human rights violations, good governance, the fight against corruption, political violence, transitional justice and the socioeconomic situation.

In extending the mandate of the United Nations Office in Burundi (BNUB)<sup>64</sup> for a period of one year,<sup>65</sup> the Council also discussed the eventual transition of the office from a special political mission to a United Nations country team presence.

### **Briefings by the Special Representative of the Secretary-General and the Chair of the Burundi configuration of the Peacebuilding Commission**

On 5 July 2012, the Special Representative of the Secretary-General for Burundi and Head of BNUB briefed Council members on both the political and the socioeconomic situation in Burundi. She noted that the country had remained free of large-scale violence, and that the Government had strengthened security throughout the country. Looking ahead to the 2015 elections, she highlighted the need for political parties to function with full freedom and the importance of political dialogue with the extra-parliamentary opposition. While noting institutional progress on human rights, in particular the investigation of sensitive cases by the newly established National Independent Human Rights Commission and the reform of the justice sector — prioritizing the independence of the judiciary and the accountability of magistrates — she also reported patterns of pressure and intimidation of civil society organizations, extrajudicial killings and continuing impunity. On the strengthening of public administration in general, she underlined the improvements in the efficiency of tax collection by the Burundi Revenue Authority and the measures taken towards the implementation of the National Strategy on Good Governance and the Fight

against Corruption. Regarding the socioeconomic situation, she expressed concern over the persistence of food insecurity in many parts of the country and called for the development of alternative livelihoods beyond subsistence agriculture and for strengthening education.<sup>66</sup> In a similar vein, the Chair of the Burundi configuration of the Peacebuilding Commission called on the Government of Burundi to engage in active and inclusive dialogue with all political actors with a view to the 2015 elections, and encouraged Burundi to take stronger measures against human rights violations, political violence and impunity, strengthen the National Independent Human Rights Commission, establish transitional justice mechanisms, intensify the fight against corruption, and implement the socioeconomic reintegration programme. He also expressed concern over the socioeconomic situation.<sup>67</sup> The representative of Burundi stated that his Government had made significant progress in virtually all sectors of the socioeconomic and political life of the country but that, among the remaining challenges, extreme poverty in particular threatened to undermine peace and brought with it the possibility of resurgence of armed conflict.<sup>68</sup>

On 24 January 2013, the Special Representative of the Secretary-General briefed the Council on further progress in consolidating peace and stability in Burundi, suggesting that never before had the country witnessed such a long and uninterrupted period of democratic experience and stability. He commended the Government for continued improvements in mechanisms to fight corruption and build accountability and reported on progress in promoting and protecting human rights, but also pointed to acts of intimidation and factional violence in the context of the political landscape in Burundi. He underlined the need for completing a process of transitional justice, in particular through setting up a truth and reconciliation commission that was viewed as independent, legitimate and credible in the eyes of all Burundians and by the country's international partners. On economic and social development, he reminded Council members that, despite progress, Burundi remained one of the poorest countries in the world and thus in need of

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<sup>64</sup> For more information on BNUB, see part X, sect. II, "Political and peacebuilding missions".

<sup>65</sup> Resolution 2090 (2013).

<sup>66</sup> S/PV.6799, pp. 2-5.

<sup>67</sup> *Ibid.*, pp. 6-7.

<sup>68</sup> *Ibid.*, p. 8.

significant budgetary support.<sup>69</sup> Briefing the Council on his recent visit to Burundi, the Chair of the Burundi configuration of the Peacebuilding Commission identified the priorities in view of the 2015 elections, namely, transitional justice; widening the political space and the democratic culture; the rule of law, human rights and reform of the justice sector; and good governance, fighting corruption and promoting transparency.<sup>70</sup> The representative of Burundi highlighted the progress made by his country in the democratic processes; in the area of security and stability, where there had been successes in the framework of the disarmament, demobilization and reintegration programme and the drafting of the National Security Strategy; and in the areas, inter alia, of good governance, the rule of law, human rights and regional integration. As major challenges still to be tackled, he named the socioeconomic situation and the troubling security situation in the subregion as a whole. In particular, he made reference to the situation in the eastern part of the Democratic Republic of the Congo, expressing concern over the risk that it might inflame the entire region.<sup>71</sup>

On 22 July 2013, the Special Representative of the Secretary-General reported on advances in terms of political dialogue. With a view towards the 2015 elections, he referred to a workshop on electoral lessons learned with representatives of all political parties, including several opposition politicians who had been in exile since their boycott of the election of 2010 and who had returned to participate in the workshop. A follow-up workshop had discussed possible revisions to the electoral code. He expressed concern however about the behaviour of some members of the Imbonerakure, the youth league of the ruling party, who had reportedly harassed citizens and committed crimes, allegedly for political reasons. He noted the sensitivity of the question of land disputes arising from the unlawful seizing of land and other assets during the crisis of 1972, and the importance of promoting justice and reconciliation in handling those disputes. On the promulgation of the new press law on 4 June 2013, he expressed concern about the risk of a decline in the freedom of the press, and reported that the Secretary-General had called on the Government to

uphold freedom of expression.<sup>72</sup> Echoing the Special Representative, the Chair of the Burundi configuration of the Peacebuilding Commission elaborated on the challenges posed by the Imbonerakure, the new press law and the land question.<sup>73</sup> The representative of Burundi, while reporting significant progress in the consolidation of democracy and the resolution of political disputes through dialogue, said that poverty had become so dire that it had turned into a security issue.<sup>74</sup>

#### **Conference of Burundi's Development Partners**

On 5 July 2012, the Chair of the Burundi configuration of the Peacebuilding Commission briefed the Council on the preparations for the Conference of Burundi's Development Partners, to be held on 29 and 30 October 2012 in Geneva, and expressed the intention of the configuration to promote the conference and work to increase the number of partners. At the same time, he urged the Government of Burundi to demonstrate realism in its expectations for the conference in the face of the critical financial situation of many donor States. He also pointed out that without political and institutional progress there could be no socioeconomic progress.<sup>75</sup>

On 24 January 2013, the Chair of the Burundi configuration of the Peacebuilding Commission called the conference a success, saying that it marked a critical phase in the strengthening and institutionalization of the partnership between the Government of Burundi and its international partners. He said that the trust shown by the partners at the conference should encourage Burundi to continue its efforts to implement reforms in the political, institutional and socioeconomic spheres. At the same time, he asked all donors to honour their pledges and to continue to follow Burundi in its reform efforts.<sup>76</sup> The representative of Burundi also called the conference an undisputed success and expressed his satisfaction about pledges that had been higher than expected.<sup>77</sup>

On 22 July 2013, the Special Representative of the Secretary-General called the implementation of the promises made at the conference more essential than

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<sup>69</sup> S/PV.6909, pp. 2-5.

<sup>70</sup> Ibid., p. 7.

<sup>71</sup> Ibid., pp. 9-11.

<sup>72</sup> S/PV.7006, pp. 2-6.

<sup>73</sup> Ibid., p. 8.

<sup>74</sup> Ibid., p. 10.

<sup>75</sup> S/PV.6799, pp. 6-7.

<sup>76</sup> S/PV.6909, pp. 6-7.

<sup>77</sup> Ibid., p. 10.

ever.<sup>78</sup> Similarly, the Chair of the Burundi configuration of the Peacebuilding Commission called for the implementation of the results of the conference by both the Government and the international community, in the light of the deteriorating financial situation.<sup>79</sup> The representative of Burundi regretted that the funds pledged at the conference were arriving only slowly, and that extreme poverty had begun to create tensions in Burundi. He therefore asked the Council to facilitate the realization of the pledges made at the conference.<sup>80</sup>

#### **Extension of BNUB and question of its replacement by a United Nations country team**

On 5 July 2012, the Special Representative of the Secretary-General recalled that, in May 2012, the Secretary-General had communicated to the Council benchmarks for the eventual transition of BNUB from a special political mission to a regular United Nations country team,<sup>81</sup> and added that BNUB anticipated providing baseline data within six months.<sup>82</sup> The Chair of the Burundi configuration of the Peacebuilding Commission deplored the fact that the configuration was not involved in or informed about the setting of criteria for the transition of BNUB into a country team.<sup>83</sup>

On 24 January 2013, the Special Representative of the Secretary-General assessed that sustained United Nations and international political engagement, combined with adequate backing of the country's development strategy, was still required, and that the Secretary-General therefore recommended that the mandate of BNUB be extended for one year. He announced the intention of the Secretary-General to field a strategic assessment mission regarding the future presence of the United Nations in Burundi.<sup>84</sup> The Chair of the Burundi configuration of the

Peacebuilding Commission argued for a sustained BNUB presence, ideally until 2015.<sup>85</sup> Conversely, the representative of Burundi argued that, in recognition of the progress made by Burundi, a new framework of cooperation with the United Nations could be achieved through the progressive transformation of BNUB into a United Nations country team in the following 12 months.<sup>86</sup>

On 13 February 2013, the Council, by resolution [2090 \(2013\)](#), took note of the progress made by Burundi towards peace, stability and development, while expressing concern about the continued human rights violations and restrictions on civil liberties. In extending the mandate of BNUB until 15 February 2014, the Council requested the mission to focus on and to support the Government of Burundi in promoting and facilitating political dialogue in view of the 2015 elections; strengthening judicial and parliamentary institutions; supporting efforts to fight impunity; promoting and protecting human rights; supporting efforts for socioeconomic development and advocating for resource mobilization; and providing support to Burundi's regional integration.

Speaking after the vote, the representative of Burundi called the inclusion of language on extrajudicial executions, politically motivated assassinations, lack of public freedoms and the International Criminal Court unfair, given the efforts his country had made in areas such as human rights and combating impunity. He furthermore expressed his disappointment that the official request of his Government to transform BNUB gradually into a country team over 12 months was not mentioned in the resolution.<sup>87</sup>

On 22 July 2013, the Chair of the Burundi configuration of the Peacebuilding Commission repeated his earlier recommendation for the continued presence of BNUB at least until the 2015 elections.<sup>88</sup>

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<sup>78</sup> [S/PV.7006](#), p. 2.

<sup>79</sup> *Ibid.*, p. 8.

<sup>80</sup> *Ibid.*, p. 10.

<sup>81</sup> See [S/2012/310](#).

<sup>82</sup> [S/PV.6799](#), p. 5.

<sup>83</sup> *Ibid.*, p. 7.

<sup>84</sup> [S/PV.6909](#), pp. 5-6.

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<sup>85</sup> *Ibid.*, p. 8.

<sup>86</sup> *Ibid.*, p. 11.

<sup>87</sup> [S/PV.6918](#), pp. 2-3.

<sup>88</sup> [S/PV.7006](#), p. 9.



**Meetings: the situation in Burundi**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against- abstaining)</i>
<a href="#">S/PV.6799</a> 5 July 2012			Burundi	Special Representative of the Secretary-General for Burundi and Head of the United Nations Office in Burundi (BNUB), Chair of the Burundi configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.6909</a> 24 January 2013	Report of the Secretary-General on the United Nations Office in Burundi ( <a href="#">S/2013/36</a> )		Burundi (Permanent Secretary at the Ministry for Foreign Affairs and International Cooperation)	Special Representative of the Secretary-General, Chair of the Burundi configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.6918</a> 13 February 2013	Report of the Secretary-General on the United Nations Office in Burundi ( <a href="#">S/2013/36</a> )	Draft resolution submitted by Argentina, France, Republic of Korea, United Kingdom, United States ( <a href="#">S/2013/87</a> )	Burundi		Burundi	Resolution <a href="#">2090 (2013)</a> (15-0-0)
<a href="#">S/PV.7006</a> 22 July 2013			Burundi	Special Representative of the Secretary-General, Chair of the Burundi configuration of the Peacebuilding Commission	All invitees	

## 5. The situation in Sierra Leone

### Overview

During the period under review, the Security Council held nine meetings and adopted two resolutions and three presidential statements in connection with the situation in Sierra Leone. It received four briefings by the Executive Representative of the Secretary-General and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) and four by the Chair of the Sierra Leone configuration of the Peacebuilding Commission. The President and the Prosecutor of the Special Court for Sierra Leone also briefed the Council on the final stages of the work of the Court.

At its meetings, the Council discussed the preparations for the presidential, parliamentary and local elections of 17 November 2012. The Council also discussed the political and security situation as well as the peacebuilding support activities in Sierra Leone. The mandate of UNIPSIL<sup>89</sup> was extended twice, for one year each time, the final extension being until 31 March 2014.<sup>90</sup>

In May 2012, the Security Council visited Sierra Leone among other countries during its mission to West Africa.<sup>91</sup>

### Presidential, parliamentary and local elections

On 22 March 2012, the Executive Representative of the Secretary-General and Head of UNIPSIL briefed the Council on the developments in the country and stressed that, in order to consolidate the “exceptional successes” that Sierra Leone had had since its civil war, it was crucial that the international community and the Security Council continued their support and vigilance, focusing in particular on the presidential, parliamentary and local council elections to be held on 17 November 2012. On the preparation for the elections, he emphasized the importance of dialogue between the Government and opposition parties and encouraged senior politicians to meet and openly discuss controversial issues and strive to create an

atmosphere in which the elections were fair and the citizens were able to freely make their own choices without fear of retribution. He also underlined the need to implement the joint communiqué signed by the two main political parties on 2 April 2009, which included the establishment of an independent police complaints commission and support by all political parties of the country’s electoral management bodies. Commending the work of the All Political Parties Youth Association and the All Political Parties Women’s Association, he emphasized the role of cross-party initiatives in preventing violence from arising and raising awareness for a stronger role of women in politics.<sup>92</sup>

Drawing on the findings of his visit to Sierra Leone in January 2012, the Chair of the Sierra Leone configuration of the Peacebuilding Commission focused in his briefing on the upcoming elections, regional challenges to peacebuilding, and the transition process in the country. He acknowledged that the technical and financial preparations for the elections were on schedule, but underlined that there was a need to foster more open dialogue with political parties and the national electoral institutions. He encouraged political leaders to demonstrate their commitment to free, fair and peaceful political competition and urged political parties to implement the joint communiqué of 2009. He added that the creation of an enabling and favourable political environment should be the immediate priority of UNIPSIL. He said that the Security Council had recently focused on transnational threats to peace and security but that more was needed. He also said that the United Nations Office for West Africa played a vital role in these issues and warranted continued strong support from the Council.<sup>93</sup>

The representative of Sierra Leone highlighted his Government’s commitment to the consolidation of peace and its intention to engage with all stakeholders with a view to enhancing political dialogue and collective commitment to peaceful, free, fair, transparent and credible elections. He stressed the Government’s commitment to democratic governance and the maintenance of the independence of the democratic institutions such as the National Electoral Commission, the Political Parties Registration

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<sup>89</sup> For more information on UNIPSIL, see part X, sect. II, “Political and peacebuilding missions”.

<sup>90</sup> Resolutions 2065 (2012) and 2097 (2013).

<sup>91</sup> For more information on the Security Council mission to West Africa, see part I, sect. 34, “Security Council mission”.

<sup>92</sup> S/PV.6739, pp. 2-5.

<sup>93</sup> Ibid., pp. 5-6.

Commission and the Independent Media Commission. He noted that the National Electoral Commission was playing a leading role in the biometric voter registration process and the review and reform of the electoral laws.<sup>94</sup>

On 11 April 2012, the Council adopted a presidential statement in which it reaffirmed its support for continuing efforts to consolidate peace in Sierra Leone and called upon all political parties to engage constructively in an honest and open dialogue and intensify their efforts to foster an environment conducive to the holding of peaceful, transparent, free and fair elections. The Council called on the leadership of the political parties to take cross-party confidence-building measures, promote political participation and non-violence among their members and ensure full adherence to due process of law and to the recommendations of the joint communiqué of 2 April 2009.<sup>95</sup>

On 11 September 2012, in his briefing, the Executive Representative of the Secretary-General said that the main focus of the work of UNIPSIL was the preparations for the elections of 17 November 2012. He reported that major electoral arrangements, particularly the biometric voter registration exercise, had been successfully concluded and other activities such as the procurement of sensitive materials were still ongoing. He added that all 10 registered political parties, as well as other major stakeholders, had signed a declaration on 18 May 2012, committing themselves to free, fair and peaceful elections, and there had been no incidents of political violence since then. While welcoming the positive developments in the country, he cautioned that continued attention should be given to promoting constructive dialogue and mutual trust among the main political actors; ensuring confidence in the security sector; improving communication and dialogue between the National Electoral Commission and the political parties; and managing the role of the media.<sup>96</sup>

The Chair of the Sierra Leone configuration of the Peacebuilding Commission in his briefing noted that the necessary logistical and financial arrangements for the elections were in place, but said that the greatest challenge was political. He reported that the

Commission intended to travel to Sierra Leone in October 2012 to assess the situation and that, while there, it would stress the need to maintain an open and inclusive political dialogue and to abide by the commitments set out in the joint communiqué of 2009 and the political declaration of May 2012. He noted that the post-election period would require increased focus on several outstanding peacebuilding concerns, particularly youth unemployment, fighting corruption and transnational crime.<sup>97</sup>

The representative of Sierra Leone stressed that the Government would continue to demonstrate strong leadership in dealing with political violence, and that perpetrators would be brought to justice. He urged the Security Council and the United Nations, more broadly, to maintain their full support for the ongoing electoral process, as the 2012 elections were the crucial test for consolidating peace, security and democracy in Sierra Leone. He also urged the United Nations and international partners to continue to support the Special Court for Sierra Leone.<sup>98</sup>

On 12 September 2012, the Council unanimously adopted resolution [2065 \(2012\)](#), in which it welcomed the preparations for the presidential, parliamentary and local elections on 17 November 2012 and underlined their importance as a “key benchmark” for consolidation of peace in Sierra Leone. The Council requested UNIPSIL to continue to provide assistance to the Government of Sierra Leone and its electoral, democratic and security institutions in the preparation and conduct of the elections. The Council further requested UNIPSIL to provide assistance to conflict-prevention and mitigation efforts, including through supporting inclusive dialogue among political parties, the Government and all relevant stakeholders.

On 30 November 2012, the Council issued a presidential statement, in which it commended Sierra Leone for the conduct and successful conclusion of presidential, parliamentary, district and local elections. The Council called upon all political parties and candidates to accept the results of the elections and to work with the Government in a constructive manner, through national dialogue and reconciliation. The Council underscored the significance of the elections and the wide acceptance of the results as a key benchmark of consolidating peace in Sierra Leone. It

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<sup>94</sup> Ibid., pp. 6-8.

<sup>95</sup> [S/PRST/2012/11](#).

<sup>96</sup> [S/PV.6829](#), pp. 2-4.

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<sup>97</sup> Ibid., pp. 4-5.

<sup>98</sup> Ibid., pp. 5-8.

further recalled its request for the Secretary-General to deploy an inter-agency technical assessment mission to consider detailed proposals and a recommended timeline for the transition, drawdown and exit of UNIPSIL by 15 February 2013.<sup>99</sup>

### **Special Court for Sierra Leone**

On 9 October 2012, the President of the Special Court for Sierra Leone briefed the Council on the activities and achievements of the Court. She made reference to an independent nationwide survey conducted in Sierra Leone and Liberia which had found that 91 per cent of people in Sierra Leone and 78 per cent in Liberia believed that the Special Court had contributed to bringing peace to their countries. She said that credit for that was owed to the Council and its steadfast commitment to the work of the Court. She stated that the Court was the first United Nations-sponsored tribunal to carry out its work in the territory where serious violations of international humanitarian law had been committed. She also emphasized the innovative jurisprudence of the Court, which was the first to recognize forced marriage as a crime against humanity and sexual violence as a form of terrorism and the first to develop jurisprudence on the recruitment and use of child soldiers. She said that the Court would soon complete its final case against Charles Taylor and would then transition to residual status and close its doors; it would be the first international criminal tribunal to do so. She stressed the significance of the Residual Special Court for Sierra Leone and that the support of the Council would be essential.<sup>100</sup>

The Prosecutor of the Special Court for Sierra Leone, in her briefing, said that despite the challenges the Court had faced during its decade of operation, especially indictment, staffing and witness protection issues, it had played a key role in prosecuting war criminals. She emphasized that the security of witnesses remained a significant challenge and it was critical to ensure that the Residual Special Court had sufficient financial resources to protect witnesses and those that might be put at risk by their testimony.<sup>101</sup>

The representative of Sierra Leone said the Court had successfully delivered on its goals, had made

significant contributions to gender justice and had laid the foundation for designating acts of forced marriage, sexual violence and the recruitment and use of child soldiers during conflict as punishable crimes under international law. Underlining the importance of the completion of the Court's mandate and its residual task, she called on the international community to continue its support and to ensure adequate resources.<sup>102</sup>

Speakers expressed their appreciation for the work of the Special Court and its contribution to international criminal justice, the rule of law and maintaining peace and security in Sierra Leone as well as in the region.<sup>103</sup> They looked forward to the completion of the work of the Court and to its transition to the Residual Special Court, and called on the international community for continued financial support.<sup>104</sup>

At the same meeting the Council issued a presidential statement in which it reiterated its strong support for the Special Court and commended the progress achieved. The Council recognized the need to address residual matters after its closure and urged the international community to continue to support the Court as it moved into its final stage of work.<sup>105</sup>

### **Transition of UNIPSIL**

On 13 March 2013, the Executive Representative of the Secretary-General briefed the Council on the developments in the country and said that, in view of the progress made in Sierra Leone and by UNIPSIL in the implementation of its mandate, it was appropriate to begin a reconfiguration of UNIPSIL and to gradually transfer responsibilities to the United Nations country team and the Government. Meanwhile, noted that UNIPSIL would continue to perform three key residual tasks, namely, conflict prevention and mediation support for the constitutional review process; support for security sector reform; and support for the strengthening of human rights institutions. Emphasizing the importance of technical and financial resources for ensuring a smooth transition, he called on

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<sup>99</sup> S/PRST/2012/25.

<sup>100</sup> S/PV.6844, pp. 2-4.

<sup>101</sup> Ibid., pp. 4-6.

<sup>102</sup> Ibid., pp. 6-7.

<sup>103</sup> Ibid., p. 9 (Germany); p. 10 (Pakistan, Togo); p. 12 (Russian Federation, Colombia); and p. 16 (Guatemala).

<sup>104</sup> Ibid., p. 9 (United Kingdom); p. 11 (Togo); and p. 15 (United States).

<sup>105</sup> S/PRST/2012/21.

the Peacebuilding Commission and international partners to continue their support.<sup>106</sup>

The Chair of the Sierra Leone configuration of the Peacebuilding Commission reported that during its visit to Sierra Leone in February 2013 the Commission had found that, while many activities of UNIPSIL could be transferred to other actors, continued dialogue and political cooperation were still needed in some areas. He noted that many stakeholders had stressed the importance of the assistance of UNIPSIL to the constitutional review process and the security sector. He said that the Commission would be turning its attention to supporting the transition process, including by advocating for any necessary resources required to fill the gaps created by the mission's drawdown.<sup>107</sup>

The representative of Sierra Leone confirmed his Government's readiness to cooperate with the United Nations, the Peacebuilding Commission and development partners in implementing a smooth and seamless transition process from UNIPSIL to the "normal United Nations Resident Coordinator system". He urged that the transition process be carefully managed, due consideration being given to the short-term and long-term impact on the gains made so far in Sierra Leone. He affirmed that his Government did not desire to be on the agenda of the Council indefinitely but that it saw the need for the Council to be guided in its decisions by the prevailing circumstances in Sierra Leone.<sup>108</sup>

On 26 March 2013, the Council adopted resolution [2097 \(2013\)](#), by which it extended the mandate of UNIPSIL for a final period of one year, until 31 March 2014. The Council, *inter alia*, encouraged UNIPSIL, the Government of Sierra Leone and bilateral and multilateral partners to form a transition steering group to determine the international community's support to Sierra Leone for the transfer of residual functions after the withdrawal of UNIPSIL. The representative of Sierra Leone, speaking after the vote, expressed his country's appreciation and assured

the Council of his Government's commitment towards the full implementation of the resolution.<sup>109</sup>

On 18 September 2013, the Executive Representative of the Secretary-General briefed the Council on the developments in implementing a transition and exit plan aimed at the mission's full drawdown by 31 March 2014. He noted that UNIPSIL was making good progress and was firmly set to complete the process as scheduled. He added that the United Nations country team had advanced its work in finalizing a United Nations Development Assistance Framework for the period 2015-2020. He reported that Sierra Leone had embarked on major undertakings such as the launching of the country's development agenda, the Agenda for Prosperity, as well as on a constitutional review exercise.<sup>110</sup>

The Chair of the Sierra Leone configuration of the Peacebuilding Commission in his briefing focused on the transition of UNIPSIL, the Government of Sierra Leone's Agenda for Prosperity, and the future of the Commission's engagement. Underlining the significance of the challenges that Sierra Leone was facing during the post-conflict peacebuilding process, he stated that the drawdown of UNIPSIL should be seen as a transformation of the international support, rather than its culmination. Regarding the scaling-down of the role of the Peacebuilding Commission he said that the transition strategy was being developed and the Council would be consulted early in 2014.<sup>111</sup>

The representative of Sierra Leone stated that his Government supported the drawdown of UNIPSIL. He added that the review of the engagement of the Peacebuilding Commission was an indication of the improved security environment in the country. Turning to the implementation of the Agenda for Prosperity, he urged the international community to continue to support the development process of the country, including by promoting foreign investment and supporting the country's education and key governance institutions.<sup>112</sup>

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<sup>106</sup> [S/PV.6933](#), pp. 2-4.

<sup>107</sup> *Ibid.*, pp. 4-5.

<sup>108</sup> *Ibid.*, pp. 5-8.

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<sup>109</sup> [S/PV.6942](#), p. 2.

<sup>110</sup> [S/PV.7034](#), pp. 2-4.

<sup>111</sup> *Ibid.*, pp. 4-5.

<sup>112</sup> *Ibid.*, pp. 5-7.

## Meetings: the situation in Sierra Leone

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against- abstaining)</i>
<a href="#">S/PV.6739</a> 22 March 2012	Report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) ( <a href="#">S/2012/160</a> )		Sierra Leone (Minister for Foreign Affairs and International Cooperation)	Executive Representative of the Secretary-General and Head of UNIPSIL, Chair of the Sierra Leone configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.6748</a> 11 April 2012	Report of the Secretary-General on UNIPSIL ( <a href="#">S/2012/160</a> )					<a href="#">S/PRST/2012/11</a>
<a href="#">S/PV.6829</a> 11 September 2012	Ninth report of the Secretary-General on UNIPSIL ( <a href="#">S/2012/679</a> )		Sierra Leone	Executive Representative of the Secretary-General, Chair of the Sierra Leone configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.6831</a> 12 September 2012	Ninth report of the Secretary-General on UNIPSIL ( <a href="#">S/2012/679</a> )	Draft resolution submitted by United Kingdom ( <a href="#">S/2012/698</a> )	Sierra Leone		Sierra Leone	Resolution <a href="#">2065 (2012)</a> 15-0-0
<a href="#">S/PV.6844</a> 9 October 2012			Sierra Leone (Deputy Minister for Foreign Affairs and International Cooperation)	President of the Special Court for Sierra Leone, Prosecutor of the Special Court for Sierra Leone	All Council members, <sup>a</sup> all invitees	<a href="#">S/PRST/2012/21</a>
<a href="#">S/PV.6876</a> 30 November 2012			Sierra Leone		Sierra Leone	<a href="#">S/PRST/2012/25</a>

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6933</a> 13 March 2013	Tenth report of the Secretary-General on UNIPSIL ( <a href="#">S/2013/118</a> )		Sierra Leone (Minister for Foreign Affairs and International Cooperation)	Executive Representative of the Secretary-General, Chair of the Sierra Leone configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.6942</a> 26 March 2013	Tenth report of the Secretary-General on UNIPSIL ( <a href="#">S/2013/118</a> )	Draft resolution submitted by Australia, Luxembourg, Morocco, Rwanda, Togo, United Kingdom ( <a href="#">S/2013/181</a> )	Sierra Leone		Sierra Leone	Resolution <a href="#">2097 (2013)</a> 15-0-0
<a href="#">S/PV.7034</a> 18 September 2013	Eleventh report of the Secretary-General on UNIPSIL ( <a href="#">S/2013/547</a> )		Sierra Leone (Minister for Foreign Affairs and International Cooperation)	Executive Representative of the Secretary-General, Chair of the Sierra Leone configuration of the Peacebuilding Commission	All invitees	

<sup>a</sup> India was represented by the Minister of State for External Affairs.

## 6. The situation in the Great Lakes region

### Overview

During the period under review, the Security Council held one meeting and adopted one presidential statement in connection with the situation in the Great Lakes region. On 24 February 2013, in Addis Ababa, 11 countries<sup>113</sup> of the region signed the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region. On 28 March 2013, by resolution [2098 \(2013\)](#), the Council welcomed the Framework and stressed its importance for the long-term stability of the eastern Democratic Republic of the Congo.<sup>114</sup>

### Peace, Security and Cooperation Framework

On 25 July 2013, the Secretary-General, the President of the World Bank, the Special Envoy of the Secretary-General for the Great Lakes Region, and the Commissioner for Peace and Security of the African Union briefed the Council on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region. The Secretary-General stated that the Framework provided a clear road map for leaders to work together and define a common agenda for lasting peace and prosperity in the region. Expressing his deep concern about hostilities between the Mouvement du 23 mars and the Congolese armed forces, he called on all parties to achieve progress on the political track by returning to the Kampala talks. He also appealed to the Framework signatories to work constructively with each other and with the Special Envoy to develop benchmarks for their commitments; and called on the international community to use all the tools at its disposal, from international criminal prosecution and sanctions regimes to development assistance. In the

context of the prospects for durable peace in the eastern part of the Democratic Republic of the Congo, he mentioned the Intervention Brigade under the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) as an important tool, but as only one part of a comprehensive approach that embraced security and development.<sup>115</sup>

The President of the World Bank, speaking via videoconference from Washington D.C., informed the Council about his recent trip with the Secretary-General to the Great Lakes region. He stressed the strong link between development and peace, and the commitment of the United Nations and the World Bank group to collaborate and bring tangible benefits to the people of the Great Lakes region in pursuance of peace, stability and development. He announced that the World Bank group would provide an additional \$1 billion for cross-border development issues, in particular for hydroelectric power projects, transport linkages and border management, and agriculture and rural livelihoods targeted at refugees and internally displaced persons.<sup>116</sup>

The Special Envoy of the Secretary-General drew the attention of the Council to the high number of cases of killings, rape, sexual assault and the displacement of people in the eastern Democratic Republic of the Congo, and stressed that zero tolerance of gender-based violence needed to be implemented as a fundamental value of the Framework. She also reported that the first meeting of the regional oversight mechanism for the Framework was held in Addis Ababa on 26 May, and welcomed the progress made by the technical support committee of the mechanism in the development of benchmarks and indicators of progress for the implementation of the Framework.<sup>117</sup>

The Commissioner for Peace and Security of the African Union commended the quality of the working relationship that the Special Envoy had established with the Special Representative of the African Union for the Great Lakes Region. He expressed the view of the African Union that the dynamic set in motion by

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<sup>113</sup> Angola, Burundi, Central African Republic, Congo, Democratic Republic of the Congo, Rwanda, South Africa, South Sudan, Uganda, United Republic of Tanzania and Zambia. The following four intergovernmental organizations act as guarantors for the Framework: African Union, International Conference on the Great Lakes Region, Southern African Development Community and United Nations.

<sup>114</sup> For more information on the situation in the eastern Democratic Republic of the Congo, see part I, sect. 7, “The situation concerning the Democratic Republic of the Congo”.

<sup>115</sup> [S/PV.7011](#), p. 5.

<sup>116</sup> *Ibid.*, pp. 6-7.

<sup>117</sup> *Ibid.*, pp. 8-9.



the Framework and by resolution [2098 \(2013\)](#) would pave the way for the peace, security and development that the region needed.<sup>118</sup>

Most speakers expressed their hope that the Framework would signify an important step towards peace, but also cautioned that efforts now had to be focused on implementation.<sup>119</sup> Still in the context of the implementation of the Framework, many speakers stressed the importance of the strengthening of the

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<sup>118</sup> Ibid., p. 11-12.

<sup>119</sup> Ibid., p. 3 (United States); p. 13 (Uganda); p. 19 (Luxembourg); p. 22 (France); p. 23 (Togo); p. 24 (Azerbaijan); pp. 25-26 (China); p. 27 (Pakistan); p. 29 (United Kingdom); pp. 29-30 (Russian Federation); p. 31 (Morocco); pp. 32-33 (Australia); and [S/PV.7011 \(Resumption 1\)](#), p. 4 (South Africa), p. 5 (European Union); pp. 6-7 (Belgium); and p. 7 (United Republic of Tanzania).

mandate of MONUSCO by the creation, by resolution [2098 \(2013\)](#), of the Intervention Brigade.<sup>120</sup>

At the same meeting, the Council adopted a statement by the President by which it, inter alia, reiterated its support for the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region and called on the Democratic Republic of the Congo and the countries of the region to implement their respective commitments. The Council condemned the widespread incidents of sexual and gender-based violence and expressed grave concern about the ongoing humanitarian crisis.<sup>121</sup>

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<sup>120</sup> [S/PV.7011](#), p. 4 (United States); p. 12 (Uganda); p. 16 (Democratic Republic of the Congo); p. 18 (Rwanda); p. 20 (Luxembourg); p. 24 (Togo); p. 25 (Azerbaijan); p. 27 (Pakistan); p. 29 (United Kingdom); p. 30 (Russian Federation); p. 32 (Argentina); p. 33 (Australia); and [S/PV.7011 \(Resumption 1\)](#), p. 2 (Mozambique, on behalf of the Southern African Development Community); p. 4 (South Africa), p. 5 (European Union); p. 6 (Belgium); p. 8 (United Republic of Tanzania); and p. 9 (Congo).

<sup>121</sup> [S/PRST/2013/11](#).

## Meetings: the situation in the Great Lakes region

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against- abstaining)</i>
<a href="#">S/PV.7011</a> and <a href="#">S/PV.7011</a> (Resumption 1) 25 July 2013	Supporting the Great Lakes Framework  Report of the Secretary-General on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region ( <a href="#">S/2013/387</a> )  Letter dated 3 July 2013 from the Chargé d'affaires a.i. of the United States Mission to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/394</a> )		Belgium, Burundi, Congo, Democratic Republic of the Congo, Mozambique, South Africa, Uganda, United Republic of Tanzania	President of the World Bank,  Special Envoy of the Secretary-General for the Great Lakes Region, Commissioner for Peace and Security of the African Union,  Executive Secretary General of the European External Action Service	Secretary-General, all Council members, all invitees	<a href="#">S/PRST/2013/11</a>

## 7. The situation concerning the Democratic Republic of the Congo

### Overview

During the period under review, the Security Council held 13 meetings and adopted four resolutions and two statements by the President on the situation concerning the Democratic Republic of the Congo. No debates were held on the item, and invitations under rule 37 were limited to the representatives of the Democratic Republic of the Congo and Rwanda. The meetings consisted mainly of briefings by the Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), one briefing by the Secretary-General and one by the Special Envoy of the Secretary-General for the Great Lakes Region. After initially considering the elections held in November 2011, the Council turned its attention to the violence in the eastern part of the country, which led to the appointment of the Special Envoy for the Great Lakes Region, and to the installation of an Intervention Brigade in MONUSCO. Security sector reform and the transfer of tasks to the United Nations country team were discussed in close connection with the events in the eastern part of the country.

In 2012 and 2013, the Council renewed and modified the mandate of MONUSCO twice, by resolutions 2053 (2012) and 2098 (2013).<sup>122</sup> The sanctions regime and the mandate of the Group of Experts established pursuant to resolution 1533 (2004) were renewed by resolution 2078 (2012) until February 2014.<sup>123</sup>

<sup>122</sup> For more information on MONUSCO, see part X, sect. I, "Peacekeeping operations".

<sup>123</sup> For more information on the sanctions measures concerning the Democratic Republic of the Congo, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter". For more information on the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and the mandate of the Group of Experts, see part IX, sect. I.B.

### Developments between two elections

On 7 February 2012, the Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of MONUSCO briefed the Council on the national presidential and legislative elections of 28 November 2011. He reported that the campaign period had been increasingly marked by political and inter-community tensions in some areas of the country, including Kinshasa. On 26 November, those tensions culminated in violent incidents resulting in the deaths of several Congolese. The Special Representative announced a thorough investigation of all reports of electoral violence as well as the issuance of a detailed report in the near future. He also enumerated various logistical problems that had arisen during and in the immediate aftermath of the elections and stressed the need to address the electoral process in a thorough and open review. He added that MONUSCO had provided all support possible to the electoral process consistent with its mandate.<sup>124</sup>

The representative of the Democratic Republic of the Congo expressed regret for the negative consequences of election-related violence for the security of individuals and their property, but said that the country was resolutely determined to follow a process of returning to normality and peace. She quoted the Head of State, Joseph Kabila Kabange, in saying that, for the first time in the history of the Democratic Republic of the Congo, a presidential term of office had ended without an institutional crisis, with 95 per cent of electoral costs funded by the Republic's own resources.<sup>125</sup>

In his briefing to the Council on 12 June 2012, the Special Representative of the Secretary-General expressed concern about the challenges ahead for ensuring the successful conduct of future provincial and local elections. He anticipated that a review and recommendations by the Independent National Electoral Commission, together with recommendations by the National Assembly, would be critical to an assessment by donors, the Council and other partners in terms of engagement with, and support for, the future provincial and local elections. He stressed that the Government would need to do everything possible

<sup>124</sup> S/PV.6712, pp. 2-3.

<sup>125</sup> Ibid., pp. 6-7.

to ensure free conditions for all to participate.<sup>126</sup> The representative of the Democratic Republic of the Congo said that the Independent National Electoral Commission had adopted a series of measures to restore its credibility and had published on 6 June the timetable for provincial, senatorial and gubernatorial elections: 25 February 2013 for provincial elections, 5 June 2013 for senatorial elections, and 22 June 2013 for elections for governors and vice-governors of provinces.<sup>127</sup>

On 21 November 2012, the Special Representative of the Secretary-General informed the Council about a special commission established to seek to identify appropriate compromises between majority and opposition members to allow for the necessary election commission reform legislation to go forward with broad support.<sup>128</sup> On 22 February 2013, he reported on decisions taken by the National Assembly to facilitate reform of the Independent National Electoral Commission.<sup>129</sup> Finally, on 21 October 2013, he said that the electoral process seemed to be revived, and that consultations with donor partners and national stakeholders had brought forward a consensus on a road map and subsequent sequencing of the different elections.<sup>130</sup> At the same meeting, the Special Envoy of the Secretary-General for the Great Lakes Region of Africa told the Council that she would engage the Government of the Democratic Republic of the Congo on electoral reform and the calendar for local elections.<sup>131</sup>

#### **Deteriorating security situation in the east and the appearance of M23**

On 7 February 2012, the Special Representative of the Secretary-General expressed his concern about renewed activity by the Forces démocratiques de libération du Rwanda (FDLR) movement, including a massacre of an estimated 54 civilians in South Kivu Province. The increased activity of existing armed groups and the emergence of new ones in the east of the country represented a significant threat to civilians and to general security.<sup>132</sup> The representative of the

Democratic Republic of the Congo said peacebuilding and the fight against armed groups were the top priorities for her country.<sup>133</sup>

In his briefing on 12 June 2012, the Special Representative of the Secretary-General informed the Council of considerable progress made on the issue of the security challenges posed by FDLR, but at the same time reported on a mutiny in the ranks of the regular Armed Forces of the Democratic Republic of the Congo, as well as the emergence of the Mouvement du 23 mars (M23 movement), started by one of the soldiers involved in that mutiny. The fight against this new threat had produced major displacements of civilians. In the context of the general increase in instability, FDLR and numerous Congolese groups had stepped up their own activity.<sup>134</sup> The representative of the Democratic Republic of the Congo also reported on the mutiny, and added that elements recruited and trained in and deployed from Rwanda had fought within the ranks of the M23 movement.<sup>135</sup>

#### **Extension of the mandate of MONUSCO**

By resolution [2053 \(2012\)](#), adopted on 27 June 2012, the Council extended the mandate of MONUSCO until 30 June 2013, reaffirmed that the protection of civilians remained the priority of the Mission, and underlined the importance of security sector reform. It also welcomed the steps taken by the Government of the Democratic Republic of the Congo to investigate the violence in the context of the elections of 28 November 2011 and decided that MONUSCO should support the organization and conduct of provincial and local elections. In the same resolution, the Council condemned the mutiny and all outside support to all armed groups and urged the Government of the Democratic Republic of the Congo, with support from MONUSCO, to sustain its action against armed groups, restore order and bring the perpetrators to justice.

#### **Further destabilization and designation of a Special Envoy**

In its presidential statement of 19 October 2012, the Council expressed deep concern regarding the deteriorating security and humanitarian crisis in the eastern Democratic Republic of the Congo and

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<sup>126</sup> [S/PV.6785](#), p. 5.

<sup>127</sup> *Ibid.*, p. 9.

<sup>128</sup> [S/PV.6868](#), p. 5.

<sup>129</sup> [S/PV.6925](#), p. 5.

<sup>130</sup> [S/PV.7046](#), p. 5.

<sup>131</sup> *Ibid.*, p. 10.

<sup>132</sup> [S/PV.6712](#), pp. 3-4.

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<sup>133</sup> *Ibid.*, 8.

<sup>134</sup> [S/PV.6785](#), pp. 2-3.

<sup>135</sup> *Ibid.*, p. 7.

condemned M23 for all its attacks on the civilian population, United Nations peacekeepers and humanitarian actors, as well as its abuses of human rights, including summary executions, sexual and gender-based violence and large-scale recruitment and use of child soldiers. The Council also condemned the attempts by M23 to establish a parallel administration and external support to M23 by neighbouring countries. The Council called on the Secretary-General to explore further high-level diplomatic mechanisms to facilitate enhanced dialogue between relevant parties. It welcomed the establishment of the Expanded Joint Verification Mechanism on 14 September as an important starting point for rebuilding confidence between the Democratic Republic of the Congo and Rwanda and took note of ongoing coordination efforts between the International Conference on the Great Lakes Region, the African Union and the United Nations to clarify the objectives, modalities and means of a proposed “Neutral International Force” in the eastern Democratic Republic of the Congo in relation to MONUSCO.<sup>136</sup>

On 20 November 2012, the Council adopted resolution [2076 \(2012\)](#), in which it expressed its deep concern regarding the entry of M23 into the city of Goma on that same day. The Council also reiterated its demand that any outside support to M23 cease immediately. With regard to the role of MONUSCO in countering the threat posed by M23, the Council requested the Secretary-General to report on options for the possible redeployments of MONUSCO contingents and additional force multipliers, which could improve the ability of MONUSCO to protect civilians and report on flows of arms across the borders of the eastern Democratic Republic of the Congo, as well as on options for high-level dialogue between relevant parties, including the option of the possible designation of a special envoy.

Speaking after the vote, the representative of the Democratic Republic of the Congo accused Rwanda of supporting the military operations of M23 against Goma and hence of a serious and persistent violation of the principles enshrined in the Charter of the United Nations, and suggested that the Council ascertain all the consequences of the behaviour of Rwanda and take whatever steps were necessary to restore peace and security.<sup>137</sup> The representative of Rwanda refuted the

accusation and said that several times since the fighting had resumed Rwanda had suffered rocket and mortar attacks originating in the Democratic Republic of the Congo.<sup>138</sup>

On 21 November 2012, in his briefing to the Council, the Special Representative of the Secretary-General reported on a seriously deteriorated security situation, in addition to the large-scale humanitarian crisis. He informed the Council that, since the occupation of Goma by M23, violent and spontaneous demonstrations had targeted both the Congolese symbols of power and United Nations personnel and installations. Furthermore, M23 had effectively occupied a significant portion of North Kivu Province, and it had been establishing a formal administrative or governing structure. Numerous reports of human rights abuses had been received. In response to the situation, MONUSCO supported the regional efforts of the International Conference on the Great Lakes Region to develop a neutral international force to confront M23 and other armed groups, and the establishment of an enlarged Joint Verification Mechanism.<sup>139</sup>

In resolution [2078 \(2012\)](#), adopted on 28 November 2012, the Council demanded that M23 and other armed groups ceased immediately all forms of violence, and reiterated its concern at reports indicating external support to M23.<sup>140</sup> Speaking after the adoption of the resolution, the representative of the Democratic Republic of the Congo said that the final report of the Group of Experts<sup>141</sup> established that the Government of Rwanda had continued to violate the arms embargo by providing direct military assistance to M23.<sup>142</sup> The representative of Rwanda stated that these accusations were false and that his country had placed its trust in the Joint Verification Mechanism set up by the International Conference on the Great Lakes Region, which had concluded that at that stage there

<sup>138</sup> *Ibid.*, p. 4.

<sup>139</sup> [S/PV.6868](#), pp. 2-3.

<sup>140</sup> By resolution [2078 \(2012\)](#), the Council also renewed the sanctions measures, namely the arms embargo, the measures on transport, and the financial and travel measures. For more information on the sanctions measures concerning the Democratic Republic of the Congo, see part VII, sect. III, “Measures not involving the use of armed force in accordance with Article 41 of the Charter”.

<sup>141</sup> [S/2012/843](#).

<sup>142</sup> [S/PV.6873](#), p. 2.

<sup>136</sup> [S/PRST/2012/22](#).

<sup>137</sup> [S/PV.6866](#), pp. 2-3.

was no proof that Rwanda had provided any military or logistical support to M23.<sup>143</sup>

On 22 February 2013, the Special Representative of the Secretary-General briefed the Council on the continuously deteriorating security situation in the eastern part of the country. While M23 had in the meantime retreated from the provincial capital of Goma, it had maintained significant military positions just outside of the city and continued to consolidate its own administrative structures in the portion of North Kivu it was occupying. There were reports of widespread violence and continuing recruitment of new combatants, including through the use of force and widespread recruitment of minors. He also reported on a general increase in Congolese militia activity throughout the province. MONUSCO had sought to respond to those threats using all available resources. To further improve the capabilities of MONUSCO, unmanned aerial vehicles would be deployed at the earliest possible time. Regarding the proposal for an additional military force or brigade within MONUSCO equipped with a peace enforcement authority going beyond a traditional United Nations peacekeeping mandate, he was convinced that a peace enforcement capability on the ground was a necessary component to permit a durable peace.<sup>144</sup> The representative of the Democratic Republic of the Congo concurred and said that the deployment of an intervention force was intended to respond to a real and urgent security need in the eastern part of his country. He therefore urged the Council to consider adopting a resolution to change the mandate of MONUSCO as soon as possible.<sup>145</sup>

On 5 March 2013, the Secretary-General reported to the Council on the signing, in Addis Ababa on 24 February, by 11 countries of the region and four co-guarantors of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, which was intended to address the root causes of violence in the region. He announced that he would appoint a special envoy to support the implementation of the Framework. To further support the political objectives of the Framework, he also proposed the establishment, within MONUSCO, of an intervention brigade with the ability to conduct offensive operations against all armed groups that

threatened the peace, neutralizing those groups and disarming them.<sup>146</sup>

### **New mandate for MONUSCO, including creation of an intervention brigade**

By resolution 2098 (2013), condemning the continued presence of M23 in the immediate vicinity of Goma and its attempts to establish an illegitimate parallel administration, the Council decided to extend the mandate of MONUSCO in the Democratic Republic of the Congo until 31 March 2014, and to include in MONUSCO, on an exceptional basis and without creating a precedent, an Intervention Brigade with headquarters in Goma, with the responsibility of neutralizing armed groups and with the objective of contributing to reducing the threat posed by armed groups to State authority and civilian security in the eastern Democratic Republic of the Congo. The mandate of the Intervention Brigade set out in the resolution was to protect civilians, neutralize armed groups, monitor the implementation of the arms embargo, and support national and international judicial processes. The Council also called on the newly designated Special Envoy for the Great Lakes Region to lead, coordinate and assess the implementation of national and regional commitments under the Peace, Security and Cooperation Framework.

Speaking after the adoption of the resolution, several delegations underlined that the protection of civilians remained at the heart of the mandate of MONUSCO.<sup>147</sup> The exceptional and non-precedential nature of the creation of the Intervention Brigade was also emphasized.<sup>148</sup> Some speakers cautioned that the neutrality and impartiality of the United Nations must not be compromised by the nature of the brigade.<sup>149</sup>

### **Implementation of Peace, Security and Cooperation Framework and end of M23 rebellion**

On 6 May 2013, the newly appointed Special Envoy of the Secretary-General for the Great Lakes Region briefed the Council on her recent visit to

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<sup>143</sup> *Ibid.*, pp. 5-6.

<sup>144</sup> *S/PV.6925*, pp. 2-4.

<sup>145</sup> *Ibid.*, p. 7.

<sup>146</sup> *S/PV.6928*, pp. 2-3.

<sup>147</sup> *S/PV.6943*, p. 5 (United Kingdom); p. 6 (Argentina, Luxembourg); p. 8 (United States); and p. 9 (France).

<sup>148</sup> *Ibid.*, p. 5 (Argentina); p. 7 (Pakistan); p. 8 (China); and p. 11 (Democratic Republic of the Congo).

<sup>149</sup> *Ibid.*, p. 3 (Rwanda); p. 4 (Guatemala); p. 6 (Argentina); p. 7 (Pakistan); and p. 8 (China).

various countries of the region, where she had discussed with the leaders the commitments of each country under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region. She reported that President Kabila had informed her that his Government was working on a plan of action for the implementation of the commitments of the Democratic Republic of the Congo under the Framework, and that she had stressed the importance of the inclusiveness of such a national mechanism, which should involve civil society representatives and have the necessary expertise to play an effective supervisory role. She also said that while the overwhelming majority of the Congolese she had spoken to were enthusiastic about the deployment of the Brigade, she had stressed that the Intervention Brigade, while an important tool, should be seen as one element of a much larger political process aimed at finding a comprehensive solution to the crisis in the eastern part of the Democratic Republic of the Congo.<sup>150</sup>

In his briefing to the Council on 21 October 2013, the Special Representative of the Secretary-General for the Democratic Republic of the Congo reported via videoconference from Kampala on the ongoing peace talks there, which were convened with the objective of concluding a comprehensive agreement between the Democratic Republic of the Congo and M23 to end the rebellion, disband M23 and allow its transformation into a political movement within the limits of the Constitution and the laws of the Democratic Republic of the Congo. Regardless of the progress in Kampala, he expressed concern with the situation on the ground, where a considerable military build-up on both sides of the front line had been observed in recent days. At the same time, M23 had fired twice at unarmed United Nations helicopters, and had strengthened its offensive positions threatening United Nations peacekeepers. He added that M23 was not the only concern, but that also FDLR, the Allied Democratic Forces (ADF) and many Mayi Mayi groups were terrorizing the population and continued to represent a threat to civilians and to the State authority.<sup>151</sup> The Special Envoy of the Secretary-General for the Great Lakes Region, speaking at the same meeting, reported on the difficulties encountered in the negotiations to agree on certain contentious and

difficult issues, namely, amnesty, disarmament and integration of M23 fighters. She also gave an overview of the implementation of the Framework both at national and at regional levels.<sup>152</sup>

On 14 November 2013, the Council adopted a presidential statement by which it welcomed the announcement by M23 to put an end to its rebellion, the acceptance by the Government of the Democratic Republic of the Congo of this announcement and the cessation of hostilities between the Democratic Republic of the Congo and M23. The Council called for the swift conclusion and implementation of a final, comprehensive and agreed outcome that provided for the disarmament and demobilization of M23 and accountability for human rights abusers. The Council also stressed the importance of neutralizing FDLR and all armed groups, including ADF, the Lord's Resistance Army and various Mayi Mayi groups.<sup>153</sup>

### **Security sector reform**

In his briefing to the Council on 7 February 2012, the Special Representative of the Secretary-General said that reform and strengthening of the military were a key element to the achievement of durable security conditions in the eastern Democratic Republic of the Congo.<sup>154</sup> The representative of the Democratic Republic of the Congo added that the reforms launched the previous year in the security sector would be continued, in order to train a police force and an army that were fully capable of ensuring security throughout the national territory and to enhance conditions for a return to economic and social development.<sup>155</sup>

In its resolution [2053 \(2012\)](#), adopted on 27 June 2012, the Council stressed the importance of security sector reform for the achievement of the objectives of MONUSCO, and therefore urged the Government of the Democratic Republic of the Congo to operationalize and implement, with the support of MONUSCO, a national and comprehensive vision and strategy for the security and justice sectors. In resolution [2076 \(2012\)](#), adopted on 20 November 2012, and in resolution [2078 \(2012\)](#), adopted on 28 November 2012, the Council urged the Government

<sup>150</sup> [S/PV.6960](#), pp. 3-4.

<sup>151</sup> [S/PV.7046](#), pp. 3-4.

<sup>152</sup> *Ibid.*, pp. 8-11.

<sup>153</sup> [S/PRST/2013/17](#).

<sup>154</sup> [S/PV.6712](#), p. 4.

<sup>155</sup> *Ibid.*, p. 7.

of the Democratic Republic of the Congo to increase efforts to reform the security sectors.

On 21 November 2012, during his briefing to the Council, the Special Representative of the Secretary-General expressed confidence that there was broad recognition among Congolese authorities of the need for a full, comprehensive and strong military reform programme addressing multiple areas and needs.<sup>156</sup>

In his briefing to the Council on 22 February 2013, the Special Representative of the Secretary-General said that it was of vital importance to define a comprehensive strategy on security sector reform that provided the needed resources, engagements and expertise of all parties under the overall direction of the Government of the Democratic Republic of the Congo.<sup>157</sup> At the same meeting, the representative of the Democratic Republic of the Congo said that legislation concerning the reorganization of the armed forces, the organization and functioning of the national police, and the military code for the Armed Forces of the Democratic Republic of the Congo had already been adopted.<sup>158</sup> On 5 March 2013, he said that in the Peace, Security and Cooperation Framework, his country had renewed its commitment to continuing and deepening the reform of the security sector, particularly with regard to the army and the police.<sup>159</sup>

In resolution [2098 \(2013\)](#), the Council decided that the duration of the presence of the Intervention Brigade would depend on the implementation of a security sector reform road map for the creation of a Congolese “rapid reaction force” able to take over responsibility for achieving the objective of the Intervention Brigade. By the same resolution, the Council requested the Secretary-General to report to the Council every three months on the implementation of the commitments of the Democratic Republic of the Congo under the Framework, which included

continuing and deepening security sector reform, particularly with respect to the army and police. Speaking after the vote, speakers underlined the importance of security sector reform.<sup>160</sup>

On 21 October 2013, the Special Representative of the Secretary-General reported on a meeting on 11 October, at which international partners had agreed to coordinate their security sector reform initiatives via an expanded security sector reform coordination working group, to be chaired by the Congolese Minister of Defence and supported by MONUSCO.<sup>161</sup>

#### **Transfer of tasks to the United Nations country team**

In its resolution [2053 \(2012\)](#), adopted on 27 June 2012, the Council requested MONUSCO to continue transferring tasks to the United Nations country team in provinces not affected by the conflict. In resolution [2098 \(2013\)](#) it requested the Secretary-General to produce a report on the current division of labour between MONUSCO and the United Nations country team on tasks shared by the Mission, the United Nations country team and the Government of the Democratic Republic of the Congo, with a road map to transfer tasks to the United Nations country team or to the Government of the Democratic Republic of the Congo in provinces not affected by the conflict. The representative of the United Kingdom welcomed this decision and thought it would play an important role in guiding the way forward for the United Nations system to work together to build peace in the Democratic Republic of the Congo.<sup>162</sup>

In his briefing to the Council on 21 October 2013 the Special Representative of the Secretary-General said that MONUSCO would reduce its presence in the areas not affected by armed conflict and suggested that the weight of the country team should be increased.<sup>163</sup>

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<sup>156</sup> [S/PV.6868](#), p. 5.

<sup>157</sup> [S/PV.6925](#), p. 6.

<sup>158</sup> *Ibid.*, p. 8.

<sup>159</sup> [S/PV.6928](#), p. 4.

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<sup>160</sup> [S/PV.6943](#), p. 6 (Luxembourg); p. 9 (United States); and p. 10 (Russian Federation).

<sup>161</sup> [S/PV.7046](#), p. 5.

<sup>162</sup> [S/PV.6943](#), p. 5.

<sup>163</sup> [S/PV.7046](#), p. 6.



## Meetings: the situation concerning the Democratic Republic of the Congo

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6712</a> 7 February 2012	Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) ( <a href="#">S/2012/65</a> )		Democratic Republic of the Congo	Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of MONUSCO	All invitees	
<a href="#">S/PV.6785</a> 12 June 2012	Report of the Secretary-General on MONUSCO ( <a href="#">S/2012/355</a> )		Democratic Republic of the Congo	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.6792</a> 27 June 2012	Report of the Secretary-General on MONUSCO ( <a href="#">S/2012/355</a> )	Draft resolution submitted by France ( <a href="#">S/2012/485</a> )				Resolution <a href="#">2053 (2012)</a> 15-0-0
<a href="#">S/PV.6850</a> 19 October 2012						<a href="#">S/PRST/2012/22</a>
<a href="#">S/PV.6866</a> 20 November 2012		Draft resolution submitted by Colombia, France, Germany, Morocco, Portugal, South Africa, Togo, United Kingdom, United States ( <a href="#">S/2012/858</a> )	Democratic Republic of the Congo, Rwanda		All invitees	Resolution <a href="#">2076 (2012)</a> 15-0-0
<a href="#">S/PV.6868</a> 21 November 2012	Report of the Secretary-General on MONUSCO ( <a href="#">S/2012/838</a> )			Special Representative of the Secretary-General	Special Representative of the Secretary-General	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6873</a> 28 November 2012	Letter dated 12 November 2012 from the Chair of the Security Council Committee established pursuant to resolution <a href="#">1533 (2004)</a> concerning the Democratic Republic of the Congo addressed to the President of the Security Council ( <a href="#">S/2012/843</a> )	Draft resolution submitted by France ( <a href="#">S/2012/884</a> )	Democratic Republic of the Congo, Rwanda		All invitees	Resolution <a href="#">2078 (2012)</a> 15-0-0
<a href="#">S/PV.6925</a> 22 February 2013	Report of the Secretary-General on MONUSCO ( <a href="#">S/2013/96</a> )		Democratic Republic of the Congo	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.6928</a> 5 March 2013	Special report of the Secretary-General on the Democratic Republic of the Congo and the Great Lakes region ( <a href="#">S/2013/119</a> )		Democratic Republic of the Congo		Secretary-General, Democratic Republic of the Congo	
<a href="#">S/PV.6943</a> 28 March 2013	Special report of the Secretary-General on the Democratic Republic of the Congo and the Great Lakes region ( <a href="#">S/2013/119</a> )	Draft resolution submitted by France, Togo, United States ( <a href="#">S/2013/195</a> )	Democratic Republic of the Congo (Minister for Foreign Affairs, International Cooperation and la Francophonie)		11 Council members, <sup>a</sup> Democratic Republic of the Congo	Resolution <a href="#">2098 (2013)</a> 15-0-0
<a href="#">S/PV.6960</a> 6 May 2013				Special Envoy of the Secretary-General for the Great Lakes Region	Special Envoy of the Secretary-General for the Great Lakes Region	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7046</a> 21 October 2013	Report of the Secretary-General on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region ( <a href="#">S/2013/569</a> ) Report of the Secretary-General on MONUSCO ( <a href="#">S/2013/581</a> )			Special Representative of the Secretary-General for the Democratic Republic of the Congo, Special Envoy of the Secretary-General for the Great Lakes Region	Democratic Republic of the Congo, all invitees under rule 39	
<a href="#">S/PV.7058</a> 14 November 2013						<a href="#">S/PRST/2013/17</a>

<sup>a</sup> Argentina, China, France, Guatemala, Luxembourg, Morocco, Pakistan, Russian Federation, Rwanda, United Kingdom, United States.

## 8. The situation in the Central African Republic

### Overview

During the period under review, the Security Council held eight meetings and adopted three resolutions in connection with the situation in the Central African Republic. It received several briefings by the Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) as well as other officials of the United Nations and regional organizations, including the African Union and the Economic Community of Central African States (ECCAS).

The Council gave sustained consideration to this item, particularly in 2013, after armed conflict resumed in the Central African Republic. The Libreville Agreements, signed on 11 January 2013, included a ceasefire agreement and defined modalities of a political transition. The Council extended the mandate of BINUCA once for a period of 12 months and subsequently reinforced it to allow the mission to support the implementation of the transition process. The Council authorized the deployment of the African-led International Support Mission in the Central African Republic, imposed an arms embargo and expressed its intention to consider additional targeted measures against individuals who acted to undermine security and peace.

### Briefing on the progress of the political dialogue and the demobilization, disarmament and reintegration process

On 6 June 2012, the Council heard a briefing by the Special Representative of the Secretary-General for the Central African Republic and Head of BINUCA, who introduced the seventh report of the Secretary-General<sup>164</sup> and informed the Council on political, security, socioeconomic, humanitarian and human rights developments in the Central African Republic. Despite continued instability at the political and security levels, she highlighted the commitment of the Government in regard to political dialogue, disarmament, the demobilization and reintegration process, and stabilization efforts in the north-eastern region through the deployment of a force under a

tripartite agreement with Chad and the Sudan. She provided information on the role of BINUCA in supporting security sector reform, local mediation initiatives, and the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army; and stressed the need to continue building on the momentum created by the Government on the political and security fronts.<sup>165</sup> The representative of the Central African Republic said that the elections held in 2011 had triggered a new political and institutional order. Although security remained the fundamental concern of the Government, the State was progressively regaining control over a large part of the national territory, allowing for a gradual return of internally displaced persons and refugees. He stressed the importance of the reform of the security sector and reaffirmed the commitment of the Government to establishing a State that genuinely protected human rights.<sup>166</sup>

### Briefings on the rebel offensive and the Libreville Agreements, and extension of the mandate of BINUCA

On 11 January 2013, the Council heard briefings by the Special Representative of the Secretary-General and Head of BINUCA (by videoconference from Libreville) and the Special Representative of the Secretary-General on Sexual Violence in Conflict. The former informed the Council of a rebel offensive against the Government of the Central African Republic, launched on 10 December 2012 in the northern regions by the newly formed Séléka coalition, which had occupied several towns. The resumption of conflict undermined the positive achievements detailed in the latest report of the Secretary-General.<sup>167</sup> She noted that the failure of the army to repel the attacks was "indicative of the depth of decay within the national armed forces" and highlighted the prompt response by regional actors to the crisis, including the deployment by Chad of an interposition force, a decision by the Heads of State of ECCAS to facilitate peace talks in Libreville, and the reinforcement of the ECCAS Mission for the Consolidation of Peace in the

<sup>164</sup> S/2012/374.

<sup>165</sup> S/PV.6780, pp. 2-5.

<sup>166</sup> Ibid., pp. 5-7.

<sup>167</sup> S/2012/956.

Central African Republic (MICOPAX) with troops deployed from Cameroon, the Democratic Republic of the Congo, Gabon and Chad to help to defend Bangui. However, rebel progression towards Bangui had triggered the evacuation of United Nations system, African Union and international non-governmental organization personnel. On the political front, the Special Representative reported that peace negotiations concluded that day in Libreville had resulted in the signing of three documents (the Libreville Agreements): a declaration of principles to resolve the political and security crisis (signed by the Government, the politico-military movements that had adhered to the Libreville Peace Agreement of 2008, the Séléka coalition and the democratic opposition, as well as ECCAS and the follow-up committee of the Comprehensive Peace Agreement); a ceasefire agreement (signed by the Government and Séléka and witnessed by ECCAS and the follow-up committee); and a political agreement defining the modalities of a power-sharing arrangement (signed by representatives of the presidential majority, the politico-military movements that had adhered to the Comprehensive Peace Agreement, the democratic opposition and Séléka), pursuant to which the President would remain in power until the end of his mandate in 2016, a Prime Minister would be appointed from the opposition, and an inclusive Government of national unity would be established for 12 months, to restore peace and stability and to organize legislative elections. Stressing that BINUCA had not anticipated such a quick overrun of half the country, she spoke of the need to address the reasons for lack of implementation of previous peace agreements. In regard to the consequences of the crisis, the Special Representative provided an update on the humanitarian conditions of 800,000 people living in the affected areas, citing the continued displacement of people fleeing from their homes into the bush, constant looting of the premises of humanitarian organizations and constrained humanitarian access due to insecurity. She concluded by saying that advantage should be taken of the opportunity to put in place an efficient and effective Government. She recommended that BINUCA lead a strategic assessment to review its priorities and redefine its needs.<sup>168</sup>

Reporting on her visit to the Central African Republic from 5 to 13 December 2012, the Special Representative on Sexual Violence in Conflict

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<sup>168</sup> S/PV.6899, pp. 2-7.

indicated that widespread sexual violence was committed in the country, including rape in areas controlled by armed groups, forced abductions of women, girls and boys into armed groups, forced marriage, incidents of sexual violence committed by elements of the national security forces as well as widespread violations by the Lord's Resistance Army. She stated that ensuring better monitoring, analysis and information as a basis for evidence-based action was a critical priority, and stressed the need for armed forces and groups to immediately issue clear orders prohibiting sexual violence through their respective chains of command, to hold perpetrators accountable, and to release women and children from their ranks. She emphasized the extremely limited capacities of national institutions to implement measures to address sexual violence and the absence of State authority and structures in most areas outside Bangui. During her visit she had sought to deepen cooperation with the Government and engage with the leadership of the main politico-military groups in order to secure concrete protection commitments from them. She informed the Council that a follow-up technical visit by the Team of Experts on the Rule of Law and Sexual Violence would follow, and stressed the critical importance of deploying a women's protection adviser to BINUCA.<sup>169</sup>

Underlining the threat of war in his country, the representative of the Central African Republic stated that the peace talks in Libreville were "the last lifeline for the Central African Republic" and reaffirmed the commitment of the Government to dialogue and to implementation of the outcomes of the talks.<sup>170</sup>

On 24 January 2012, the Council unanimously adopted resolution 2088 (2013), by which it extended the mandate of BINUCA for a year. The Council requested the Secretary-General to provide a report on the situation on the ground as well as an assessment on the ability of the mission to further implement its priorities in the light of recent events. In addition, it called upon the Government, Séléka, armed groups and the democratic opposition to abide in good faith by their commitments made in the declaration of principles signed on 11 January 2013, and requested BINUCA to use its good offices to work with all parties to facilitate the full implementation of the Libreville Agreements. The Council also welcomed the

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<sup>169</sup> Ibid., pp. 7-8.

<sup>170</sup> Ibid., pp. 9-10.

continued efforts of MICOPAX in support of peace and security in the Central African Republic and called on countries in the subregion and regional and subregional organizations to consider, upon request of the Central African Republic, appropriate measures to improve the security situation.

Following the adoption of the resolution, the representative of the Central African Republic welcomed the extension of BINUCA and stated that a post-crisis assessment would be conducted in order to identify the necessary measures for reconstruction.<sup>171</sup>

### **Briefings on political and security developments following the coup d'état of 24 March 2013**

On 15 May 2013, the Special Representative of the Secretary-General and Head of BINUCA presented to the Council the report of the Secretary-General pursuant to resolution 2088 (2013), which described the situation in the Central African Republic since the rebel offensive of 10 December 2012, in particular the coup d'état of 24 March that had led to the ousting of the President and the degradation of the security situation in the entire country which, she noted, had collapsed "into a state of anarchy and total disregard for international law", citing indiscriminate and targeted killings, rape, assault on the population, recruitment of children as soldiers, and looting of homes. The crisis also constituted a direct threat to regional peace and security, particularly for the Democratic Republic of the Congo, Chad and Cameroon. At the political level, she reported that the road map of tasks established in the Libreville Agreements for the restoration of constitutional order was not implemented accordingly, noting that the self-proclaimed President continued to run the country by presidential decrees. The Special Representative noted that, following the Séléka offensive, the justice and police institutions had collapsed and gross human rights violations were the cause of great concern in terms of the protection of civilians. She believed that the time was ripe for the Council to consider the imposition of individual sanctions against the architects and perpetrators of such violations, warning against the risk of the population taking the law into its own hands. Additional funding was required to support the humanitarian response and urgent action was needed to help to restore security and stability in the

<sup>171</sup> S/PV.6907, p. 3.

country. She welcomed the intention of ECCAS to increase its force to 2,000 personnel, but emphasized that such a short-term initiative should be followed by an expanded regional force, possibly under the African Union and supported by the international community. Finally, the Special Representative insisted on the critical role of the Prime Minister in the transition process, adding that a system of impunity in a situation where a democratic order was overturned by force of arms, even when confronted with serious governance challenges, should not be encouraged. United Nations support to ECCAS and the African Union in re-establishing the basic principles of Libreville was essential.<sup>172</sup>

The representative of the Central African Republic informed the Council of upcoming political steps, including the establishment of a Government of national unity and the abolishment of the illegally elected Office of the National Transitional Council. On the security situation, he noted that acts of vandalism by Séléka elements primarily targeted non-Muslims and that sparing Muslims created resentment in the Christian communities and inflamed religious tensions. Despite seizing control of all political and military levers, Séléka was not able to restore order. The Prime Minister asked the Council to include the situation of the Central African Republic in its agenda in order to ensure that it would no longer be a forgotten crisis, asking France, in particular, to intervene by force to disarm Séléka with the support of the European Union and the African Union. He also called for the appointment of a special rapporteur to investigate human rights violations and suggested that a Chair be appointed to the Central African Republic configuration of the Peacebuilding Commission, that position being currently vacant.<sup>173</sup>

The representative of Chad, speaking on behalf of the presidency of ECCAS, said that, following the coup, ECCAS had held an extraordinary summit in N'Djamena with the participation of the Presidents of South Africa and Benin, the United Nations, the European Union and the International Organization of la Francophonie. The participants had condemned the seizure of power, called upon the leader of the Séléka coalition and self-proclaimed President to comply with the Libreville Agreements, and agreed to support the

<sup>172</sup> S/PV.6967, pp. 2-5.

<sup>173</sup> Ibid., pp. 5-8.

transition through a monitoring committee and an international contact group.<sup>174</sup>

On 14 August 2013, the newly appointed Special Representative of the Secretary-General and Head of BINUCA<sup>175</sup> informed the Council that some progress had been achieved on the political front, including the promulgation of a Transitional Charter and the reshuffling of the Government of National Unity. However, taking into account persisting tensions between the Prime Minister and the President of the National Transitional Council over the management of the transition process, he noted that political gains were fragile and that the road map for elections remained to be established. Despite slight improvement on the security front, particularly in Bangui, with the establishment of sites for the cantonment of Séléka and elements of the former national army, and the resumption of joint patrols by Séléka and MICOPAX troops, the breakdown of law and order continued to allow for widespread human rights violations. Police officers who reported to work were inadequately equipped and there was no screening of the Séléka elements to be absorbed into the national army. He further indicated that, on 19 July 2013, the African Union Peace and Security Council had authorized the deployment of the International Support Mission in the Central African Republic for an initial period of six months. Composed of 3,652 police and military personnel, mainly contingents serving in MICOPAX, the mission was mandated to protect civilians, restore security, public order and State authority, reform the defence and security sectors, and create conditions conducive to humanitarian assistance. He encouraged the Council to lend its full support to the force. The United Nations, he added, would participate in a technical assessment mission to refine the concept of operations for the mission, in an advisory capacity.<sup>176</sup>

The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator stated that the situation in the Central African Republic had deteriorated dramatically and had shifted from a long-term crisis of poverty to a complex emergency characterized by violence, acute needs and grave

protection issues. The 4.6 million people affected by the crisis included 206,000 internally displaced and nearly 60,000 refugees in neighbouring countries. During her visit to the Central African Republic, she had been encouraged by the commitment of the national authorities to make the restoration of security and disarmament, demobilization and reintegration a priority. However, she underlined the considerable challenge such a task represented, given the lack of command and control over the Séléka forces, and the presence of foreign fighters. Stressing the urgent need for a comprehensive response to the crisis prioritizing the restoration of security and addressing humanitarian, recovery and development needs, the Under-Secretary-General formulated various requests to the Council, including that it support the newly established mission of the African Union and help the authorities in expediting the swift return of public service officials to areas outside Bangui. She warned that a failure to act would not only exacerbate the appalling conditions endured by the population, but could also lead to the regionalization of the conflict.<sup>177</sup>

The Assistant Secretary-General for Human Rights stated that the systematic destruction of public registries had fuelled suspicions of an attempt by the Séléka coalition to modify the ethnic and religious balance in the country. The absence of public records to establish voter lists would create an additional challenge to organizing free and fair elections in the coming 18 to 24 months. Given the general climate of fear, and the difficulty in collecting accurate data on violations owing to a lack of access to areas outside Bangui and the “much-too-limited” human rights monitoring capacity of BINUCA, he stressed the need to urgently establish a national commission for human rights and fundamental freedoms. He presented a number of recommendations to the Council including the need to establish a credible and legitimate national security force composed of a limited number of former regime security elements and Séléka forces, screened and vetted under international guidance to exclude perpetrators of human rights violations. He underlined the importance of deploying a large international force with a strong protection mandate, and reinforcing the human rights component of BINUCA. With regard to accountability, he encouraged the Council to send a clear message to the military commanders and the transition authorities that they were criminally

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<sup>174</sup> *Ibid.*, pp. 8-9.

<sup>175</sup> In a letter dated 11 June 2013 (S/2013/344), the Security Council took note of the intention of the Secretary-General to appoint a new Special Representative for the Central African Republic and Head of BINUCA.

<sup>176</sup> S/PV.7017, pp. 2-4.

<sup>177</sup> *Ibid.*, pp. 4-5.

responsible for preventing crimes and punishing perpetrators.<sup>178</sup>

The representative of the Central African Republic called on the Council to adopt sanctions targeting the perpetrators of violations of human rights, to strengthen the resources of BINUCA and to appoint a penholder for the Central African Republic.<sup>179</sup>

#### **Briefing by the Deputy Secretary-General and adoption of resolutions**

On 10 October 2013, the Council unanimously adopted resolution [2121 \(2013\)](#), by which it demanded the swift implementation of the transitional arrangements agreed at Libreville and N'Djamena for the holding of free, fair and transparent elections 18 months after the beginning of the transition period. The Council expressed its readiness to consider appropriate measures against those who took action that undermined peace and stability, including those who violated transitional agreements, impeded the transitional process and fuelled violence. The Council reinforced and updated the mandate of BINUCA to allow the mission to support the implementation of the transition process, support conflict prevention and humanitarian assistance, support the stabilization of the security situation, promote and protect human rights, and coordinate the international actors involved. The Council looked forward to the prompt establishment of the African-led International Support Mission in the Central African Republic (MISCA), encouraged the African Union and ECCAS to expedite their efforts toward the transition from MICOPAX to MISCA, and expressed its intention to consider options for support to MISCA. The Council requested the Secretary-General to submit a written report on the planning of MISCA with detailed options for international support to the mission, including the possible option of a transformation of MISCA into a United Nations peacekeeping operation, subject to appropriate conditions on the ground.

On 25 November 2013, the Council heard briefings by the Deputy Secretary-General, the Secretary-General of ECCAS, and the Senior Adviser for Peacebuilding and Development of the Office of the Permanent Observer of the African Union to the United Nations. The Deputy Secretary-General

presented the report of the Secretary-General on the findings of the technical assistance team deployed pursuant to resolution [2121 \(2013\)](#), stressing that the rapidly deteriorating situation in the Central African Republic presented a test of international solidarity and of the responsibility to prevent atrocities. He expressed grave concern at the breakdown of law and order and its consequences, including the use of children, sexual violence, and an increase in intercommunal violence. He noted that the manipulation of religious affiliations for political purposes had fuelled unprecedented sectarian violence between Muslims and Christians, citing violations by former Séléka elements on the one hand and by “anti-balaka” self-defence groups on the other hand. Stating that urgent measures to end impunity and hold perpetrators accountable were needed, he appealed to the Council to consider accountability mechanisms, such as a commission of inquiry and/or targeted sanctions. He warned that, if left to fester, the situation could develop into a religious and ethnic conflict, or even a civil war that could spread into neighbouring countries. With regard to peacekeeping, he noted that the capacity of MICOPAX to protect civilians was very limited and that some of its contingents were perceived as siding with particular communities on the basis of religion. The report, he said, presented five options for international support to MISCA, from bilateral and multilateral support arrangements to the transformation of MISCA into a United Nations peacekeeping operation; he added that the latter option was favoured by a majority of actors in the Central African Republic, including a number of civil society organizations.<sup>180</sup>

The representative of the Central African Republic warned against the risk of genocide in his country if no action was taken and announced that the transitional authorities had written to the Secretary-General and the Security Council to seek their agreement to their request that France provide military assistance in support to MISCA. He emphasized the need to provide MISCA a strong mandate under Chapter VII of the Charter of the United Nations.<sup>181</sup> Similarly, the Secretary-General of ECCAS stressed that such a mandate was required to enable MICOPAX, which was the core of MISCA, to fully carry out its stabilization mission in the country and create the best conditions possible for the civilian component of

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<sup>178</sup> Ibid., pp. 6-8.

<sup>179</sup> Ibid., p. 9.

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<sup>180</sup> [S/PV.7069](#), pp. 2-4.

<sup>181</sup> Ibid., pp. 4-5.



MISCA, with the support of a reinforced BINUCA. The Central African Republic needed to establish a representative democracy that served the general interests of its people, rather than those of a clan or ethnic or religious group.<sup>182</sup> The Senior Adviser for Peacebuilding and Development of the Office of the Permanent Observer of the African Union highlighted the contribution of the African Union from the onset of the crisis, including through the suspension of the participation of the Central African Republic in its activities and the imposition of targeted sanctions against some individuals, for which it had sought the support of the Security Council. He emphasized the role of ECCAS in convening peace talks, deploying peacekeepers and providing financial assistance in support of the Central African Republic. The transfer of authority between MICOPAX and MISCA was scheduled for 19 December 2013, and the African Union and ECCAS were united in addressing the challenges at hand. He further stated that the role of the international community, particularly the United Nations, should be to enhance such efforts, through the provision of adequate support, which, he stressed, was consistent with the provisions of Chapter VIII of the Charter on the role of regional arrangements in the promotion and maintenance of international peace and security. To conclude, he looked forward to a Security Council resolution that would enhance the joint efforts of ECCAS and the African Union.<sup>183</sup>

On 5 December 2013, the Council unanimously adopted resolution [2127 \(2013\)](#), by which it, inter alia, requested the Secretary-General to rapidly establish an international commission of inquiry in order to investigate reports of violations of international humanitarian law, international human rights law and abuses of human rights in the Central African Republic by all parties since 1 January 2013 and to help to identify the perpetrators of such violations. The Council authorized the deployment of MISCA for a period of 12 months, to take all necessary measures to contribute to the protection of civilians, the restoration of security and public order, the stabilization of the country and the restoration of State authority over the national territory, the creation of conditions conducive to the provision of humanitarian assistance, and the disarmament, demobilization and reintegration process and security sector reform led by the transitional

authorities and coordinated by BINUCA. The Council authorized the French forces in the Central African Republic to take all necessary measures to support MISCA in the discharge of its mandate. It also requested the Secretary-General to undertake contingency preparations and planning for the possible transformation of MISCA into a United Nations peacekeeping operation, stressing that a future decision of the Council would be required to establish such a mission. The Council decided that Member States should take measures to prevent the direct or indirect supply, sale or transfer of arms and related material of all types to the Central African Republic, and expressed its strong intent to swiftly consider imposing targeted measures, including travel bans and asset freezes, against individuals who acted to undermine the peace, stability and security. The Council established a sanctions committee to monitor the implementation of the arms embargo and requested the Secretary-General to create, for an initial period of 13 months, a group of experts to support the work of the Committee.

After the adoption of the resolution, three Council members, the representative of the Central African Republic and the Permanent Observer of the African Union to the United Nations made statements. Invoking the risk of creating a terrorist sanctuary in the Central African Republic, the representative of Togo welcomed the deployment of MISCA, supported by the French forces, and called upon the international community to contribute to the trust fund that the Council, in resolution [2127 \(2013\)](#),<sup>184</sup> requested the Secretary-General to establish. The representative of Morocco commended the mobilization of the international community and the Council on the urgent need to intervene to restore security and end the crisis, and stated that his country was actively working to deploy soldiers to serve as a guard unit for BINUCA.<sup>185</sup> The representative of France said that, given the crisis in the Central African Republic, which had long been a forgotten one, indifference and inaction were not an option, and said that there was a collective duty to support action by the African Union and ECCAS to prevent mass atrocities. He added that

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<sup>184</sup> [S/PV.7072](#), pp. 2-3.

<sup>185</sup> *Ibid.*, p.3. See also exchange of letters dated 22 and 29 October 2013 ([S/2013/636](#) and [S/2013/637](#)) and letter dated 26 November 2013 from the Secretary-General to the President of the Security Council ([S/2013/696](#)) on the establishment of a guard unit to enable the implementation of the mandated tasks of BINUCA.

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<sup>182</sup> *Ibid.*, p. 6.

<sup>183</sup> *Ibid.*, pp. 7-8.

resolution [2127 \(2013\)](#) provided MISCA with a strong Chapter VII mandate which would allow the mission to take all necessary measures to protect civilians and to neutralize armed groups that refused to comply with instructions for cantonment and disarmament; and, for the French forces, a mandate to support MISCA, in accordance with the request made by the African Union and the transition authorities.<sup>186</sup> The observer of the African Union welcomed the collaboration between his organization and the Security Council which had led to the adoption of the resolution, and expressed appreciation for the ability, without prejudice to the responsibilities of the Council, to share views with

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<sup>186</sup> [S/PV.7072](#), pp. 3-4.

Council members, offer suggestions in the formulation of the text and indicate modalities of support favoured by his organization. He added that work was under way to ensure the successful transfer of authority between MICOPAX and MISCA on 19 December 2013, and that the African Union Commission had appointed key officials of MISCA. He announced the intention of the African Union to implement the mandate of MISCA “in an aggressive manner, in the spirit of the expectations expressed by the leadership of ECCAS”, and to give immediate attention to the humanitarian situation.<sup>187</sup>

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<sup>187</sup> *Ibid.*, pp. 5-7.

## Meetings: the situation in the Central African Republic

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6780</a> 6 June 2012	Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Integrated Peacebuilding Office in that country (BINUCA) ( <a href="#">S/2012/374</a> )		Central African Republic	Special Representative of the Secretary-General for the Central African Republic and Head of BINUCA	All invitees	
<a href="#">S/PV.6899</a> 11 January 2013	Report of the Secretary-General on the situation in the Central African Republic and on the activities of BINUCA ( <a href="#">S/2012/956</a> )		Central African Republic	Special Representative of the Secretary-General and Head of BINUCA, Special Representative of the Secretary-General on Sexual Violence in Conflict	All invitees	
<a href="#">S/PV.6907</a> 24 January 2013	Report of the Secretary-General on the situation in the Central African Republic and on the activities of BINUCA ( <a href="#">S/2012/956</a> )	Draft resolution submitted by Argentina, Australia, France, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/45</a> )	Central African Republic		Central African Republic	Resolution <a href="#">2088 (2013)</a> 15-0-0
<a href="#">S/PV.6967</a> 15 May 2013	Report of the Secretary-General on the situation in the Central African Republic ( <a href="#">S/2013/261</a> )		Central African Republic (Prime Minister), Chad	Special Representative of the Secretary-General and Head of BINUCA	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7017</a> 14 August 2013	Report of the Secretary-General on the situation in the Central African Republic ( <a href="#">S/2013/470</a> )		Central African Republic	Special Representative of the Secretary-General and Head of BINUCA, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Assistant Secretary-General for Human Rights	All invitees	
<a href="#">S/PV.7042</a> 10 October 2013		Draft resolution submitted by Australia, France, Luxembourg, Morocco, Togo, United Kingdom, United States ( <a href="#">S/2013/598</a> )	Central African Republic		Central African Republic	Resolution <a href="#">2121 (2013)</a> 15-0-0
<a href="#">S/PV.7069</a> 25 November 2013	Report of the Secretary-General on the Central African Republic pursuant to paragraph 22 of Security Council resolution <a href="#">2121 (2013)</a> ( <a href="#">S/2013/677</a> )		Central African Republic	Secretary-General of the Economic Community of Central African States, Senior Adviser for Peacebuilding and Development of the Office of the Permanent Observer of the African Union to the United Nations	Deputy Secretary-General, all invitees	
<a href="#">S/PV.7072</a> 5 December 2013	Report of the Secretary-General on the Central African Republic pursuant to paragraph 22 of Security Council resolution <a href="#">2121 (2013)</a> ( <a href="#">S/2013/677</a> )	Draft resolution submitted by Congo, France, Gabon, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/717</a> )	Central African Republic, Congo, Gabon	Permanent Observer of the African Union	Togo, Morocco, France, Central African Republic, Permanent Observer of the African Union	Resolution <a href="#">2127 (2013)</a> 15-0-0

## 9. The situation in Guinea-Bissau

### Overview

During the period under review, the Security Council held 12 meetings in connection with the situation in Guinea-Bissau and adopted three resolutions and two presidential statements. It received several briefings by the Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) and the Chair of the Guinea-Bissau configuration of the Peacebuilding Commission as well as other officials, particularly addressing the situation after the coup d'état of 12 April 2012. By resolution 2048 (2012), adopted under Article 41 of Chapter VII of the Charter, the Council imposed sanctions<sup>188</sup> against the perpetrators of the coup d'état and their supporters and established a sanctions committee to monitor their implementation.<sup>189</sup>

During the period under review, the Council also renewed the mandate of UNIOGBIS twice, for periods of three months and one year, respectively.<sup>190</sup>

### Briefing on presidential elections

On 28 March 2012, the Council heard a briefing by the Special Representative of the Secretary-General for Guinea-Bissau and Head of UNIOGBIS on the political transition in the country that had resulted from the death, on 9 January 2012, of the President of Guinea-Bissau and the subsequent decision to hold early presidential elections. He noted that the first round of the presidential elections had been held in a peaceful and orderly manner on 18 March 2012 and that UNIOGBIS had provided security and multifaceted technical support during the electoral process. He stressed that the international observers from the African Union, the Community of Portuguese-speaking Countries (CPLP) and the Economic

Community of West African States (ECOWAS), among others, had confirmed that the polls had been free, fair and transparent. Concerning the mandate of UNIOGBIS, he said that while the progress on the ECOWAS-CPLP security sector reform joint road map had been interrupted by the political transition, the Office continued to support the Government in resource mobilization for the special pension fund, and provided technical support for enhanced community policing with the assistance of the Peacebuilding Fund.<sup>191</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission reported that the State institutions had been able to maintain political stability and economic growth despite the destabilizing events, including the death of the President. She said the Commission supported Guinea-Bissau in its efforts to hold the elections by mobilizing resources for the elections.<sup>192</sup>

The representative of Guinea-Bissau noted that the organization of the first round of elections had been very difficult, owing to the short time frame and the serious issue of financing. Nevertheless, the authorities had been able to get the necessary financial and logistical assistance and had maintained the deadline of 18 March 2012 for holding the elections, which were then declared free, fair and transparent.<sup>193</sup>

### Political developments following the military coup of 12 April 2012

On 19 April 2012, the Special Representative of the Secretary-General briefed the Council on political developments in the country subsequent to the coup d'état of 12 April 2012. He stressed that a political-military coup had taken place under the eyes of the United Nations, an act of military insubordination to the democratically elected civilian authorities, and that the international community had unanimously condemned the action and called for the restoration of the constitutional order. The Community of Portuguese-speaking Countries and the African Union had suggested that targeted sanctions be applied to the military and political leaders associated with the coup.

<sup>188</sup> For more information on the measures concerning Guinea-Bissau, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter".

<sup>189</sup> For more information on the mandate of the Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau, see part IX, sect. I.B.

<sup>190</sup> Resolutions 2092 (2013) and 2103 (2013). For more information on UNIOGBIS, see part X, sect. II, "Political and peacebuilding missions".

<sup>191</sup> S/PV.6743, pp. 2-5.

<sup>192</sup> Ibid., pp. 5-6.

<sup>193</sup> Ibid., pp. 6-7.

On 18 April 2012, the military forces and the political parties had signed an agreement for a two-year transition, the dissolution of Parliament, the destitution of the Government and of the interim President and the maintenance of the military leadership.<sup>194</sup>

The representative of Guinea-Bissau said that a self-proclaimed military command had carried out a violent takeover of power, imprisoning the interim President of Guinea-Bissau together with the Prime Minister, who as a candidate had received 49 per cent of the votes in the first round of presidential elections. He stressed that the rebellion was particularly serious because it represented a known pattern that armed forces had used several times in the past. Accusing the current military leadership of being the perpetrators of the takeover of power, he said that the motivation behind their actions was to undermine the ongoing reform process and to maintain their active collaboration with organized crime and drug trafficking in Guinea-Bissau. He highlighted concrete steps that needed to be taken urgently, including affirming the democratic rule of law, the relaunching of the defence and security sector reform programme under United Nations coordination, the restoration of legitimately established constitutional bodies and the completion of the electoral process. In order to establish a legitimate democratic State, he requested the deployment of a United Nations peacekeeping force in Guinea-Bissau.<sup>195</sup>

The representative of Angola, speaking on behalf of the Community of Portuguese-speaking Countries, stated that the military coup d'état had interrupted the positive period of relative political stability, good governance and economic growth in the country. He emphasized that it had taken place in the middle of the electoral process, which reflected a complete disregard for the sovereignty of Guinea-Bissau and violated all the principles of democratic life. Underlining that the country had experienced several coups d'état in recent years, he called on the Council to consider adopting appropriate measures to restore the constitutional order, ensure the release of arrested leaders, create a peacekeeping force for stabilizing the situation and conclude the electoral process.<sup>196</sup>

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<sup>194</sup> S/PV.6754, pp. 2-4.

<sup>195</sup> Ibid., pp. 4-6.

<sup>196</sup> Ibid., pp. 6-8.

The representative of Côte d'Ivoire, speaking on behalf of the Chairman of the Authority of Heads of State and Government of ECOWAS, said that the organization had condemned the coup d'état and issued a statement demanding the immediate relinquishing of power to the legitimate authorities. He added that the Chairman of the Authority had sent a mission to Guinea-Bissau: the delegation had met with the military junta and secured an undertaking by the military command to restore constitutional order. Expressing the intention of ECOWAS to deploy immediately a military contingent, he said that ECOWAS was planning to dispatch a high-level delegation to the country to ensure the engagement of all parties in the transition process and requested the Council to support its initiatives.<sup>197</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission said that the configuration had condemned the forcible seizure of power in Guinea-Bissau and called upon all parties to oppose changing the Government through unconstitutional means. She welcomed the engagement of regional and subregional organizations, notably CPLP, ECOWAS and the African Union, and appealed for continuing support for their efforts to restore the constitutional order and break the cycle of coups d'état in Guinea-Bissau.<sup>198</sup>

Council members condemned the military coup, which posed a threat to peace and security. The representative of Portugal said that the European Union was planning to implement sanctions on individuals responsible for the military coup and called on the Council to take similar targeted measures.<sup>199</sup> The representative of Togo believed that the Council had to maintain a firm stance regarding the militarist excesses that institutions in Africa were facing and emphasized that the coup d'état in Guinea-Bissau was not only a violation of constitutional order, but also a source of ongoing instability.<sup>200</sup> The representative of South Africa expressed his support for the coordinated efforts of the African Union, ECOWAS and CPLP and encouraged the United Nations to ensure that its efforts

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<sup>197</sup> Ibid., pp. 8-10.

<sup>198</sup> Ibid., pp. 10-11.

<sup>199</sup> Ibid., p. 13.

<sup>200</sup> Ibid., pp. 13-14.

were conducted in a coordinated and coherent manner.<sup>201</sup>

On 21 April 2012, the Council adopted a presidential statement in which it strongly condemned the military coup by the military leadership and political elements in Guinea-Bissau and demanded the immediate restoration of the constitutional order as well as the reinstatement of the legitimate Government of Guinea-Bissau.<sup>202</sup>

On 7 May 2012, the Special Representative of the Secretary-General reported that, while the interim President and the Prime Minister had been released on 27 April, several Government officials were still seeking refuge in diplomatic compounds. Therefore, it was crucial to improve the security conditions to ensure their safe return and facilitate the restoration of constitutional order in the country. UNIOGBIS had met with the military junta several times to underline the need to return the country to constitutional rule, release detained officials and complete the electoral process. He also informed the Council that the European Union had imposed travel bans and an asset freeze on six members of the military junta and that ECOWAS continued to lead the mediation process, which should be supported by the United Nations. He also recommended the Council to consider imposing targeted measures against those individuals who continued to obstruct the return to constitutional order.<sup>203</sup>

The representative of Guinea-Bissau pointed to the atrocities that continued to be committed by the organizers of the military coup and their supporters. He expressed concern about the mechanism adopted by ECOWAS to implement the zero-tolerance principle concerning coups d'état and opined that in practice the recommended solution of ECOWAS could be ineffective in resolving the political and military crisis in the country. Furthermore, he emphasized that the ECOWAS mechanism did not observe the principle of the return to constitutional order demanded by the international community and by the Council through its presidential statement of 21 April 2012.<sup>204</sup>

The representative of Angola, speaking on behalf of the Community of Portuguese-speaking Countries,

informed the Council that the organization had adopted two resolutions reaffirming that it would recognize only democratically legitimate authorities. Supporting the sanctions adopted by the European Union, he appealed to the Council to impose targeted sanctions on the military personnel and civilians involved in the coup d'état. He also reiterated his support for the request by the Government of Guinea-Bissau to establish and deploy a comprehensive stabilization force, comprising staff of member countries of ECOWAS, CPLP and the African Union, under a Security Council mandate that would ensure the constitutional order and protect the country's institutions, legal authorities and people.<sup>205</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission underlined the need for cooperation and mutual reinforcement of international efforts and reaffirmed the commitment of the configuration to helping Guinea-Bissau to implement the necessary reforms to achieve political stability and socio-economic development.<sup>206</sup>

The representative of ECOWAS said that ECOWAS had increased its efforts for the restoration of constitutional order in Guinea-Bissau and noted that, on 29 April 2012, the regional contact group had convened extensive consultations with all major stakeholders on the modalities of transition. However, the desired results had not been reached owing to the intransigence of the military junta and its political allies. She then stressed that it was impossible to restore the constitutional order immediately as a certain party demanded, and that therefore sacrifices and compromises had to be made by all the stakeholders.<sup>207</sup>

#### **Imposition of sanctions**

On 18 May 2012, the Council unanimously adopted resolution [2048 \(2012\)](#) by which, acting under Article 41 of the Charter, it imposed a travel ban against those seeking to prevent the restoration of the constitutional order and in particular those who had played a leading role in the military coup of 12 April 2012. The Council also established a sanctions committee and requested the Secretary-General to be

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<sup>201</sup> *Ibid.*, p. 15.

<sup>202</sup> [S/PRST/2012/15](#).

<sup>203</sup> [S/PV.6766](#), pp. 2-5.

<sup>204</sup> *Ibid.*, pp. 5-7.

<sup>205</sup> *Ibid.*, pp. 7-8.

<sup>206</sup> *Ibid.*, p. 9.

<sup>207</sup> *Ibid.*, pp. 10-11.

actively engaged in the mediation efforts led by ECOWAS to restore the constitutional order.

The representative of Portugal welcomed the unanimous adoption of the resolution, which sent a strong message of condemnation of the unconstitutional seizure of power that had interrupted the democratic electoral process.<sup>208</sup> While welcoming the adoption of the resolution, the representative of Togo pointed out that paragraph 2, which referred to the need for coordination among the partners concerned in the situation in Guinea-Bissau, had not been included in the draft circulated earlier, and appealed to Council members to respect the spirit of transparency in negotiations in the future. He added that the Council should continue to refer to drug trafficking in West Africa without making a distinction as to whether it was licit or illicit in nature.<sup>209</sup> The representative of Morocco commended the political wisdom and sense of compromise demonstrated by the delegations directly concerned in order to reach a consensus on the resolution.<sup>210</sup>

#### **Briefings on the transitional process**

On 26 July 2012, the Special Representative of the Secretary-General described the emerging divergent positions of national and international opinion on the transitional process in Guinea-Bissau following the coup of 12 April 2012. He said that the country was politically split between those who supported the Transitional Government and the military and those who did not recognize the transitional authorities and the anti-coup front. Internationally, ECOWAS leaders had endorsed the Transitional Government established in the country, and the Community of Portuguese-speaking Countries reaffirmed its recognition of the deposed elected authorities of Guinea-Bissau. Meanwhile, the humanitarian, social and economic situation continued to deteriorate. He called on the international partners to overcome their differences and forge a unified strategy for restoring legitimate order.<sup>211</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission stated that, nearly four months after the coup d'état, constitutional order had

yet to be restored. She stressed that the disruption of the electoral process had reduced international confidence and donor support, thus threatening hard-won socioeconomic gains in institution-building, economic recovery, financial management and the fight against drug trafficking. Emphasizing that the restoration of constitutional order should be achieved through political dialogue and negotiations, she suggested the convening by the Secretary-General of a high-level meeting on Guinea-Bissau, with the aim of articulating a common strategy to bring a solution to the crisis.<sup>212</sup>

The representative of Côte d'Ivoire, speaking on behalf of ECOWAS, said that while the transitional process had been delayed by the faction of the African Party for the Independence of Guinea and Cape Verde (PAIGC) supporting Carlos Gomes Júnior, the Transitional Government, which also included other members of PAIGC, remained focused on achieving inclusiveness and the consensus called for in resolution 2048 (2012). The ECOWAS office in Guinea-Bissau had facilitated meetings with development partners who had identified urgent priority tasks such as the biometric registration of eligible voters, social and economic development, and defence and security sector reform. Stressing that the dialogue between the faction of PAIGC and the Transitional Government was ongoing and that efforts were under way to ensure the smooth functioning of the National Assembly, he said ECOWAS was ready to meet with the Community of Portuguese-speaking Countries for open and frank discussions to make it possible for the international community to speak with one voice.<sup>213</sup>

The representative of Mozambique, speaking on behalf of the Community of Portuguese-speaking Countries, stated that the declaration of its summit on Guinea-Bissau on 20 July 2012 had highlighted its appeal for convening a high-level meeting under the auspices of the United Nations, with a view to developing a comprehensive and integrated strategy for restoring constitutional order in Guinea-Bissau.<sup>214</sup>

The representative of Portugal said that PAIGC, the majority party in Guinea-Bissau, was not part of the Transitional Government and objected to the term "the Carlos Gomes Júnior faction of PAIGC" because it

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<sup>208</sup> S/PV.6774, p. 2.

<sup>209</sup> Ibid., p. 3.

<sup>210</sup> Ibid., p. 3.

<sup>211</sup> S/PV.6818, pp. 2-4.

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<sup>212</sup> Ibid., pp. 4-5.

<sup>213</sup> Ibid., pp. 5-7.

<sup>214</sup> Ibid., p. 7.



represented two thirds of the members of the Parliament in Guinea-Bissau. He also reiterated that some international partners had refrained from collaborating with the illegitimate authorities and intended to continue to do so until a credible political transition was put in place.<sup>215</sup>

On 5 February 2013, the Assistant Secretary-General for Political Affairs, introducing the report of the Secretary-General dated 16 January 2013,<sup>216</sup> reported on significant developments since the report's publication, such as the signing of the political transition pact between the main political parties in the country and the military junta. He noted that this pact had the potential to facilitate consensus on a transitional road map, including the formation of an inclusive transitional government, presidential and legislative elections and stability during the post-election period. However, despite recent political progress towards the development of a much-needed transitional road map, the situation in the country was still marked by fear, insecurity and impunity. He reported that the Special Representative would conduct an assessment of the situation in the country and would formulate proposals for the mandate of UNIOGBIS by the end of the three-month extension of the mandate requested by the Secretary-General.<sup>217</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission stated that, in view of ongoing significant challenges, the assistance of the United Nations, including the Commission, was crucial. Highlighting recent steps by the political parties to revise the transitional political pact, she reiterated the importance of dialogue among the main international partners, in particular CPLP and ECOWAS.<sup>218</sup>

The representative of Côte d'Ivoire, speaking on behalf of ECOWAS, recalled the historic meeting between the President of the Transitional Government and the former President of Guinea-Bissau on 29 September 2012, at which the two parties had approved the initiative to send a joint assessment mission to Guinea-Bissau, comprising officials of the African Union, ECOWAS, CPLP, the United Nations and the European Union, to evaluate the political and

security situation on the ground and examine the underlying causes for the recurring crises. A direct dialogue among the parties had been established with the view to concluding a transitional pact acceptable to all parties, and a parliamentary commission was tasked to review the transitional road map and propose new realistic dates for the elections.<sup>219</sup>

The representative of Mozambique, speaking on behalf of the Community of Portuguese-speaking Countries, reiterated that the full implementation of resolution 2048 (2012) was critical for promoting the restoration of constitutional order and that it would provide the legal framework for international partners in Guinea-Bissau to strengthen cooperation and allow for a nationally owned transition process. He also commended the work accomplished by the joint assessment mission and welcomed the parliamentary agreement between the two main parties, aimed at setting up a truly inclusive and consensus-based transition.<sup>220</sup>

#### **Extension of the mandate of UNIOGBIS**

On 22 February 2013, the Council unanimously adopted resolution 2092 (2013), by which it extended the mandate of UNIOGBIS until 31 May 2013 and requested the Secretary-General to provide an assessment of the situation in Guinea-Bissau and make recommendations with respect to the mandate of UNIOGBIS and a possible readjustment of the support of the United Nations. The Council, further, requested the Secretary-General to continue to work through UNIOGBIS, in coordination with other partners including ECOWAS and CPLP, on the ongoing dialogue among political partners to facilitate the early finalization of a broader political agreement for the restoration of the constitutional order and the holding of free, fair and transparent elections.

The representative of Guatemala expressed concern regarding the seventh preambular paragraph of the resolution, in which the Council took note of the signing of a memorandum of understanding regarding the implementation of the road map for the reform of the security sector, a document which his delegation had not seen, and stressed the importance of fully

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<sup>215</sup> Ibid., pp. 7-8.

<sup>216</sup> S/2013/26.

<sup>217</sup> S/PV.6915, pp.2-4.

<sup>218</sup> Ibid., pp. 4-5.

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<sup>219</sup> Ibid., pp. 5-7.

<sup>220</sup> Ibid., pp. 7-8.

sharing all the relevant information in the Council's decisions in a timely manner.<sup>221</sup>

### **Briefing on developments towards the restoration of constitutional order**

On 9 May 2013, the Special Representative of the Secretary-General stated his view that the problem of Guinea-Bissau was that the political elite had failed their people for almost four decades. The military was also to blame although its intrusion into the political arena was the result, rather than the cause, of bad governance and underdevelopment in the country. He nevertheless stressed as positive developments the fact that the ad hoc Parliamentary Commission had finalized the transitional regime pact to facilitate consensus on a road map, and that the Transitional President had returned to the country following more than a month's absence. He reported that all political parties, military, civil society groups and religious leaders had discussed the transitional regime pact and agreed to extend the transition period until 31 December 2013, with elections to be held in November 2013. He said that the challenges in the country needed to be addressed through a two-phase transition: a return to constitutional order through elections and a post-electoral strengthening of State institutions through reforms. In conclusion, he urged Council members to positively consider the Secretary-General's recommendations to readjust the mandate of UNIOGBIS.<sup>222</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission drew attention to the promising developments in Guinea-Bissau, which should be supported while international pressure must be maintained on the transitional authorities, as well as on political and military leaders. She urged the international community to address the drug trafficking issue and to maintain a permanent international capacity on the ground to monitor the situation.<sup>223</sup>

The representative of Guinea-Bissau welcomed the Secretary-General's recommendations in his report<sup>224</sup> for the extension of the mandate of UNIOGBIS for another year as well as the two-phase approach of the peacebuilding process. While the people of Guinea-Bissau were determined to carry out

reforms to strengthen State institutions, he said that the economy, which depended mainly on external assistance, was practically in ruins after the cut-off from the major partners as a result of the military coup of April 2012, and urged the Council to provide humanitarian assistance to his country to overcome the challenges.<sup>225</sup>

The representative of Côte d'Ivoire, speaking on behalf of ECOWAS, said that to facilitate a restoration of constitutional order, ECOWAS had provided financial and technical resources to keep the State functioning and deployed the ECOWAS mission in Guinea-Bissau to ensure a reasonable level of security. Given that sanctions had inflicted the greatest suffering on the poor, he called on the Council to lift the sanctions and encourage international development agencies to restart their programmes. He told the Council about the ECOWAS proposal for garnering consensus: adoption of a revised transitional road map that would allow for the holding of elections, and under which the military would end all residual interference in the transition process and commit itself to combating drug trafficking; and an action plan of the international community to assist Guinea-Bissau in addressing the root causes of instability.<sup>226</sup>

The representative of Mozambique, speaking on behalf of the Community of Portuguese-speaking Countries, said that recent developments in the country proved it possible to overcome complex obstacles through political dialogue. Nevertheless, he pointed to political polarization and the deteriorating economic, social and humanitarian situation, as well as drug trafficking and illegal fishing in Guinea-Bissau. He stressed that supporting the political processes, implementation of reform and combating drug trafficking in the country required reinvigorating the mandate of UNIOGBIS.<sup>227</sup>

### **Renewal and readjustment of the mandate of UNIOGBIS**

By resolution [2103 \(2013\)](#) of 22 May 2013, the Council extended the mandate of UNIOGBIS for one year. It readjusted the mandate of UNIOGBIS to include the tasks of supporting an inclusive political dialogue and national reconciliation process to

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<sup>221</sup> [S/PV.6924](#), p. 2.

<sup>222</sup> [S/PV.6963](#), pp. 2-4.

<sup>223</sup> *Ibid.*, pp. 4-5.

<sup>224</sup> [S/2013/262](#).

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<sup>225</sup> [S/PV.6963](#), pp. 5-7.

<sup>226</sup> *Ibid.*, pp. 7-9.

<sup>227</sup> *Ibid.*, pp. 9-10.

facilitate the return to constitutional order and assisting in creating an environment conducive to the holding of free, fair and transparent elections among others.

### **Progress towards the holding of presidential and legislative elections**

On 26 November 2013, the Special Representative of the Secretary-General stated that the holding of presidential and legislative elections should be a key priority to ensure a return to constitutional order. As a consequence of lengthy consultations among national stakeholders on the voter registration system, electoral budget and timeline, the electoral preparations were significantly delayed. He said that the Transitional Government had announced on 31 October 2013 that voter registration would be performed from 1 to 22 December 2013 and the general elections would be held on 16 March 2014. Electoral delays had negatively affected the implementation of the mandate of UNIOGBIS, as most of its attention was focused on responding to immediate political, security and human rights challenges.<sup>228</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission said that the configuration stood ready to work with all the partners to provide necessary support for the electoral process and to help to establish a comprehensive strategy for the post-electoral phase.<sup>229</sup>

The representative of Guinea-Bissau noted that, despite the efforts of the authorities of Guinea-Bissau, the timeline for elections established by ECOWAS could not be met. The general elections had therefore

been postponed from 24 November 2013 to 16 March 2014.<sup>230</sup>

The representative of Mozambique, speaking on behalf of the Community of Portuguese-speaking Countries, underlined that the delays in the electoral process continued to prolong the suffering of the people of Guinea-Bissau. He hoped that the transitional authorities would respect those commitments regarding the voter registration process, the scheduling of elections and the holding of free, fair and credible elections. He also said that the transitional authorities must ensure that elections were conducted in a peaceful environment that allowed all actors to participate in the political process.<sup>231</sup>

The representative of Côte d'Ivoire, speaking on behalf of ECOWAS, said that, while there had been a number of positive developments, there was still much more to do in order to re-establish security in Guinea-Bissau. He noted that ECOWAS would make a \$19 million contribution to fund presidential elections. ECOWAS had extended the mandate of its mission in the country and planned to send two formed police units to support the mission.<sup>232</sup>

On 9 December 2013, the Council issued a presidential statement in which it took note of the postponement of the presidential and legislative elections until 16 March 2014 and urged the transitional authorities to ensure that there was no delay or another postponement that could further affect the already fragile socioeconomic, security, humanitarian and human rights situation in Guinea-Bissau.<sup>233</sup>

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<sup>228</sup> S/PV.7070, pp. 2-3.

<sup>229</sup> Ibid., p. 4.

<sup>230</sup> Ibid., p. 5.

<sup>231</sup> Ibid., pp. 6-7.

<sup>232</sup> Ibid., pp. 7-8.

<sup>233</sup> S/PRST/2013/19.

## Meetings: the situation in Guinea-Bissau

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against- abstaining)</i>
<a href="#">S/PV.6743</a> 28 March 2012			Guinea-Bissau	Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), Chair of the Guinea-Bissau configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.6754</a> 19 April 2012			Angola (Minister for External Relations), <sup>a</sup> Côte d'Ivoire, <sup>b</sup> Guinea-Bissau (Minister for Foreign Affairs and International Cooperation)	Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission	All invitees, Portugal (Minister of State and Foreign Affairs), Togo, South Africa	
<a href="#">S/PV.6755</a> 21 April 2012						<a href="#">S/PRST/2012/15</a>
<a href="#">S/PV.6766</a> 7 May 2012	Special report of the Secretary-General on the situation in Guinea-Bissau ( <a href="#">S/2012/280</a> )		Angola (Minister for External Relations), <sup>a</sup> Guinea-Bissau (Minister for Foreign Affairs and international Cooperation)	Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission, Commissioner for Political Affairs, Peace and Security of the Economic Community of West African States	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against- abstaining)</i>
<a href="#">S/PV.6774</a> 18 May 2012		Draft resolution submitted by Portugal ( <a href="#">S/2012/337</a> )	Guinea-Bissau		Morocco, Portugal, Togo	Resolution <a href="#">2048 (2012)</a> 15-0-0
<a href="#">S/PV.6818</a> 26 July 2012	Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2012/554</a> )		Côte d'Ivoire, <sup>b</sup> Guinea-Bissau, Mozambique <sup>c</sup>	Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission	Two invitees under rule 37, <sup>e</sup> all invitees under rule 39, Portugal	
<a href="#">S/PV.6915</a> 5 February 2013	Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2013/26</a> )		Côte d'Ivoire, <sup>d</sup> Guinea-Bissau, Mozambique <sup>c</sup>	Assistant Secretary-General for Political Affairs, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission	Two invitees under rule 37, <sup>e</sup> all invitees under rule 39	
<a href="#">S/PV.6924</a> 22 February 2013	Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2013/26</a> )	Draft resolution submitted by Morocco, Rwanda, Togo, United Kingdom ( <a href="#">S/2013/102</a> )			Guatemala	Resolution <a href="#">2092 (2013)</a> 15-0-0
<a href="#">S/PV.6963</a> 9 May 2013	Report of the Secretary-General on developments in Guinea-Bissau, including efforts towards the restoration of constitutional order, and on the activities of UNIOGBIS ( <a href="#">S/2013/262</a> )		Côte d'Ivoire, <sup>d</sup> Guinea-Bissau, Mozambique <sup>c</sup>	Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against- abstaining)</i>
<a href="#">S/PV.6968</a> 22 May 2013	Report of the Secretary-General on developments in Guinea-Bissau, including efforts towards the restoration of constitutional order, and on the activities of UNIOGBIS ( <a href="#">S/2013/262</a> )	Draft resolution submitted by France, Luxembourg, Morocco, Pakistan, Rwanda, Togo ( <a href="#">S/2013/304</a> )				Resolution <a href="#">2103 (2013)</a> 15-0-0
<a href="#">S/PV.7070</a> 26 November 2013	Report of the Secretary-General on the restoration of constitutional order in Guinea-Bissau ( <a href="#">S/2013/680</a> )  Report of the Secretary-General on developments in Guinea-Bissau and the activities of UNIOGBIS ( <a href="#">S/2013/681</a> )		Côte d'Ivoire, <sup>d</sup> Guinea-Bissau (Minister for Foreign Affairs and International Cooperation), Mozambique <sup>e</sup>	Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission	All invitees	
<a href="#">S/PV.7074</a> 9 December 2013						<a href="#">S/PRST/2013/19</a>

<sup>a</sup> The representative of Angola spoke on behalf of the Community of Portuguese-speaking Countries.

<sup>b</sup> The representative of Côte d'Ivoire spoke on behalf of the Chairman of the Authority of Heads of State and Government of the Economic Community of West African States.

<sup>c</sup> The representative of Mozambique spoke on behalf of the Community of Portuguese-speaking Countries.

<sup>d</sup> The representative of Côte d'Ivoire spoke on behalf of ECOWAS.

<sup>e</sup> The representative of Guinea-Bissau did not make a statement.

## 10. The situation in Côte d'Ivoire

### Overview

During the period under review, the Security Council held nine meetings, including two private meetings with the troop-contributing countries,<sup>234</sup> and adopted four resolutions under Chapter VII of the Charter in connection with the situation in Côte d'Ivoire. The Council continued to focus on political developments after the post-electoral crisis of 2011, the modification and implementation of targeted sanctions aimed at supporting the peace process, and the relevant role and mandate of the United Nations Operation in Côte d'Ivoire (UNOCI).

The Council twice extended the mandate of UNOCI and the French forces which supported it,<sup>235</sup> in accordance with the recommendations contained in the reports of the Secretary-General.<sup>236</sup> The Council also reduced the military component and affirmed its intention to consider a further reduction on the basis of the security conditions and the capacity of the Government of Côte d'Ivoire to assume the mission's security responsibilities. The Council twice renewed and modified the sanctions measures, and extended the mandate of the Group of Experts.<sup>237</sup>

### Briefings on UNOCI and political developments after the post-electoral crisis of 2011

On 26 January 2012, the Council was briefed by the Special Representative of the Secretary-General for Côte d'Ivoire and Head of UNOCI on the significant progress being made in Côte d'Ivoire towards the restoration of normalcy since the end of the post-electoral crisis of 2011. He reported on the stabilizing security situation and stated that displaced people had started to return and that the economy was starting to

show resilience. He also noted that the legislative elections had been held successfully and in relative peace. Despite those positive developments, he stated that significant challenges relating to security and national reconciliation still remained, and that the support provided by UNOCI was essential to assist the Government in stabilizing the security situation, notably in the areas of reconstitution and reform of security and rule-of-law institutions; the disarmament, demobilization and reintegration of former combatants; the protection of civilians; facilitating the return of refugees and internally displaced persons; national reconciliation, early recovery, and the promotion and protection of human rights. He further highlighted the role and activities of UNOCI, particularly in facilitating the conduct of the legislative elections.<sup>238</sup>

In his statement, the representative of Côte d'Ivoire noted the significant progress achieved in a number of areas since the post-electoral crisis, as well as the challenges ahead, namely the stabilization of the security situation, security sector reform, disarmament, demobilization and reintegration, humanitarian assistance and national reconciliation. He urged the international community to provide the necessary support to resolve those challenges. With regard to the sanctions regime, he indicated that his Government was in the process of requesting a partial or full lifting of the embargo currently in place.<sup>239</sup>

On 18 July 2012, the Special Representative of the Secretary-General reported on the ongoing challenges facing the country, particularly with regard to the security and political situations, and on activities undertaken by the Government with UNOCI support to restore peace and stability. He noted that, although the overall security situation had improved, the country continued to face important challenges and threats as it transitioned to a peacebuilding phase. In this respect, he drew attention to the volatile situation at the Côte d'Ivoire-Liberia border and stated that UNOCI was coordinating its activities with the United Nations Mission in Liberia (UNMIL), and had adopted an action plan together with UNMIL and the Governments of Côte d'Ivoire and Liberia to enhance cooperation, including a reinforced presence on both sides of the

<sup>234</sup> See [S/PV.6802](#) and [S/PV.6996](#).

<sup>235</sup> Resolutions [2062 \(2012\)](#) and [2112 \(2013\)](#). For more information on the mandate of UNOCI, see part X, sect. I, "Peacekeeping operations".

<sup>236</sup> [S/2012/964](#) and [S/2013/377](#).

<sup>237</sup> Resolutions [2045 \(2012\)](#) and [2101 \(2013\)](#). For more information on the sanctions measures concerning Côte d'Ivoire, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter". For more information on the Committee established pursuant to resolution [1572 \(2004\)](#) concerning Côte d'Ivoire and the mandate of the Panel of Experts, see part IX, sect. I.B.

<sup>238</sup> [S/PV.6708](#), pp. 2-3.

<sup>239</sup> *Ibid.*, pp. 3-6.

border. He highlighted political dialogue, upcoming local elections and the promotion of a culture of respect for human rights as important elements of national reconciliation.<sup>240</sup>

The representative of Côte d'Ivoire referred to the recent working visit of the Council to the country. He highlighted the security situation, security sector reform and disarmament, demobilization and reintegration, national reconciliation and human rights. He urged the Council not to implement the drawdown of the military component of UNOCI as proposed by the Secretary-General, given the security situation and the need to avoid creating security gaps.<sup>241</sup>

On 17 January 2013 the Council heard a briefing by the Special Representative of the Secretary-General, who reported that Côte d'Ivoire was making encouraging progress towards economic growth, peace and stability under the leadership of the President, Alassane Ouattara. At the same time, he cautioned that several urgent structural measures should be implemented in due course especially in the areas of security, political dialogue, justice and reconciliation. He outlined a number of initiatives by the Government of Côte d'Ivoire that had contributed to the easing of political tensions. He informed the Council about the steps taken to strengthen inter-mission cooperation between UNOCI and UNMIL, as well as cooperation with the United Nations country team in Ghana. He finally urged the international and regional partners, including the United Nations, to continue to support the Government of Côte d'Ivoire in order to consolidate the significant gains achieved and address remaining challenges and the root causes of the repeated crises.<sup>242</sup>

The representative of Côte d'Ivoire highlighted the progress made by his Government in the 18 months since the end of the post-electoral crisis. In the light of a still fragile security situation, he expressed support for the Secretary-General's recommendation to defer the reduction of the military strength of UNOCI until after the assessment to be conducted early in 2013.<sup>243</sup>

On 16 April 2013, the Assistant Secretary-General for Peacekeeping Operations presented the

special report of the Secretary-General on UNOCI,<sup>244</sup> which contained the conclusions and recommendations of an assessment mission deployed to Côte d'Ivoire in February 2013. He stressed that Côte d'Ivoire had made progress since the post-electoral crisis and had moved into a new phase of peacebuilding. He, however, expressed concern regarding the fragility of the security situation. In the light of the continued challenges and threats, he underlined the necessity for UNOCI to remain in Côte d'Ivoire, particularly with regard to its core priorities, namely, the protection of civilians, supporting security sector reform and the disarmament, demobilization and reintegration of former combatants, as well as to help to address border security challenges. At the same time he noted that adjustment to the structure, strength and priorities of UNOCI as recommended by the Secretary-General were necessary to meet the evolving situation on the ground. He finally stressed the need to bring to justice those accused of having committed serious crimes, regardless of their political affiliation, in order to end the vicious cycle of impunity and to build a culture of responsibility.<sup>245</sup>

The representative of Côte d'Ivoire stated that stabilization of the security situation was a priority, since consolidation of the progress already made depended on it. He informed the Council on measures being taken in the area of disarmament, demobilization and reintegration, including training and reintegration of former combatants. He further affirmed the commitment of his Government towards national reconciliation and the fight against impunity. Regarding adjustments to the structure and troop strength of UNOCI, he requested that a withdrawal of the Blue Helmets be compensated for by the deployment of qualitative resources, such as surveillance drones in the border area between Côte d'Ivoire and Liberia.<sup>246</sup>

On 18 July 2013, the Council heard a briefing by the Under-Secretary-General for Peacekeeping Operations, who acknowledged the significant steps taken by the President in stabilizing the security situation, accelerating economic recovery and initiating key reforms. He urged the international community to support Côte d'Ivoire, especially in finding lasting solutions for every former combatant. He spoke of the

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<sup>240</sup> S/PV.6808, pp. 2-4.

<sup>241</sup> Ibid., pp. 4-7.

<sup>242</sup> S/PV.6902, pp. 2-4.

<sup>243</sup> Ibid., pp. 5-8.

<sup>244</sup> S/2013/197.

<sup>245</sup> S/PV.6947, pp. 2-4.

<sup>246</sup> Ibid., pp. 4-5.



cooperation between the Governments of Côte d'Ivoire and Liberia to address common border challenges, with the support of UNOCI and UNMIL. In accordance with the decision of the Council, he said that 850 troops had been repatriated in May following the conclusion of the local elections, and preparations were under way to transfer the military hospital in Abidjan to the United Nations Multidimensional Integrated Stabilization Mission in Mali. Referring to the Secretary-General's proposed benchmarks to measure Côte d'Ivoire's progress towards stability and to undertake transition planning he stated that it was too early to predict when UNOCI would start its transition. He therefore stressed the need to take into account the presidential and legislative elections to be held in 2015, after which the situation could be fully reassessed.<sup>247</sup>

The representative of Côte d'Ivoire reiterated the progress made so far, particularly in the areas of security sector reform, disarmament, demobilization and reintegration, justice and human rights, as well as political dialogue and national reconciliation, and highlighted measures taken in those fields. He further expressed the belief that reduction of the UNOCI military police and civilian components should be approached with great care to prevent a security vacuum on the ground.<sup>248</sup>

#### **Extension of the mandate of UNOCI and reduction of its military component**

On 26 July 2012, by resolution [2062 \(2012\)](#), the Council extended the mandate of UNOCI and the authorization of the French forces until 31 July 2013. The Council decided that protection of civilians should remain the priority for UNOCI, with an added focus on supporting the Government on disarmament, demobilization and reintegration and security sector reform. The Council also endorsed the recommendation of the Secretary-General for a reduction of the military component of UNOCI.

Following the adoption of the resolution, the representative of Côte d'Ivoire, while expressing gratitude for the Council's ongoing support for peace and democracy in his country, regretted that the request to maintain the original troop strength of UNOCI was not granted by the Council. He stated that his delegation was nevertheless confident that the

reconfiguration would not create a security vacuum, and noted that the total number of troops under the resolution was greater than it had been during the post-electoral crisis.<sup>249</sup>

On 30 July 2013, the Council adopted resolution [2112 \(2013\)](#), by which it extended the mandate of UNOCI and the authorization of the French forces until 30 June 2014. It decided to reconfigure the mission's uniformed personnel and affirmed its intention to consider a further reduction based on the evolution of security conditions and capacity of the Government of Côte d'Ivoire to take over the security role of UNOCI. It also decided to reconfigure the military presence of UNOCI to concentrate resources in high-risk areas. The Council also redefined the mandate of UNOCI, in the areas of protection of civilians; addressing remaining security threats and border-related challenges; disarmament, demobilization and reintegration and collection of weapons; reconstitution and reform of security institutions; monitoring of the arms embargo; support for compliance with international humanitarian and human rights law; supporting humanitarian assistance; public information; redeployment of State administration and the extension of State authority throughout the country; and protection of United Nations personnel.

Following the adoption of the resolution, the representative of Pakistan expressed concern about the accelerated pace of the drawdown of the military component of UNOCI. In his view, the recommendations of technical assessment missions and military capability studies should be given due weight in Council decisions. He further warned that adopting an accelerated military drawdown might send the wrong signal to those planning to undermine the stability of Côte d'Ivoire.<sup>250</sup>

#### **Sanctions measures**

On 26 April 2012, the Council adopted resolution [2045 \(2012\)](#), in which it decided, inter alia, to renew and modify the arms embargo, and to renew the financial and travel measures and the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire. It also extended the mandate of the Group of Experts until 30 April 2013. In addition, the Council decided to carry out a midterm

<sup>247</sup> [S/PV.7004](#), pp. 2-3.

<sup>248</sup> *Ibid.*, pp. 3-7.

<sup>249</sup> [S/PV.6817](#), pp. 2-4.

<sup>250</sup> [S/PV.7012](#), p. 2.

review of the arms embargo no later than 31 October 2012, with a view to possibly further modifying measures, in accordance with progress achieved in relation to disarmament, demobilization and reintegration and security sector reform, national reconciliation and the fight against impunity.

Following the adoption of the resolution, the representative of Côte d'Ivoire welcomed the extension of the sanctions regime and provided an update of key developments that had occurred in Côte d'Ivoire since the previous renewal of the sanctions measures in 2011.<sup>251</sup>

On 25 April 2013, by resolution [2101 \(2013\)](#), the Council extended the sanctions measures concerning Côte d'Ivoire and the mandate of the Group of Experts

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<sup>251</sup> [S/PV.6761](#), pp. 2-4.

until 30 April 2014. It indicated its readiness to review measures on rough diamonds in the light of progress made towards implementation of the Kimberley Process. The Council also welcomed cooperation between the Group of Experts and the Panel of Experts on Liberia.

Following the adoption of the resolution, the representative of Côte d'Ivoire reaffirmed the commitment of his country to cooperate fully in the implementation of the sanctions measures. He expressed the hope that the measures in the resolution would strengthen stability in Côte d'Ivoire and could possibly lead to additional modification, partial or complete lifting of the sanctions regime.<sup>252</sup>

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<sup>252</sup> [S/PV.6953](#), p. 2.

**Meetings: the situation in Côte d'Ivoire**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6708</a> 26 January 2012	Twenty-ninth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (UNOCI) ( <a href="#">S/2011/807</a> )		Côte d'Ivoire	Special Representative of the Secretary-General for Côte d'Ivoire and Head of UNOCI	Special Representative of the Secretary-General, Côte d'Ivoire	
<a href="#">S/PV.6761</a> 26 April 2012	Letter dated 11 April 2012 from the Chair of the Security Council Committee established pursuant to resolution <a href="#">1572 (2004)</a> concerning Côte d'Ivoire addressed to the President of the Security Council ( <a href="#">S/2012/196</a> )	Draft resolution submitted by France, Togo, United Kingdom ( <a href="#">S/2012/259</a> )	Côte d'Ivoire		Côte d'Ivoire	Resolution <a href="#">2045 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6808</a> 18 July 2012	Thirtieth progress report of the Secretary-General on UNOCI ( <a href="#">S/2012/506</a> )		Côte d'Ivoire	Special Representative of the Secretary-General	Special Representative of the Secretary-General, Côte d'Ivoire	
<a href="#">S/PV.6817</a> 26 July 2012	Thirtieth progress report of the Secretary-General on UNOCI ( <a href="#">S/2012/506</a> )	Draft resolution submitted by France, United Kingdom, United States ( <a href="#">S/2012/581</a> )	Côte d'Ivoire		Côte d'Ivoire	Resolution <a href="#">2062 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6902</a> 17 January 2013	Thirty-first progress report of the Secretary-General on UNOCI ( <a href="#">S/2012/964</a> )		Côte d'Ivoire	Special Representative of the Secretary-General	Special Representative of the Secretary-General, Côte d'Ivoire	
<a href="#">S/PV.6947</a> 16 April 2013	Special report of the Secretary-General on UNOCI ( <a href="#">S/2013/197</a> )		Côte d'Ivoire	Assistant Secretary-General for Peacekeeping Operations	Assistant Secretary-General for Peacekeeping Operations, Côte d'Ivoire	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6953</a> 25 April 2013	Letter dated 12 April 2013 from the Chair of the Security Council Committee established pursuant to resolution <a href="#">1572 (2004)</a> concerning Côte d'Ivoire addressed to the President of the Security Council ( <a href="#">S/2013/228</a> )	Draft resolution submitted by France, United Kingdom, United States ( <a href="#">S/2013/244</a> )	Côte d'Ivoire		Côte d'Ivoire	Resolution <a href="#">2101 (2013)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.7004</a> 18 July 2013	Thirty-second report of the Secretary-General on UNOCI ( <a href="#">S/2013/377</a> )		Côte d'Ivoire	Under-Secretary-General for Peacekeeping Operations	Under-Secretary-General for Peacekeeping Operations, Côte d'Ivoire	
<a href="#">S/PV.7012</a> 30 July 2013	Thirty-second report of the Secretary-General on UNOCI ( <a href="#">S/2013/377</a> )	Draft resolution submitted by France, Togo, United Kingdom, United States ( <a href="#">S/2013/445</a> )	Côte d'Ivoire		Pakistan	Resolution <a href="#">2112 (2013)</a> 15-0-0 (adopted under Chapter VII)

## 11. Central African region

### Overview

During the period under review, the Security Council held six meetings and issued four presidential statements in connection with the situation in the Central African region. Against the backdrop of the destabilizing effect of the crisis in the Central African Republic, the discussions in the Council focused on the regional strategy to address the threat and impact of the activities of the Lord's Resistance Army (LRA), including the implementation plan developed by the United Nations Regional Office for Central Africa (UNOCA).

During the period under review, the mandate of UNOCA was extended on 21 August 2012 for 18 months, until 28 February 2014, by virtue of a letter from the President of the Security Council addressed to the Secretary-General.<sup>253</sup>

### Regional strategy to address the threat and impact of the activities of the Lord's Resistance Army

On 29 June 2012, the Special Representative of the Secretary-General for Central Africa and Head of UNOCA briefed the Council on the second report of the Secretary-General on the work of UNOCA, including its efforts to combat LRA.<sup>254</sup> He focused on the regional strategy to address the threat and impact of the activities of LRA and elaborated on the five key objectives of the strategy, namely, supporting regional cooperation against LRA, enhancing the protection of civilians, expanding disarmament, demobilization, repatriation, resettlement and reintegration, promoting humanitarian and child protection response in LRA-affected areas, and supporting LRA-affected Governments in extending authority across their territories. He appealed to the Council to actively support the implementation of the strategy and of the Regional Cooperation Initiative of the African Union.<sup>255</sup> Following the briefing, the Special Envoy of the Chairperson of the African Union Commission on Lord's Resistance Army Issues also addressed the Council. He focused mainly on the Regional Cooperation Initiative of the African Union on LRA.

He said that the major objectives of the Initiative were to strengthen the capacity of the affected countries to effectively respond to and neutralize the LRA threat, to facilitate the delivery of humanitarian assistance to affected communities and to create an environment conducive to the stabilization and rehabilitation of the affected areas. He briefed the Council on the key components and structure of the initiative but cautioned that such a structure required international support, mainly on the financial and logistical fronts. In closing, he formally requested the Council to consider declaring LRA a terrorist organization.<sup>256</sup>

Speakers expressed condemnation of the crimes committed by LRA. A majority of speakers emphasized the need for concerted action and highlighted the importance of regional cooperation against LRA. Many speakers welcomed the regional strategy and called for additional resources in support of the Regional Cooperation Initiative of the African Union. Several speakers called on States to cooperate with the International Criminal Court in prosecuting and detaining perpetrators associated with LRA.<sup>257</sup>

At the meeting, the Council issued a presidential statement strongly condemning the attacks carried out by LRA and reiterating its concern at the atrocities committed by the group. In the same statement, the Council welcomed the development of the regional strategy. The Council also urged various United Nations entities to support the implementation of the strategy and called on the international community to provide assistance, as possible, to advance the strategic goals.<sup>258</sup>

On 18 December 2012, the Council held a meeting to consider the third report of the Secretary-General on the activities of UNOCA and on the LRA-affected areas.<sup>259</sup> The Special Representative of the Secretary-General presented the report to the Council. In his briefing, he acknowledged that while there was good news coming out of Central Africa, particularly on the economic front, challenges remained in relation to the threat posed by LRA. He emphasized the need to

<sup>253</sup> S/2012/657.

<sup>254</sup> S/2012/365.

<sup>255</sup> S/PV.6796, pp. 2-3.

<sup>256</sup> Ibid., pp. 3-6.

<sup>257</sup> Ibid., p. 12 (Portugal); p. 19 (Guatemala); and p. 20 (France).

<sup>258</sup> S/PRST/2012/18.

<sup>259</sup> S/2012/923.

mobilize resources for the full implementation of the regional strategy to address the threat posed by LRA and highlighted the disparity between the resources available to UNOCA and the tasks it was required to perform.<sup>260</sup>

During the meeting, speakers expressed their support for the regional strategy and emphasized the importance of developing an implementation plan for it. Most speakers reiterated the value of cooperation and coordination at the national, regional and international levels and encouraged UNOCA to continue to effectively carry out communication and coordination efforts within the United Nations system and beyond. Some speakers reiterated calls on the Member States to cooperate with the International Criminal Court and implement the arrest warrants issued against LRA leaders.<sup>261</sup> During the discussion, speakers also raised other challenges affecting the Central African region such as youth unemployment and piracy in the Gulf of Guinea.

On 19 December 2012, the Council issued a presidential statement by which it strongly condemned the attacks and atrocities carried out by LRA, including the recruitment and use of children, rape, sexual slavery and other sexual violence, and reiterated its support for the regional strategy. The Council also urged UNOCA and United Nations political and peacekeeping missions to coordinate their efforts in support of the implementation of the strategy, with UNOCA playing a key role in the coordination of those activities.<sup>262</sup>

#### **Implementation plan for the regional strategy**

On 29 May 2013, the Council held a meeting to consider the fourth report of the Secretary-General on the activities of UNOCA. The Special Representative of the Secretary-General indicated that the implementation plan for the regional strategy had been finalized. He pointed out that the implementation plan identified areas in which additional resources were required and affirmed his reliance on the continued support of stakeholders, particularly LRA-affected countries. He made reference to the threat posed by Boko Haram insurgents, as well as to the political and

security situation in northern Mali. In addition, he underlined the emergence of poaching as a growing phenomenon which was posing a challenge to peace and security, and to growing youth unemployment as a destabilizing element in the region.<sup>263</sup>

During the debate that followed, speakers welcomed the implementation plan for the regional strategy. However, some speakers raised concerns as to the relevance and timeliness of some of the projects described in the plan, the need for further development of the implementation plan, and the need for support and funding for the plan.<sup>264</sup> The crisis in the Central African Republic featured prominently in the debate with most of the speakers expressing a deep concern about the spillover effect on neighbouring countries.

At the meeting, the Council issued a presidential statement, in which it reiterated its strong condemnation of the attacks and atrocities carried out by LRA as well as the violations of international humanitarian law, including the use of children in armed conflict. The Council welcomed the conclusions of the Working Group on Children and Armed Conflict concerning the situation of children affected by LRA and called for their full implementation. The Council called on the international community to provide assistance where possible and urged further efforts from the countries in the region to end the threat posed by LRA. In the same statement, the Council expressed concern at the recent pause in counter-LRA operations in the Central African Republic and encouraged continued coordination to allow regional counter-LRA operations to resume as soon as possible.<sup>265</sup>

#### **Progress made on the implementation plan for the regional strategy**

On 20 November 2013, the Council held a meeting to consider the fifth report of the Secretary-General on the activities of UNOCA and on the LRA-affected areas.<sup>266</sup> The Special Representative of the Secretary-General informed the Council that the situation in Central Africa was dominated by concerns about growing instability in the Central African Republic and the proliferation of armed groups in the

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<sup>260</sup> S/PV.6891, pp. 2-4.

<sup>261</sup> Ibid., p. 8 (South Africa); p. 9 (Portugal); p. 11 (Guatemala); p. 12 (France); and p. 15 (Germany).

<sup>262</sup> S/PRST/2012/28.

<sup>263</sup> S/PV.6971, pp. 2-3.

<sup>264</sup> p. 6 (Russian Federation); p. 7 (United Kingdom); p. 8 (France); p. 9 (Guatemala); and p. 13 (Argentina).

<sup>265</sup> S/PRST/2013/6.

<sup>266</sup> S/2013/671.

eastern Democratic Republic of the Congo. He assessed that the potential for the crisis in the Central African Republic to spill over into the wider region was real. He noted that transnational crime remained a serious challenge to the security of the region, exemplified by the incidence of piracy and armed robbery in the Gulf of Guinea. He added that the region was also vulnerable to the threat posed by terrorism and extremism, mentioning Boko Haram as an example. He then briefed the Council on the work of UNOCA, emphasizing its coordination role among various stakeholders. He affirmed that, in spite of the effectiveness of the military operations of the Regional Task Force of the African Union in degrading LRA, it was necessary to remain vigilant and to make progress on the implementation plan for the regional strategy.<sup>267</sup>

The Council was also briefed by the Special Envoy of the Chairperson of the African Union Commission on LRA Issues, who highlighted the progress made in the region for the elimination of LRA by the African Union in coordination with troop-contributing countries, with the support of the United States Special Forces, the European Union and the United Nations, particularly UNOCA. He explained the circumstances that led to the suspension of the counter-LRA operations in the Central African Republic, mentioning in particular the tension between the Regional Task Force and Séléka. He reported, however, that operations had resumed early in August 2013 and emphasized that the current momentum required adequate funding and logistical support to enhance the objective of eliminating the threat posed by LRA.<sup>268</sup>

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<sup>267</sup> [S/PV.7065](#), pp. 2-3.

<sup>268</sup> *Ibid.*, pp. 20-21.

Speakers emphasized the need for wide cooperation at the national, regional and international levels to combat and eliminate the LRA threat. Most speakers commended the work of UNOCA. The representative of the United Kingdom added that UNOCA should continue adding real value to regional and subregional efforts at a time of resource constraints.<sup>269</sup> The views of most of the speakers coincided in the analysis of the situation in the Central African region. They expressed deep concern about the unfolding of the crisis in the Central African Republic, highlighting the harmful effects of transnational crime and piracy, and voicing their alarm about the growing phenomenon of poaching as a source of financing for criminal networks. Many speakers reiterated the importance of the international support to regional and subregional efforts and of redoubling support to implement the regional strategy.

On 25 November 2013, the Council issued a presidential statement in which it reiterated its strong condemnation of the appalling attacks, war crimes and crimes against humanity carried out by LRA. The Council further urged UNOCA, as well as other United Nations entities in the region, to enhance efforts in support of the implementation of the regional strategy. The Council also encouraged the Secretary-General to optimize the efforts of UNOCA and called on the international community to support the strategy where possible. With regard to the Central African Republic, the Council emphasized the need for coordination between the United Nations and the African Union in the context of protection of civilian activities and counter-LRA operations.<sup>270</sup>

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<sup>269</sup> *Ibid.*, p. 5.

<sup>270</sup> [S/PRST/2013/18](#).

**Meetings: Central African region**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6796</a> 29 June 2012	Report of the Secretary-General on the situation of children and armed conflict affected by the Lord's Resistance Army ( <a href="#">S/2012/365</a> )  Report of the Secretary-General on the activities of the United Nations Regional Office for Central Africa (UNOCA) and on the Lord's Resistance Army-affected areas ( <a href="#">S/2012/421</a> )	Letter dated 25 June 2012 from the Secretary-General transmitting the regional strategy to address the threat and impact of the activities of the Lord's Resistance Army ( <a href="#">S/2012/481</a> )	Central African Republic	Special Representative of the Secretary-General for Central Africa and Head of UNOCA, Special Envoy of the Chairperson of the African Union Commission on Lord's Resistance Army Issues	All Council members, all invitees	<a href="#">S/PRST/2012/18</a>
<a href="#">S/PV.6891</a> 18 December 2012	Report of the Secretary-General on the activities of UNOCA and on the Lord's Resistance Army-affected areas ( <a href="#">S/2012/923</a> )			Special Representative of the Secretary-General	All Council members, Special Representative of the Secretary-General	
<a href="#">S/PV.6895</a> 19 December 2012	Report of the Secretary-General on the activities of UNOCA and on the Lord's Resistance Army-affected areas ( <a href="#">S/2012/923</a> )					<a href="#">S/PRST/2012/28</a>



<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6971</a> 29 May 2013	Report of the Secretary-General on the activities of UNOCA and on the Lord's Resistance Army-affected areas ( <a href="#">S/2013/297</a> )			Special Representative of the Secretary-General	All Council members, Special Representative of the Secretary-General	<a href="#">S/PRST/2013/6</a>
<a href="#">S/PV.7065</a> 20 November 2013	Report of the Secretary-General on the activities of UNOCA and on the Lord's Resistance Army-affected areas ( <a href="#">S/2013/671</a> )			Special Representative of the Secretary-General, Special Envoy of the Chairperson of the African Union Commission on Lord's Resistance Army Issues	All Council members, all invitees under rule 39	
<a href="#">S/PV.7066</a> 25 November 2013	Report of the Secretary-General on the activities of UNOCA and on the Lord's Resistance Army-affected areas ( <a href="#">S/2013/671</a> )					<a href="#">S/PRST/2013/18</a>

## 12. Reports of the Secretary-General on the Sudan and South Sudan\*

### Overview

During the period under review, the Security Council held 36 meetings, including four closed meetings<sup>271</sup> with troop- and police-contributing countries. The Council adopted 12 resolutions, 10 of which were adopted under Chapter VII of the Charter,<sup>272</sup> and four presidential statements. The Council heard briefings on the situations in Darfur, Abyei and South Sudan, as well as on the relationship between the Sudan and South Sudan. The Council also heard briefings on the implementation of the mandate of the three peacekeeping operations in the region, namely, the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Interim Security Force for Abyei (UNISFA) and the United Nations Mission in South Sudan (UNMISS), and extended their respective mandates.<sup>273</sup> The Council further adjusted the sanctions regime against the Sudan and twice extended the mandate of the Panel of Experts originally appointed pursuant to resolution 1591 (2005).<sup>274</sup> The Council was briefed by the Prosecutor of the International Criminal Court with regard to the situation in Darfur, referred to the Court by resolution 1593 (2005).

### Situation in Darfur, implementation of the mandate of UNAMID and sanctions regime

On 11 January 2012, the Under-Secretary-General for Peacekeeping Operations informed the Council that, following the progress outlined in the latest report of the Secretary-General,<sup>275</sup> the parties to the Doha Document for Peace in Darfur of 14 July 2011<sup>276</sup> had moved ahead with the implementation of the provisions concerning power-sharing and security. The Government of the Sudan and the non-signatory movements had not met and the prospects for resuming talks were unclear. The Secretary-General was developing a road map for peace in Darfur, in cooperation with the African Union. The goal of the road map was to give the two organizations a framework to jointly facilitate talks among the parties in three key areas: support for the implementation of the Doha Document; sustained engagement with the Government and non-signatory movements to promote negotiations; and support for internal dialogue in Darfur.<sup>277</sup>

The representative of South Sudan expressed concern about the security situation in Darfur. He added that this situation had the potential to affect his country and called on the Council to take the wider political and security context into consideration in its discussions.<sup>278</sup> The representative of the Sudan suggested that the Council consider reducing the huge number of personnel in UNAMID, given the signs of stability in Darfur. He also requested the Council to send a clear message to the Government of South Sudan concerning its support to and lack of action against certain rebel movements in Southern Kordofan and Blue Nile States in order to avoid repercussions for the entire region.<sup>279</sup>

On 17 February 2012, the Council unanimously adopted resolution 2035 (2012) in which, acting under Chapter VII of the Charter, it extended the mandate of the Panel of Experts, originally appointed pursuant to resolution 1591 (2005), until 17 February 2013 and

\* Pursuant to the note by the President of the Security Council dated 11 November 2013 (S/2013/657), as from that date the wording of the item "Reports of the Secretary-General on the Sudan" was revised to read "Reports of the Secretary-General on the Sudan and South Sudan".

<sup>271</sup> See S/PV.6797; S/PV.6806; S/PV.6989; and S/PV.7005.

<sup>272</sup> Resolutions 2063 (2012) and 2113 (2013) were not adopted under Chapter VII of the Charter.

<sup>273</sup> For more information on the mandates of UNAMID, UNISFA and UNMISS, see part X, sect. I, "Peacekeeping operations".

<sup>274</sup> For more information concerning the sanctions measures against the Sudan, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter". For more information concerning the mandate of the Panel of Experts, see part IX, sect. I.B, under "Committee established pursuant to resolution 1591 (2005) concerning the Sudan".

<sup>275</sup> S/2011/814.

<sup>276</sup> S/2011/449, enclosure 2.

<sup>277</sup> S/PV.6700, pp. 2-5.

<sup>278</sup> Ibid., p. 5.

<sup>279</sup> Ibid., pp. 5-8.

adjusted the sanctions measures by updating the exemptions to the arms embargo and extending to entities the applicability of the listing criteria set out in resolution [1591 \(2005\)](#).

After the adoption of the resolution, the representative of the Sudan commended the Council for reaffirming that the Darfur conflict could not be resolved by military means. He also appealed to the Council to act on the provisions of resolution [2035 \(2012\)](#) to punish the Justice and Equality Movement (JEM), which was the only armed force remaining active in Darfur and outside the peace process. On the other hand, he was surprised at the inclusion in the resolution of references to ongoing military actions such as aerial bombardments which were events of the past; and delays in the issuance of visas and other impediments to the fulfilment of the Panel's mandate, arguing that such wording undermined the credibility of the Council and the activities of the Panel of Experts and the Committee established pursuant to resolution [1591 \(2005\)](#)<sup>280</sup>

On 26 April 2012, the Under-Secretary-General for Peacekeeping Operations noted that while UNAMID and the United Nations country team were looking at how to support the peace process, the Darfur Regional Authority had raised concerns as to the viability of the process, given the lack of funding from the Government. He also informed the Council of the bleak prospects for the resumption of negotiations between the Government and the non-signatory movements. On the security and operational issues affecting UNAMID, he suggested that UNAMID reconfigure its deployment and reduce the number of its uniformed personnel.<sup>281</sup>

On 24 July 2012, the Joint African Union-United Nations Special Representative for Darfur and Head of UNAMID reported that, despite the notable progress towards the implementation of the Doha Document, mainly on establishing the institutions provided for therein and the associated political appointments, many provisions of the Doha Document had not been implemented even after the stipulated deadlines. He also reported on the recent efforts, in collaboration with Qatar, to relaunch the mediation process between the Government of the Sudan and the non-signatory armed movements, as well as on the assistance of

UNAMID in disseminating the Doha Document to the civilian population. In addition, he referred to the convening of the preparatory All Darfur Stakeholders Conference from 10 to 12 July 2012 by the Darfur Regional Authority, whose main achievement was to provide a forum, inside Darfur and for the first time after the signature of the Doha Document, for Darfuri stakeholders to take stock and recommend the way forward.<sup>282</sup>

The representative of the Sudan explained in detail the efforts undertaken by his Government in implementing the Doha Document and reflected on the latest report of the Secretary-General.<sup>283</sup> In the light of those efforts, he regretted that the draft resolution under consideration<sup>284</sup> did not adequately reflect the progress achieved or condemn the rebel movements that were refusing peace and were committed to the goals of the Sudanese Revolutionary Front to overthrow the Government by force. He strongly objected to the inclusion in the draft resolution of the issue of the Lord's Resistance Army (LRA) in connection with the question of Darfur, arguing that such an inclusion would complicate relations between his Government and UNAMID.<sup>285</sup>

On 31 July 2012, by resolution [2063 \(2012\)](#), the Council extended the mandate of UNAMID for an additional period of 12 months and reduced the number of both military and police personnel. The Council also urged the Government of the Sudan and the Liberation and Justice Movement (LJM) to implement the Doha Document in full; demanded that the non-signatory armed groups refrain from impeding its implementation; urged close coordination among United Nations missions in the region; noted that the request contained in paragraph 19 of resolution [2057 \(2012\)](#) related to the regional threat of LRA and encouraged UNAMID to cooperate and share information in that regard.

The representative of Azerbaijan explained that his delegation's abstention in the voting on the draft resolution was due to some conclusions drawn in resolution [2063 \(2012\)](#) which did not coincide with his country's assessment of the situation on the ground and were not fully reflective of the views of the Secretary-

<sup>280</sup> [S/PV.6716](#), pp. 2-3.

<sup>281</sup> [S/PV.6762](#), pp. 2-4.

<sup>282</sup> [S/PV.6813](#), pp. 2-4.

<sup>283</sup> [S/2012/548](#).

<sup>284</sup> Not circulated as a document of the Security Council.

<sup>285</sup> [S/PV.6813](#), pp. 4-7.

General contained in his recent reports. He also regretted, as did the representative of Pakistan,<sup>286</sup> that the discussions on the draft resolution had not been sufficiently open, inclusive and transparent.<sup>287</sup> The representatives of Guatemala and the Sudan expressed serious reservations regarding paragraph 17 of the resolution, referring to LRA, and argued that the information presented by the Secretariat provided no basis for believing that there was any involvement of LRA in Darfur.<sup>288</sup> The representative of the Sudan criticized the fact that the resolution contained no clear, strong and direct condemnation of the Sudanese Revolutionary Front, which was the primary cause of the instability in Darfur. He also expressed incomprehension about the fact that while the Council called for an exchange of information and cooperation between peacekeeping missions in the region, it did not call on UNMISS to cooperate and exchange views and information concerning the Darfuri rebel groups being harboured by the Government of South Sudan.<sup>289</sup> The representative of Pakistan held that the final text of the resolution could have been improved by a more objective reflection of the issues, such as mentioning the Sudanese Revolutionary Front in the Council resolutions.<sup>290</sup>

On 24 October 2012, the Assistant Secretary-General for Peacekeeping Operations reported that the security situation in Darfur, particularly in the north, had deteriorated significantly, increasing the risk for civilians and threatening the security of the staff of UNAMID. Noting that 15 months after the Doha Document its implementation was lagging considerably, he urged the Government of the Sudan and LJM to demonstrate their commitment to its full and immediate implementation.<sup>291</sup> For his part, the representative of the Sudan considered the signing of a memorandum of understanding on the negotiations with JEM a breakthrough in the Doha peace process, given the latter's prior refusal to do so. He also acknowledged that certain incidents had taken place affecting the security situation in Darfur, which he blamed on elements of the Sudanese Revolutionary Front. He further explained the rationale for the limitation of access to Hashaba in Northern Darfur

imposed by the Government on UNAMID: it was to protect UNAMID staff from attacks by armed movements. He also argued that Israel was providing military support to the rebel movements in Darfur and had carried out an air strike on a military plant in his country on 23 October 2012, interfering in the internal affairs of the Sudan. He added that he expected the Council to condemn the attack, which was a blatant violation of the concept of peace and security and the principles and purposes of the Charter.<sup>292</sup>

On 24 January 2013, the Assistant Secretary-General for Peacekeeping Operations reported on the negotiations in Doha of 20 January 2013 between the Government and a faction of JEM led by Mohammed Bashir, which had resulted in the signing of a framework agreement setting out the basis of the negotiations towards the adoption of the Doha Document. He expressed concern about the increase in hostilities between the Government and armed movements and the rising intercommunal violence in some parts of Darfur. He also reported on the obstruction of access to humanitarian workers and UNAMID by the Government and armed movements. In closing, he emphasized that achieving a comprehensive and sustainable peace in Darfur required the holistic settlement of political and economic issues affecting not only Darfur but also the Sudan as a whole. He underlined the need for all parties, including the armed movements and the Government, to commit themselves to addressing grievances through peaceful dialogue.<sup>293</sup>

The representative of the Sudan highlighted the various steps taken by his Government in the implementation of the Doha Document and explained that most clashes between the Government and rebel movements were strictly tribal clashes in which the Government had intervened only to maintain order. He also reiterated the need for the Council to take all necessary measures, including sanctions, against those who rejected peace among the rebel movements. He deemed it important for the Council to hold Uganda and South Sudan fully responsible for having placed obstacles in the path of the peace process in Darfur by supporting the rebel movements.<sup>294</sup>

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<sup>286</sup> S/PV.6819, p. 3.

<sup>287</sup> Ibid., p. 2.

<sup>288</sup> Ibid., p. 2 (Guatemala); and p. 3 (Sudan).

<sup>289</sup> Ibid., pp. 3-4.

<sup>290</sup> Ibid., p. 3.

<sup>291</sup> S/PV.6851, pp. 2-4.

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<sup>292</sup> Ibid., pp. 4-5.

<sup>293</sup> S/PV.6910, pp. 2-4 and 6.

<sup>294</sup> Ibid., pp. 4-6.

On 14 February 2013, by resolution [2091 \(2013\)](#), adopted unanimously, the Council, acting under Chapter VII of the Charter, extended the mandate of the Panel of Experts until 17 February 2014 and expressed its concern that the direct or indirect supply, sale or transfer to the Sudan of technical assistance and support could be used by the Government of the Sudan to support military aircraft being used in violation of resolutions [1556 \(2004\)](#) and [1591\(2005\)](#).

Following the adoption of the resolution, the representative of the Sudan stated that the concern expressed by the Council regarding the use of technical assistance and support by his Government was based on false premises since the Sudan used its aircraft for purely peaceful, civilian purposes.<sup>295</sup>

On 29 April 2013, the Under-Secretary-General for Peacekeeping Operations focused his briefing on the most recent developments in the peace process and on the security and humanitarian situation further to the latest report of the Secretary-General.<sup>296</sup> He concluded that the situation in Darfur was very troubling and that, while there had been mildly encouraging developments in the peace process, a fully inclusive political settlement had yet to be reached.<sup>297</sup> The representative of the Sudan reported on the actions of his Government to tackle the security situation inside and outside Darfur and highlighted the shortcomings in the work and performance of UNAMID when faced with attacks. He also made a reference to attacks by the Sudan People's Liberation Movement (SPLM)-North in Northern Kordofan and called on the Council to focus on strongly upholding standards by enforcing sanctions against rebel movements that rejected peace.<sup>298</sup>

On 24 July 2013, the Joint African Union-United Nations Special Representative for Darfur updated the Council on the efforts by UNAMID to protect civilians and stated that the security situation in Darfur remained volatile, with continuing fighting between the Government and non-signatory movements. In connection with the recent attacks against UNAMID military personnel, he said that, while questions had been raised about troop strength and effectiveness, he believed that UNAMID had the troop numbers to

implement the mandate and further stated that better training and equipment and more flexibility within its current deployment were required. He welcomed the upcoming extension of troop deployments for a longer duration, which would allow UNAMID to benefit from personnel more familiar with conditions on the ground. As the conflict in Darfur entered the tenth year, he underlined that the only solution to the conflict would be a political one. He further opined that, while the stated intention of the Government of the Sudan to engage in an all-inclusive dialogue with all non-signatory groups without exception was commendable, the Government needed to be encouraged to propose a concrete framework to deliver on that undertaking. He added that those still holding out should be persuaded to start peace talks with the Government of the Sudan without conditions and, for that to happen, the continued support and engagement of the Council was absolutely necessary.<sup>299</sup>

The representative of the Sudan updated the Council on the situation in Darfur and on the implementation of the Doha Document, particularly stressing the efforts made by his Government. With regard to UNAMID, he emphasized the importance that his Government placed on coordination, with a view to safeguarding the safety and security of UNAMID personnel, and said that his Government did not intend to change the mandate of UNAMID or to restrict its movement. He also underlined the need for the mission to be able to defend itself effectively, so as to avoid being easily targeted by rebel groups.<sup>300</sup>

On 30 July 2013, the Council unanimously adopted resolution [2113 \(2013\)](#), in which it extended the mandate of UNAMID for 13 months and urged the signatory parties to implement the Doha Document in full. The Council also welcomed the initiative of the African Union-United Nations Joint Chief Mediator to revitalize the peace process, including through renewed engagement of non-signatory movements, while encouraging him to be mindful of other relevant peace processes, demanded that all parties to the conflict in Darfur immediately end violence and called for all parties to commit themselves to a sustained and permanent ceasefire.

After the adoption of the resolution, the representative of the Sudan echoed the concern of the

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<sup>295</sup> [S/PV.6920](#), p. 2.

<sup>296</sup> [S/2013/225](#).

<sup>297</sup> [S/PV.6956](#), pp. 2-4.

<sup>298</sup> *Ibid.*, pp. 4-6.

<sup>299</sup> [S/PV.7010](#), pp. 2-4.

<sup>300</sup> *Ibid.*, pp. 4-5.

Council over the failure of certain parties to sign the peace agreement and reiterated the position of his Government in favour of finding a solution to the conflict through negotiations and the peace process.<sup>301</sup>

On 23 October 2013, the Joint African Union-United Nations Special Representative for Darfur provided the Council with an overview of the political and security developments in Darfur since July in line with the latest report of the Secretary-General<sup>302</sup> and reported that reductions in the overall troop and police strength of UNAMID were on track for completion by the end of January 2014.<sup>303</sup> The Under-Secretary-General for Peacekeeping Operations appealed to the Government of the Sudan to speedily identify those responsible for the attacks on UNAMID personnel and humanitarian workers and to bring them to justice. He also reported that the Secretariat was working with troop- and police-contributing countries to ensure that uniformed personnel deployed to Darfur, including the new units, were properly equipped, trained and prepared to operate in a very challenging security environment. He further informed the Council of the start of a forward-looking and detailed review which was expected to be presented to the Council in February 2014, as requested in resolution 2113 (2013), with a view to ensuring that UNAMID addressed various issues such as protection of civilians, humanitarian assistance, strengthening the rule of law and human rights and support for the peace process.<sup>304</sup>

The representative of the Sudan affirmed the commitment of his Government to dealing with the abductions and massacres committed by the rebel movements in Darfur against the civilian population and peacekeepers. He questioned, however, the ability of UNAMID military personnel to defend and protect themselves against attacks and to shoulder other tasks to maintain peace in Darfur.<sup>305</sup>

#### **Situation between the Sudan and South Sudan**

In the presidential statement of 6 March 2012, the Council expressed grave concern about reports of repeated incidents of cross-border violence between the Sudan and South Sudan, including troop

movements, support to proxy forces as well as aerial bombardments, and viewed the situation as a serious threat to international peace and security. The Council urged the Government of the Sudan and SPLM-North to resolve the underlying issues that had fuelled the conflict in Southern Kordofan and Blue Nile, to end all violence and to agree to an immediate cessation of hostilities. The Council also strongly urged that the Governments of the Sudan and South Sudan reach agreement on the status of disputed areas along their border, and agree on and swiftly implement a process and timeline for demarcation of the border under the facilitation of the African Union High-level Implementation Panel.<sup>306</sup>

Following the adoption of the presidential statement, the representative of the Sudan characterized it as balanced, but sought to clarify certain facts that might have been omitted. He highlighted that his country intended to resolve all pending questions with South Sudan through negotiations and had cooperated with the Council and the Implementation Panel in that regard. Regarding the humanitarian situation in Southern Kordofan and Blue Nile States, he underlined his country's cooperation with the United Nations, and assessed that the situation in Southern Kordofan was far from reaching the crisis stage and would be improving in the coming days.<sup>307</sup> The representative of South Sudan reiterated the commitment of his country to living side by side in peace with the Sudan and to non-interference in the affairs of other States. He further stated that South Sudan had been unfairly accused of supporting opposition groups fighting the Government of the Sudan, but had not done so. He expressed concern over the humanitarian situation in Southern Kordofan and Blue Nile, and said that South Sudan had extended assistance to the refugees fleeing those States in line with its commitment to the Charter.<sup>308</sup>

On 12 April 2012, the Council adopted a presidential statement in which it expressed its deep and growing alarm at the escalating conflict between the Sudan and South Sudan, as manifested most recently by the seizure and occupation of the town of Heglig and its oil fields in the Sudan by the Sudan People's Liberation Army (SPLA). The Council demanded a complete, immediate and unconditional

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<sup>301</sup> S/PV.7013, p. 2.

<sup>302</sup> S/2013/607.

<sup>303</sup> S/PV.7048, pp. 2-3.

<sup>304</sup> Ibid., pp. 3-4.

<sup>305</sup> Ibid., pp. 4-6.

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<sup>306</sup> S/PRST/2012/5.

<sup>307</sup> S/PV.6730, pp. 4-5.

<sup>308</sup> Ibid., p. 5.

end to all fighting, withdrawal of SPLA from Heglig, end to aerial bombardments by the Sudanese Armed Forces, end to repeated incidents of cross-border violence between the Sudan and South Sudan, and an end to support by both sides to proxies in the other country. The Council also called upon the two Governments urgently and peacefully to resolve the fundamental issues of security and border management, the situations in Southern Kordofan, Blue Nile and Abyei, and all outstanding issues from the Comprehensive Peace Agreement of 9 January 2005 that were fuelling the mistrust between them.<sup>309</sup>

On 2 May 2012, the Council unanimously adopted resolution 2046 (2012) in which, acting under Chapter VII of the Charter, it decided that the Sudan and South Sudan should take a number of actions with immediate effect, unless otherwise specified, in particular, immediately cease all hostilities no later than 48 hours from the adoption of the resolution; unconditionally withdraw all of their armed forces to their side of the border; activate the necessary border security mechanisms; and cease the harbouring of or support to rebel groups against the other State. The Council decided that the Sudan and South Sudan should unconditionally resume negotiations, under the auspices of the African Union High-level Implementation Panel and with the support of the Chairperson of the Intergovernmental Authority on Development, to reach agreement on a number of critical issues, including the final status of the Abyei Area. Furthermore, the Council expressed its intention, in the event that any or all of the parties had not complied with the decisions set forth in the resolution, to take appropriate additional measures under Article 41 of the Charter, as necessary.

After the adoption of the resolution, many Council members expressed concern about the escalation of the conflict between the Sudan and South Sudan. Several speakers welcomed the adoption of the resolution under Chapter VII as a means of creating binding obligations on the two States.<sup>310</sup> While a number of Council members<sup>311</sup> considered the

adoption of resolution 2046 (2012) as a response to and support for the road map for peace adopted by the African Union Peace and Security Council and contained in its communiqué of 24 April 2012,<sup>312</sup> the representative of Pakistan was of the view that the resolution had only selectively reflected the communiqué.<sup>313</sup> The representative of the Sudan stated that the Council had included the issue of Southern Kordofan and Blue Nile under Chapter VII, despite the fact that the African Union Peace and Security Council had not requested this. He further noted that resolution 2046 (2012) did not specify a time frame for resolving the issue of support for and sheltering of proxy rebel and armed groups by South Sudan, in contrast to the deadlines set out for other issues, which his delegation deemed too narrow and impracticable.<sup>314</sup> With regard to the expressed intention to take additional measures under Article 41, the representative of the United States stood ready to impose sanctions as necessary,<sup>315</sup> but a few speakers were cautious about the threat or use of sanctions.<sup>316</sup> The representative of the Sudan said that the African Union Peace and Security Council had not requested the inclusion of such a threat in the resolution.<sup>317</sup> The representative of the Russian Federation stated that any possible future measures under paragraph 6 of resolution 2046 (2012) could not be applied to the issues relating to the situation in Southern Kordofan and Blue Nile. He also said that the language in the resolution welcoming the South Sudanese army's withdrawal from Heglig seemed inappropriate.<sup>318</sup>

By the presidential statement of 31 August 2012, the Council welcomed the progress made by the Governments of the Sudan and South Sudan in negotiations under the auspices of the African Union High-level Implementation Panel to fulfil their obligations under the African Union road map and resolution 2046 (2012). The Council strongly urged the Government of the Sudan to accept the African Union administrative and security map of November 2011 without further delay in order to enable the full activation of the Safe Demilitarized Border Zone and

<sup>309</sup> S/PRST/2012/12.

<sup>310</sup> S/PV.6764, pp. 3-4 (South Africa); pp. 4-5 (Germany); p. 6 (France); and p. 8 (United Kingdom).

<sup>311</sup> Ibid., p. 2 (United States); p. 4 (South Africa, India); p. 5 (Germany, Russian Federation); p. 6 (Colombia, France); p. 7 (Togo); p. 8 (United Kingdom); and p. 9 (Guatemala).

<sup>312</sup> See S/2012/298, enclosure.

<sup>313</sup> S/PV.6764, pp. 8-9.

<sup>314</sup> Ibid., p. 11.

<sup>315</sup> Ibid., p. 3.

<sup>316</sup> Ibid., p. 5 (Russian Federation); p. 7 (Morocco); and p. 8 (Pakistan).

<sup>317</sup> Ibid., pp. 11-12.

<sup>318</sup> Ibid., p. 5.

the Joint Border Verification and Monitoring Mechanism.<sup>319</sup>

On 23 August 2013, the Council adopted a presidential statement in which it expressed its continued support for the efforts of the African Union to facilitate the Sudan's and South Sudan's implementation of their bilateral agreements and compliance with the requirements of the African Union road map and resolution 2046 (2012) and welcomed the extension of the mandate of the Implementation Panel. The Council also urged the Governments of the two States to maintain dialogue to ensure continued transportation of oil from South Sudan, and urged the Government of the Sudan to suspend any actions to halt the transportation of oil from South Sudan. The Council further called upon the Government of the Sudan and SPLM-North to cease hostilities and engage in direct talks to end the conflict in Southern Kordofan and Blue Nile.<sup>320</sup>

The representative of the Sudan regretted that his Government and SPLA-North had been placed on an equal footing in the paragraph addressing the situation in Southern Kordofan and Blue Nile States and said that the Council should have condemned the position of SPLA-North and referred to other rebel groups that supported it as they had terrorized civilians and exposed them to killing and displacements in those states.<sup>321</sup> The representative of South Sudan was pleased with the progress made with the Government of the Sudan on the implementation of the cooperation agreements of 27 September. He also called on the Council members to exert efforts to ensure the holding of a referendum on Abyei in the two countries in a timely manner.<sup>322</sup>

#### **Situation in Abyei and mandate of UNISFA**

By resolution 2047 (2012) of 17 May 2012, the Council extended the mandate of UNISFA for six months and, acting under Chapter VII of the Charter, renewed the authorization of the use of force by UNISFA. The Council also welcomed the redeployment of South Sudanese military and police personnel from the Abyei Area in compliance with resolution 2046 (2012). In addition, the Council

demanded that the Government of the Sudan redeploy all remaining military and police personnel from the Abyei Area immediately and without preconditions and that the Sudan and South Sudan urgently finalize the establishment of the Abyei Area Administration and constitute the Abyei Police Service. The Council further urged the Sudan and South Sudan to make regular use of the Abyei Joint Oversight Committee to ensure steady progress on the implementation of the Agreement of 20 June 2011.

On 16 November 2012, the Council unanimously adopted resolution 2075 (2012) in which it extended the mandate of UNISFA until 31 May 2013 and renewed the authorization of the use of force by UNISFA under Chapter VII of the Charter. The Council also welcomed the redeployment of Sudanese military and South Sudanese military and police personnel from the Abyei Area in compliance with resolution 2046 (2012) and urged the parties urgently to activate the Joint Border Verification and Monitoring Mechanism, establish the Safe Demilitarized Border Zone and finalize a timeline for the redeployment of all armed forces to their side of the border, and called upon both parties to reconvene at the earliest opportunity and to reach agreement without further delay.

Following the adoption of the resolution, the representative of Pakistan emphasized that the resolution should have referred to the communiqué of 3 August 2012<sup>323</sup> of the African Union Peace and Security Council.<sup>324</sup> The representative of the Sudan commended the language of the resolution urging both countries to engage in negotiations to resolve the situation in Abyei, but drew attention to the fact that the imposition of any coercive or unilateral settlement which did not take into account the sensitivities of the population and communities in Abyei would not achieve peace, security or stability in the region. The representative of the Sudan held that resolving the final status of Abyei was a crucial component of the lasting peace and stability in the region and stressed that his Government fully accepted the recommendation by the African Union Peace and Security Council and the Implementation Panel calling for a referendum to be conducted in October 2013.<sup>325</sup>

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<sup>319</sup> S/PRST/2012/19.

<sup>320</sup> S/PRST/2013/14.

<sup>321</sup> S/PV.7022, p. 3.

<sup>322</sup> Ibid., p. 4.

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<sup>323</sup> S/2012/624.

<sup>324</sup> S/PV.6864, p. 2.

<sup>325</sup> Ibid., p. 3.



On 29 May 2013, the Council unanimously adopted resolution [2104 \(2013\)](#), in which it extended the mandate of UNISFA for another six months, renewed the authorization of the use of force by UNISFA under Chapter VII of the Charter and increased the authorized troop ceiling for the Force to enable it to support fully the Joint Border Verification and Monitoring Mechanism. The Council welcomed the establishment and commencement of effective operations of the Mechanism and called upon the Governments of the Sudan and South Sudan to make timely and effective use of the agreed joint mechanisms to ensure the security and transparency of the Safe Demilitarized Border Zone. The Council also welcomed the decision of the Abyei Joint Oversight Committee of 3 May 2013 reiterating Abyei's status as a weapons-free area, and urged the two Governments to take all necessary steps to ensure that Abyei was effectively demilitarized.

After the adoption of the resolution, the representatives of the Sudan and South Sudan welcomed the increase in the troop ceiling of UNISFA.<sup>326</sup> The representative of the Sudan further expressed hope that UNISFA would monitor the Safe Demilitarized Border Zone and prevent the infiltration of any rebel elements and the channelling or transfer of arms from South Sudan.<sup>327</sup> While the representative of South Sudan regretted that with regard to the final status of Abyei the Sudan continued to reject the proposal of the Implementation Panel, the representative of the Sudan recalled that both parties had signed the Abyei Protocol and opined that running counter to that agreement would be illogical and unacceptable. He held that, according to the Abyei Protocol, Abyei constituted an integral part of the territory of the Sudan and that its residents were Sudanese citizens.<sup>328</sup>

On 25 November 2013, the Council adopted resolution [2126 \(2013\)](#), in which, noting that the continued delay in establishing the temporary institutions and resolving the final status of Abyei contributed to tension in the region, and emphasizing the importance of all parties refraining from any unilateral action to aggravate intercommunal relations within the Abyei Area, it extended the mandate of UNISFA for another six months and renewed the

authorization of the use of force by UNISFA under Chapter VII of the Charter. The Council also welcomed the creation of the African Union Border Programme Technical Team to determine conclusively the centreline on the ground of the Safe Demilitarized Border Zone, and urged the Sudan and South Sudan to immediately resume the work of the Abyei Joint Oversight Committee and to take steps to implement confidence-building measures among the respective communities in the Abyei Area.

After the adoption of the resolution, the representative of South Sudan explained to the Council the historical background behind the case of Abyei as well as the backdrop of the unilateral referendum held in October 2011, which he argued demonstrated the maturity and capacity for self-governance of the Ngok Dinka community.<sup>329</sup> The representative of the Sudan, on the other hand, confirmed his Government's commitment to the provisions of the Abyei Protocol requiring the holding of a regional referendum but maintained that it would be unacceptable for the referendum to be held unilaterally. He asserted that the delay in establishing temporary administrative institutions in Abyei was exacerbating tensions and obstructing the way for the two Governments to agree on the final status.<sup>330</sup>

#### **Briefings by the Prosecutor of the International Criminal Court**

From 5 June 2012 to 11 December 2013, the Council was briefed on four occasions by the Prosecutor of the International Criminal Court. In those biannual briefings, the Prosecutor outlined the activities of the Court in connection with the referral of the situation in Darfur by resolution [1593 \(2005\)](#), highlighting the lack of cooperation on the part of the Government of the Sudan, particularly its failure to arrest and surrender the four indictees, including the President of the Sudan, Omar al-Bashir.<sup>331</sup>

The representative of the Sudan repeatedly stated that his country was not a party to the Rome Statute and was therefore not bound by it. He argued that the Council's referral of the internal conflict in Darfur to the Court was not based on any sound logic since it

<sup>326</sup> [S/PV.6970](#), p. 2 (South Sudan); and pp. 3-4 (Sudan).

<sup>327</sup> *Ibid.*, p. 4.

<sup>328</sup> *Ibid.*, p. 2 (South Sudan); and pp. 3-4 (Sudan).

<sup>329</sup> [S/PV.7067](#), pp. 2-4.

<sup>330</sup> *Ibid.*, pp. 4-5.

<sup>331</sup> [S/PV.6778](#), pp. 2-4 and 19; [S/PV.6887](#), pp. 2-4;

[S/PV.6974](#), pp. 2-4; and [S/PV.7080](#), pp. 2-4 and 17.

was not a threat to international or regional peace and security and was a mistaken decision, based on merely political motives. He also criticized the statements by the Prosecutor and considered the activities of the Court as biased. He described the national efforts, such as the establishment of special courts, to implement the Doha Document for Peace in Darfur with regard to combating impunity.<sup>332</sup>

Throughout the discussions, many Council members regretted the continuing violence in Darfur and emphasized the importance of reaching a peaceful and political settlement to the situation, urging the implementation of the Doha Document. A number of Council members also regretted the failure of the Sudan as well as other States to act on arrest warrants of the Court. Some emphasized that such an obligation arose not only from the Rome Statute but also from resolution 1593 (2005) adopted under Chapter VII of the Charter,<sup>333</sup> while others reminded the Council of the position of the African Union, the League of Arab States, the Organization of Islamic Cooperation and the Non-Aligned Movement concerning the decision of the Court to indict President Al-Bashir.<sup>334</sup> The representative of South Africa said that some Council members had reserved the right not to cooperate with the Court, raising serious questions about the credibility of the process.<sup>335</sup> Furthermore, in calling for action by the Council to assist the Court, a few delegations suggested the utilization of the sanctions regime against the Sudan to address the lack of cooperation with the Court.<sup>336</sup> The representative of India argued against the proposal by the Prosecutor to create new obligations for States and regional organizations that were not parties to the Rome Statute

to effect the arrest warrants.<sup>337</sup> The representative of the Russian Federation opined that while a search for a new approach to the problem of combating impunity was required, invoking enforcement capacities under Chapter VII of the Charter with a view to carrying out the arrest warrants was unlikely to solve problems arising for the Court in the Sudan.<sup>338</sup> The representative of Pakistan cautioned against the utilization of peacekeeping mandates for the objectives of the Court.<sup>339</sup>

#### **Situation in South Sudan, relations between the Sudan and South Sudan and mandate of UNMISS**

On 5 July 2012, the Council unanimously adopted resolution 2057 (2012) in which, acting under Chapter VII of the Charter, it extended the mandate of UNMISS for one year, called upon the Government of South Sudan to take greater responsibility for the protection of its civilians, and expressed deep concern at the intercommunal violence in Jonglei State.

Following the adoption of the resolution, the representative of South Sudan stressed that the protection of civilians was the highest priority on his Government's agenda and welcomed the Council's acknowledgement of their efforts in that area over the past year. He further maintained that the domestic challenges were linked to the ongoing challenges in bilateral relations with the Sudan. While noting the concern of the international community regarding the decision of his Government to halt the production of oil, he explained that it had been necessary in order to ensure a just outcome for the people of South Sudan in the longer term, in the light of clear evidence that shipments of South Sudan oil had been seized illegally and that payments had been withheld.<sup>340</sup>

On 28 November 2012, the Under-Secretary-General for Peacekeeping Operations, in his briefing, regretted that, while tensions between the Sudan and South Sudan had eased with the signing of the agreements on cooperation and security arrangements on 27 September 2012, their sluggish implementation could negatively affect the economic stability of South Sudan. He was also concerned that intercommunity tensions remained high in the border regions and that

<sup>332</sup> S/PV.6778, pp. 4-7 and 19; S/PV.6887, pp. 4-6; S/PV.6974, pp. 17-18; and S/PV.7080, pp. 4-5.

<sup>333</sup> S/PV.6778, pp. 11-12 (France); and p. 14 (Colombia); S/PV.6887, p. 11 (France); and p. 13 (Colombia); and S/PV.6974, p. 4 (Luxembourg); p. 12 (Argentina); and p. 16 (Australia).

<sup>334</sup> S/PV.6778, p. 8 (Morocco); p. 14 (Pakistan); and p. 19 (China); S/PV.6887, p. 13 (China); and p. 17 (Morocco); S/PV.6974, p. 6 (Rwanda); p. 13 (Pakistan); p. 14 (Morocco); and p. 15 (China); and S/PV.7080, p. 7 (China); and p. 14 (Morocco); pp. 14-15 (Rwanda); and p. 15 (Togo).

<sup>335</sup> S/PV.6887, p. 10.

<sup>336</sup> Ibid., p. 11 (France); S/PV.6974, p. 9 (France); and p. 16 (Australia); and S/PV.7080, p. 9 (Luxembourg); and p. 11 (Australia).

<sup>337</sup> S/PV.6778, p. 18; and S/PV.6887, pp. 12-13.

<sup>338</sup> S/PV.6778, p. 17.

<sup>339</sup> S/PV.7080, p. 6.

<sup>340</sup> S/PV.6800, pp. 2-3.

instability persisted in Jonglei and the tri-state area of Unity, Warrap and Lakes States. He updated the Council on the status of the establishment of national institutions and the implementation of the human rights agenda and called upon the Government of South Sudan to rescind its decision to expel a senior human rights officer of UNMISS, in clear violation of the Charter and the status-of-forces agreement.<sup>341</sup> The representative of South Sudan held that on the issue of Abyei the deadline established by the African Union Peace and Security Council was approaching and affirmed that his country was eager to implement the security mechanisms without further delay. He also said that his country was preparing for the resumption of oil production and the transport of oil through the Sudan and expressed concern over the humanitarian impact of the conflict in Southern Kordofan and Blue Nile and over the situation in Jonglei. With regard to the expulsion of the UNMISS human rights officer, he maintained that South Sudan had acted consistently with the status-of-forces agreement and stressed that his country accepted human rights reporting as an integral component of the work of the Mission.<sup>342</sup>

On 21 March 2013, the Special Representative of the Secretary-General for South Sudan and Head of UNMISS stated that relations with the Sudan had remained tense, although recent agreements on the implementation of the cooperation agreements of 27 September could significantly improve the situation. She also reported that, with the start of the oil production, an easing of some of the economic austerity measures would help to create an environment conducive to progress on other crucial political and security issues. She also acknowledged that internal security challenges in Jonglei and Upper Nile and Unity States continued to pose grave threats to the civilians. She informed the Council that recent violence in Jonglei and Western Bahr el-Ghazal had highlighted the importance of the mandate for protection of civilians of UNMISS, as civilians fleeing from intercommunal violence and clashes between the Government and SPLA were seeking refuge in the bases of UNMISS. She also reported on the threats to the freedom of expression and human rights, as well as on the challenging humanitarian situation, the review process of the Transitional Constitution and the status

of security sector reform, including the police.<sup>343</sup> The representative of South Sudan affirmed that the constitutional review process was a critical ingredient for effective peacebuilding and informed the Council that his Government had begun the necessary planning for the 2014 census and the 2015 elections. He further confirmed that his Government maintained the policy of seeking peace with rebel militias, which had resulted in the absorption of many groups into SPLA. He also touched upon the relations between his country and the Sudan, including the issue of the determination of the final status of Abyei, which, it had been agreed, would be dealt with at the level of the two Presidents.<sup>344</sup>

On 8 July 2013, the Council heard a briefing by the Special Representative of the Secretary-General on the developments in South Sudan. She reported on the security situation in Jonglei, particularly in the south-east, where fighting between SPLA and the David Yau Yau armed group had resulted in the displacement of thousands of civilians and the deterioration of the security situation in parts of South Sudan. She also reported that intercommunal violence continued in the tri-state area. She informed the Council that UNMISS was facing enormous operational challenges due to critical resource and capacity gaps, which was having an especially detrimental effect on its ability to protect civilians.<sup>345</sup> The representative of South Sudan stated that the past two years since independence had been very difficult for his country. While he noted that intracommunal violence in various states and the ongoing tensions with the Sudan had severely constrained his Government's ability to improve its capacity for the delivery of basic services, respect for human rights, the protection of civilians and the provision of peace dividends, he affirmed his Government's determination to address those challenges with the support of the international community.<sup>346</sup>

On 11 July 2013, the Council unanimously adopted resolution [2109 \(2013\)](#), in which, acting under Chapter VII of the Charter, it extended the mandate of UNMISS until 15 July 2014, underscored the Mission's protection of civilians mandate and welcomed the intention of the Secretary-General that

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<sup>341</sup> [S/PV.6874](#), pp. 2-4.

<sup>342</sup> *Ibid.*, pp. 4-7.

<sup>343</sup> [S/PV.6938](#), pp. 2-5.

<sup>344</sup> *Ibid.*, pp. 5-6.

<sup>345</sup> [S/PV.6993](#), pp. 2-5.

<sup>346</sup> *Ibid.*, pp. 5-6.

UNMISS would geographically reconfigure its military and asset deployment so as to focus on volatile high-risk areas and associated protection requirements. The Council demanded that the Government of South Sudan refrain from placing restrictions on the movements of UNMISS, and in that regard strongly condemned all attacks on UNMISS troops and staff.

Following the adoption of the resolution, the representative of South Sudan welcomed the renewal of the mandate of UNMISS and the Council's encouragement to UNMISS to geographically reconfigure its military deployment.<sup>347</sup>

On 18 November 2013, the Special Representative of the Secretary-General highlighted three emerging trends concerning the situation in South Sudan: the country had made progress in some key areas; the situation in parts of Jonglei continued to be worrying, despite intermittent calm during the major part of the rainy season; and the behaviour of security forces continued to be of concern, with regard to human rights abuses and the incidents of violence and harassment affecting United Nations personnel.<sup>348</sup> The representative of South Sudan reported that the President, Salva Kiir, had downsized and restructured the Government in July in order to ensure better delivery of services to the citizens. He also reported that the political climate in the country was already vibrant in anticipation of the 2015 elections. On the situation in Jonglei, he said that the President had launched a national reconciliation process to end the vicious cycles of intercommunal violence dating back many years. He deeply regretted the character and the number of violations against the status-of-forces agreement, which did not reflect his Government's policies or aspirations. He also recognized the need for UNMISS to increase its presence and patrolling and fully accepted the requirement that UNMISS needed

unhindered access across the territory to fulfil its mandate.<sup>349</sup>

On 24 December 2013, the Council unanimously adopted resolution [2132 \(2013\)](#) in which, expressing grave alarm and concern regarding the rapidly deteriorating security and humanitarian crisis in South Sudan resulting from the political dispute and subsequent violence caused by the country's political leaders, and acting under Chapter VII of the Charter, it called for an immediate cessation of hostilities and the immediate opening of a dialogue and endorsed the recommendation made by the Secretary-General to temporarily increase the overall force levels of UNMISS to support its protection of civilians and provision of humanitarian assistance.

Following the adoption of the resolution, the Secretary-General reported that the displacement of civilians was growing and spreading, amid reports of ethnically targeted violence, with some 45,000 people seeking protection at the bases of UNMISS. He called for a peaceful political solution to the political crisis and welcomed the urgency and collective resolve of the Council to ensure a timely deployment of additional troops and enablers for UNMISS to carry out its mandate.<sup>350</sup> The representative of South Sudan stated that his country was experiencing a period of complex internal conflict threatening large sections of its population. He expressed deep appreciation for the proactive response by the Secretary-General and the Council in addressing the crisis and recalled that President Kiir had called for an immediate end to violence and ethnic targeting and all illegal activities and on former Vice-President Riek Machar and the forces supporting him to rise to the challenge of peace, unity and nation-building.<sup>351</sup>

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<sup>347</sup> [S/PV.6998](#), pp. 2-3.

<sup>348</sup> [S/PV.7062](#), pp. 2-5.

<sup>349</sup> *Ibid.*, pp. 5-7.

<sup>350</sup> [S/PV.7091](#), pp. 2-3.

<sup>351</sup> *Ibid.*, pp. 3-4.

## Meetings: reports of the Secretary-General on the Sudan and South Sudan

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6700</a> 11 January 2012	Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (UNAMID) ( <a href="#">S/2011/814</a> )		South Sudan, Sudan	Under-Secretary-General for Peacekeeping Operations	All invitees	
<a href="#">S/PV.6716</a> 17 February 2012		Draft resolution submitted by United States ( <a href="#">S/2012/97</a> )	Sudan		Sudan	Resolution <a href="#">2035 (2012)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.6730</a> 6 March 2012			South Sudan, Sudan		All invitees	<a href="#">S/PRST/2012/5</a>
<a href="#">S/PV.6749</a> 12 April 2012						<a href="#">S/PRST/2012/12</a>
<a href="#">S/PV.6762</a> 26 April 2012	Report of the Secretary-General on UNAMID ( <a href="#">S/2012/231</a> )			Under-Secretary-General for Peacekeeping Operations	Under-Secretary-General for Peacekeeping Operations	
<a href="#">S/PV.6764</a> 2 May 2012		Draft resolution submitted by France, Germany, South Africa, Togo, United Kingdom, United States ( <a href="#">S/2012/279</a> )	South Sudan, Sudan		All Council members, all invitees	Resolution <a href="#">2046 (2012)</a> 15-0-0 (adopted under Chapter VII of the Charter)

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6773</a> 17 May 2012		Draft resolution submitted by United States ( <a href="#">S/2012/327</a> )				Resolution <a href="#">2047 (2012)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.6778</a> 5 June 2012			Sudan	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.6800</a> 5 July 2012	Report of the Secretary-General on South Sudan ( <a href="#">S/2012/486</a> )	Draft resolution submitted by United States ( <a href="#">S/2012/514</a> )	South Sudan		South Sudan	Resolution <a href="#">2057 (2012)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.6813</a> 24 July 2012	Report of the Secretary-General on UNAMID ( <a href="#">S/2012/548</a> )		Sudan	Joint African Union-United Nations Special Representative for Darfur and Head of UNAMID	All invitees	
<a href="#">S/PV.6819</a> 31 July 2012	Report of the Secretary-General on UNAMID ( <a href="#">S/2012/548</a> )	Draft resolution submitted by France, Germany, United Kingdom, United States ( <a href="#">S/2012/582</a> )	Sudan		Azerbaijan, Guatemala, Pakistan, Sudan	Resolution <a href="#">2063 (2012)</a> 14-1-0 <sup>a</sup>
<a href="#">S/PV.6827</a> 31 August 2012	Letter dated 10 August 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/624</a> )					<a href="#">S/PRST/2012/19</a>

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6851</a> 24 October 2012	Report of the Secretary-General on UNAMID ( <a href="#">S/2012/771</a> )		Sudan	Assistant Secretary-General for Peacekeeping Operations	All invitees	
<a href="#">S/PV.6864</a> 16 November 2012	Report of the Secretary-General on the situation in Abyei ( <a href="#">S/2012/722</a> )	Draft resolution submitted by United Kingdom, United States ( <a href="#">S/2012/844</a> )	South Sudan, Sudan		Pakistan, all invitees	Resolution <a href="#">2075 (2012)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.6874</a> 28 November 2012	Report of the Secretary-General on South Sudan ( <a href="#">S/2012/820</a> )		South Sudan	Under-Secretary-General for Peacekeeping Operations	All invitees	
<a href="#">S/PV.6887</a> 13 December 2012			Sudan	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.6910</a> 24 January 2013	Report of the Secretary-General on UNAMID ( <a href="#">S/2013/22</a> )		Sudan	Assistant Secretary-General for Peacekeeping Operations	All invitees	
<a href="#">S/PV.6920</a> 14 February 2013		Draft resolution submitted by Australia, France, Luxembourg, United Kingdom, United States ( <a href="#">S/2013/92</a> )	Sudan		Sudan	Resolution <a href="#">2091 (2013)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.6938</a> 21 March 2013	Report of the Secretary-General on the United Nations Mission in South Sudan (UNMISS) ( <a href="#">S/2013/140</a> )		South Sudan (Undersecretary of the Ministry of Foreign Affairs and International Cooperation)	Special Representative of the Secretary-General for South Sudan and Head of UNMISS	All invitees	
<a href="#">S/PV.6956</a> 29 April 2013	Report of the Secretary-General on UNAMID ( <a href="#">S/2013/225</a> )		Sudan	Under-Secretary-General for Peacekeeping Operations	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6970</a> 29 May 2013	Report of the Secretary-General on the situation in Abyei ( <a href="#">S/2013/294</a> )	Draft resolution submitted by Republic of Korea, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/318</a> )	South Sudan, Sudan		All invitees	Resolution <a href="#">2104 (2013)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.6974</a> 5 June 2013			Sudan	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.6993</a> 8 July 2013	Report of the Secretary-General on South Sudan ( <a href="#">S/2013/366</a> )		South Sudan	Special Representative of the Secretary-General		
<a href="#">S/PV.6998</a> 11 July 2013	Report of the Secretary-General on South Sudan ( <a href="#">S/2013/366</a> )	Draft resolution submitted by Australia, Luxembourg, Republic of Korea, United States ( <a href="#">S/2013/404</a> )	South Sudan		South Sudan	Resolution <a href="#">2109 (2013)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.7010</a> 24 July 2013	Report of the Secretary-General on UNAMID ( <a href="#">S/2013/420</a> )		Sudan	Joint African Union-United Nations Special Representative for Darfur	All invitees	
<a href="#">S/PV.7013</a> 30 July 2013	Report of the Secretary-General on UNAMID ( <a href="#">S/2013/420</a> )	Draft resolution submitted by Rwanda, Togo, United Kingdom ( <a href="#">S/2013/448</a> )	Sudan		Sudan	Resolution <a href="#">2113 (2013)</a> 15-0-0
<a href="#">S/PV.7022</a> 23 August 2013			South Sudan, Sudan		All invitees	<a href="#">S/PRST/2013/14</a>



<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7048</a> 23 October 2013	Report of the Secretary-General on UNAMID ( <a href="#">S/2013/607</a> )		Sudan	Joint African Union-United Nations Special Representative for Darfur, Under-Secretary-General for Peacekeeping Operations	All invitees	
<a href="#">S/PV.7062</a> 18 November 2013	Report of the Secretary-General on South Sudan ( <a href="#">S/2013/651</a> )		South Sudan	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.7067</a> 25 November 2013	Report of the Secretary-General on the situation in Abyei ( <a href="#">S/2013/577</a> )	Draft resolution submitted by the United States ( <a href="#">S/2013/682</a> )	South Sudan, Sudan			Resolution <a href="#">2126 (2013)</a> 15-0-0 (adopted under Chapter VII of the Charter)
<a href="#">S/PV.7080</a> 11 December 2013			Sudan	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.7091</a> 24 December 2013	Letter dated 23 December 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/758</a> )	Draft resolution submitted by Australia, France, Luxembourg, Republic of Korea, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/760</a> )	South Sudan		Secretary-General, South Sudan	Resolution <a href="#">2132 (2013)</a> 15-0-0 (adopted under Chapter VII of the Charter)

*Note:* Pursuant to the note by the President of the Security Council dated 11 November 2013 ([S/2013/657](#)), as from that date, the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

<sup>a</sup> *For:* China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo, United Kingdom, United States;

*Abstaining:* Azerbaijan.

### 13. Peace consolidation in West Africa

#### Overview

During the period under review, the Security Council held eight meetings on peace consolidation in West Africa, and adopted one resolution and one presidential statement concerning piracy in the Gulf of Guinea. The Council heard five briefings by the Special Representative of the Secretary-General for West Africa and Head of the United Nations Office for West Africa (UNOWA), who presented the reports of the Secretary-General on the activities of the Office.<sup>352</sup> The Council in its deliberations focused on political and economic challenges facing the subregion, including recent developments concerning electoral crises, seizures of power, security and the rule of law, refugees, illicit drug traffic, youth unemployment, terrorism, transnational organized crime and maritime insecurity in the Gulf of Guinea, as well as the role of UNOWA in addressing those issues.

#### Briefings on the activities of UNOWA and developments in the Sahel region

On 16 January 2012, the Council was briefed by the Special Representative of the Secretary-General for West Africa and Head of UNOWA, who provided an overview of the latest developments and challenges in West Africa, including the activities undertaken by UNOWA. Reporting on the positive developments in West Africa, he noted that there had not been recurrence of open conflict in the subregion and said that tensions related to internal institutional or political crises had decreased in both number and intensity. In addition, he stated that a number of countries of the subregion had held elections that were judged credible by the international community, thereby averting potential electoral crises and any resulting destabilization. He paid tribute to all stakeholders in West Africa for their efforts in consolidating stability in the subregion and welcomed the role of the United Nations in supporting such efforts. He, however, cautioned that progress in the region remained tenuous, citing a number of challenges, such as the recent events in Guinea-Bissau, the activities of the Boko Haram group in Nigeria and the Libyan crisis, as well as drug trafficking and organized crime. He drew attention to

the re-emergence of transborder threats, and indicated that the significant increase in the number of acts of piracy in the Gulf of Guinea posed a fresh threat to the security and development of the States of the region. He informed the Council that UNOWA would continue to mobilize the United Nations system and strengthen its partnerships with regional and subregional organizations, particularly the Economic Community of West African States (ECOWAS), the Mano River Union and the African Union, and civil society, especially women, in order to better consolidate the achievements that had been made in West Africa.<sup>353</sup>

On 11 July 2012, the Special Representative of the Secretary-General in his briefing introduced the ninth report of the Secretary-General on the activities of UNOWA and reported on, among other challenges, the vulnerable situation in the Sahel region, notably in Mali,<sup>354</sup> on the evolving phenomenon of piracy and armed robbery at sea in the Gulf of Guinea and on the upsurge of violence at the border between Liberia and Côte d'Ivoire. He expressed confidence that the forthcoming African Union summit meeting in Addis Ababa would help in reaching a consolidated African position on the way forward in addressing the situation in the Sahel and emphasized that such a common position would inform the much-needed concerted and coordinated efforts on the Sahel. He further explained that UNOWA and the Dakar-based United Nations agencies would support the development of a comprehensive regional strategy on key priorities in the security, political, human rights, humanitarian and development realms in support of the countries of the region, consistent with the demand of the Council in resolution 2056 (2012). He underlined the need to continue pursuing strategies and resources to eradicate activities of drug cartels and other criminal networks, as well as efforts to prevent election-related tension and violence in West Africa.<sup>355</sup>

The Executive Director of the United Nations Office on Drugs and Crime (UNODC) reported that West Africa represented a key challenge to UNODC, owing to increased drug trafficking, signs of drug production, growing drug consumption, as well as

<sup>352</sup> For more information on the mandate of UNOWA, see part X, sect. II, "Political and peacebuilding missions".

<sup>353</sup> S/PV.6703, pp. 2-4.

<sup>354</sup> For more information on this subject, see part I, sect. 16, "The situation in Mali".

<sup>355</sup> S/PV.6804, pp. 2-4.

piracy and insecurity. He indicated that West Africa was no longer simply a transit route for cocaine, but had become a final destination which had resulted in a greater need for prevention and treatment of drug users.<sup>356</sup> He said that UNODC was reviewing possible links between terrorism and transnational organized crime. He outlined the initiatives of UNODC in addressing those challenges, such as building political commitment through regional platforms, developing inter-agency approaches and delivering solutions through its integrated regional programmes.<sup>357</sup>

On 25 January 2013, the Special Representative of the Secretary-General presented the tenth report of the Secretary-General on the activities of UNOWA and briefed the Council on the continued challenges to governance, peace consolidation and conflict prevention facing the region. He reported on the ongoing crisis in Mali, the evolving threat posed by piracy and armed robbery at sea in the Gulf of Guinea, and the tensions along the borders of Liberia and Côte d'Ivoire. He detailed the activities and good offices efforts of UNOWA in liaison with its regional partners, in particular ECOWAS and the Mano River Union, as well as with the African Union. He finally drew attention to the significant progress achieved in the demarcation of the boundary between Cameroon and Nigeria facilitated by the United Nations.<sup>358</sup>

On 10 July 2013, the Special Representative of the Secretary-General, in his briefing, recalled the continued political and security as well as humanitarian challenges affecting the subregion, such as election-related tensions, transnational organized crime, piracy and terrorism, as well as food insecurity and malnutrition. In addition to recalling the threats affecting the region covered in previous briefings, he reported on the positive developments in Mali and Guinea which had led to agreements between the parties in conflict, thereby paving the way for the holding of elections in the two countries.<sup>359</sup>

On 17 December 2013, the Special Representative of the Secretary-General informed the Council that during the second half of 2013 the region had continued to move forward along the path of

stability, and commended the commitment of the leaders and peoples of the region. He reported that legislative elections had been held in Togo, Guinea and Mauritania and the post-electoral challenge in Ghana had been brought to an end following the decision of the Supreme Court. Concerning the activities of UNOWA, he noted that the Office continued to focus on carrying out its mandate through actions aimed at preventing conflicts and crises by supporting good offices, mediation and facilitation efforts. He updated the Council on the progress achieved on the border demarcation process between Cameroon and Nigeria as well as on the Mano River basin regarding the tensions at the border between Liberia and Côte d'Ivoire. With respect to the Sahel, he informed the Council of the positive momentum for the coordinated and integrated implementation of the United Nations strategy for the Sahel under the overall leadership of the Special Representative of the Secretary-General for the Sahel.<sup>360</sup> He reported further on activities by UNOWA and other regional organizations relating to the fight against the threat of piracy and armed robbery at sea in the Gulf of Guinea, security sector reform, combating drug trafficking and organized crime, as well as terrorism. In closing, he acknowledged that, despite the efforts made by countries of the region and their people, the region remained fragile and required ongoing international support.<sup>361</sup>

### **Piracy in the Gulf of Guinea**

On 27 February 2012, the Under-Secretary-General for Political Affairs briefed the Council on the report of the mission dispatched to the Gulf of Guinea by the Secretary-General from 7 to 24 November 2011,<sup>362</sup> whose main objective was to assess the scope of the threat of piracy in the region and to take stock of national and regional efforts being made to ensure maritime safety and security in the region, as well as to make recommendations for a possible United Nations response. He expressed concern that the threat of piracy had become more alarming as the activities of the pirates had become more violent. Detailing the findings of the assessment mission, he said that, according to the report, piracy in the Gulf of Guinea

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<sup>356</sup> For more information on this topic, see part I, sect. 14, "Peace and security in Africa".

<sup>357</sup> S/PV.6804, pp. 4-6.

<sup>358</sup> S/PV.6911, pp. 2-5.

<sup>359</sup> S/PV.6995, pp. 2-5.

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<sup>360</sup> For more information on the United Nations integrated strategy for the Sahel, see part I, sect. 14, "Peace and security in Africa".

<sup>361</sup> S/PV.7087, pp. 2-5.

<sup>362</sup> S/2012/45.

had become more systematic, with the pirates resorting to sophisticated modes of operation and utilization of heavy weapons. He stressed that countries in the Gulf of Guinea required a united front to respond effectively to the growing threat of piracy along their coasts. He pointed out that the assessment mission had recommended that countries in the Gulf of Guinea should convene a regional summit to develop a comprehensive anti-piracy strategy for the region. While welcoming the support provided by the international community to strengthen the maritime security capacities of countries in the Gulf of Guinea, he asserted that more needed to be done and advocated for concrete steps to eradicate piracy in the Gulf of Guinea.<sup>363</sup>

In his statement, the Special Representative of the Chairman of the ECOWAS Commission presented the challenges faced, as well as the initiatives launched by States members of ECOWAS in addressing the issue of piracy in the region. He urged all parties concerned to “scale up efforts” to develop a more comprehensive framework that involved all parties to ensure a holistic approach to maritime security, in close cooperation with the United Nations.<sup>364</sup>

The representative of the Gulf of Guinea Commission welcomed the report of the mission and referred to some of the activities undertaken by the Commission and ECOWAS on maritime safety and security in the region. She commented on the insufficiency of the existing legal framework for dealing with piracy in the region and emphasized the need for a common definition of acts of piracy and for harmonized legislation against piracy in the region.<sup>365</sup>

Council members welcomed the report of the assessment mission and expressed concern regarding the threat to peace and security, as well as to socioeconomic development, posed by piracy in the Gulf of Guinea. They commended the ongoing initiatives of the Economic Community of Central African States (ECCAS), ECOWAS and the Gulf of Guinea Commission in addressing this emerging threat and urged them to work towards the convening of a joint summit of the Gulf of Guinea States aimed at developing a regional anti-piracy strategy, in cooperation with the African Union. They stressed the

need for enhanced cooperation and coordination among affected States and regional organizations to develop a comprehensive regional strategy to manage maritime security. There was consensus among most speakers that the United Nations should play a central role in the overall coordination and mobilization of international assistance to build the capacity of regional organizations, including through the provision of financial and technical assistance.

On 29 February 2012, the Council adopted resolution [2039 \(2012\)](#) in which it encouraged national authorities as well as regional and international partners to consider implementing the recommendations of the United Nations assessment mission. It stressed the primary responsibility of the States of the Gulf of Guinea to counter piracy and armed robbery at sea in the Gulf of Guinea, and requested the Secretary-General through UNOWA and the United Nations Regional Office for Central Africa to support States and subregional organizations in convening a joint summit. The Council urged States of the region of the Gulf of Guinea to take prompt action to develop and implement national maritime security strategies, including for the establishment of a legal framework for the prevention and repression of piracy and armed robbery at sea, as well as prosecution of persons engaging in those crimes and the punishment of those convicted of those crimes. The Council also encouraged Benin and Nigeria to extend their joint patrols beyond March 2012 and international partners to consider providing support, as needed. It further encouraged the States of the Gulf of Guinea, ECOWAS, ECCAS and the Gulf of Guinea Commission to develop and implement transnational and transregional maritime security coordination centres covering the whole region of the Gulf of Guinea.

On 14 August 2013, the Council adopted a presidential statement, in which it stressed the need to coordinate efforts at the regional level for the development of a comprehensive strategy to counter the threat of piracy and armed robbery at sea, and the importance of adopting a comprehensive approach led by the countries of the region to counter that threat in the Gulf of Guinea. The Council welcomed the initiatives already taken by States in the region, inter alia, the summit of Heads of State and Government on Maritime Safety and Security in the Gulf of Guinea, held in Yaoundé in June, the adoption of the Code of

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<sup>363</sup> [S/PV.6723](#), pp. 2-4.

<sup>364</sup> *Ibid.*, pp. 4-6.

<sup>365</sup> *Ibid.*, pp. 6-7.

Conduct concerning the Prevention and Repression of Piracy, Armed Robbery against Ships, and Illegal Maritime Activity in West and Central Africa, as well as the adoption of a political declaration of the Gulf of Guinea Heads of State and Government on maritime safety and security and a memorandum of understanding among ECCAS, ECOWAS and the Gulf of Guinea Commission on maritime safety and security in West and Central Africa. Furthermore, it welcomed the decision to establish in Cameroon an interregional coordination centre responsible for coordinating the

implementation of the regional strategy for maritime safety and security. The Council also reiterated its call upon States to criminalize piracy and armed robbery under domestic law and to investigate and prosecute consistent with international law. The Council urged States, international organizations and the private sector to share evidence, information and intelligence, as appropriate, for law enforcement purposes.<sup>366</sup>

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<sup>366</sup> [S/PRST/2013/13](#).

## Meetings: peace consolidation in West Africa

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6703</a> 16 January 2012	Report of the Secretary-General on the activities of the United Nations Office for West Africa (UNOWA) ( <a href="#">S/2011/811</a> )			Special Representative of the Secretary-General for West Africa and Head of UNOWA	Special Representative of the Secretary-General and Head of UNOWA	
<a href="#">S/PV.6723</a> 27 February 2012	Piracy in the Gulf of Guinea  Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/45</a> )		Benin, Congo, Nigeria	Under-Secretary-General for Political Affairs, Special Representative of the Chairman of the Economic Community of West African States Commission, Deputy Executive Secretary of the Gulf of Guinea Commission	All Council members, all invitees	
<a href="#">S/PV.6727</a> 29 February 2012	Piracy in the Gulf of Guinea  Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/45</a> )	Draft resolution submitted by Benin, Colombia, France, Germany, Guatemala, India, Morocco, South Africa, Togo, United States ( <a href="#">S/2012/122</a> )	Benin			Resolution <a href="#">2039 (2012)</a> 15-0-0
<a href="#">S/PV.6804</a> 11 July 2012	Report of the Secretary-General on the activities of UNOWA ( <a href="#">S/2012/510</a> )			Special Representative of the Secretary-General, Executive Director of the United Nations Office on Drugs and Crime	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6911</a> 25 January 2013	Report of the Secretary-General on the activities of UNOWA ( <a href="#">S/2012/977</a> )			Special Representative of the Secretary-General	Special Representative of the Secretary-General	
<a href="#">S/PV.6995</a> 10 July 2013	Report of the Secretary-General on the activities of UNOWA ( <a href="#">S/2013/384</a> )			Special Representative of the Secretary-General	Special Representative of the Secretary-General	
<a href="#">S/PV.7016</a> 14 August 2013						<a href="#">S/PRST/2013/13</a>
<a href="#">S/PV.7087</a> 17 December 2013	Report of the Secretary-General on the activities of UNOWA ( <a href="#">S/2013/732</a> )			Special Representative of the Secretary-General	Special Representative of the Secretary-General	

## 14. Peace and security in Africa

### Overview

During the period under review, the Security Council held 11 meetings and issued seven presidential statements under the item entitled “Peace and security in Africa”. Sub-items discussed in this period included the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region, the challenges of the fight against terrorism in Africa in the context of maintaining international peace and security, and combating drug trafficking in the Sahel and West Africa. Against the backdrop of the crisis in Mali and the impact of the crisis in Libya on the Sahel region, the Council considered the challenges facing the region and requested the Secretary-General to develop an integrated strategy for the Sahel, which was presented to the Council in the report of the Secretary-General of 14 June 2013.<sup>367</sup>

### Briefing on the impact of the Libyan crisis on the Sahel region

On 26 January 2012, the Under-Secretary-General for Political Affairs briefed the Council on the mission dispatched by the Secretary-General from 7 to 23 December 2011 to assess the impact of the Libyan crisis on the Sahel region. He said that most of the challenges predated the Libyan conflict and added that underlying structural challenges and a looming food crisis in the area compounded the immediate problems affecting the region, and that the mission had encountered strong appeals for the United Nations to find a framework for reconciliation between all the regions affected by the outbreak of the crisis. He then summarized the main recommendations of the mission. While acknowledging the structural limitations for coordinated action existing in the African continent, he was encouraged by the readiness of countries inside and outside the region to work together to develop a more comprehensive and coherent approach.<sup>368</sup>

Speakers generally agreed with the assessment of the Under-Secretary-General that most of the problems of the Sahel region predated the Libyan crisis. However, numerous speakers expressed a particular concern that such problems had been exacerbated by

the Libyan crisis.<sup>369</sup> This notwithstanding, there was an overwhelming consensus regarding the need to tackle the security situation and challenges affecting the Sahel region, including weapons proliferation, drug trafficking and transnational organized crime, terrorism, food shortages and underdevelopment. While reiterating the need for international support and assistance, many speakers emphasized the primary responsibility of the Governments concerned. Most speakers appreciated and supported the recommendations of the assessment team. They emphasized the need for further cooperation and for the United Nations to adopt a more integrated approach to help the States of the region in the areas of security and development.

### Impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region

On 21 February 2012, the Council held a high-level open debate on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region. The debate was held at the initiative of the presidency of Togo.<sup>370</sup>

During the debate, speakers underlined the magnitude and complexity of the challenges confronting the region and expressed concern over the growth of transnational organized crime. Many speakers opined that those difficulties were further exacerbated by the effect of the Libyan crisis. As expressed by the representative of Pakistan, the Libyan crisis had been for the Sahel region “like a genie in a bottle. The bottle has been uncorked and the genie is out”.<sup>371</sup> Most speakers suggested that, in the light of the challenges, a multifaceted and holistic approach was necessary. Many speakers highlighted the need for further resources and for further national, regional and international cooperation.

<sup>367</sup> S/2013/354. For more information on Mali, see part I, sect. 16, “The situation in Mali”.

<sup>368</sup> S/PV.6709, pp. 2-3.

<sup>369</sup> Ibid., p. 4 (Pakistan); p. 6 (United Kingdom); p. 7 (India); p. 9 (Colombia); p. 11 (United States); p. 12 (Portugal); p. 14 (Guatemala); p. 15 (Morocco); p. 16 (Togo); p. 17 (South Africa); and p. 18 (Niger, Mali).

<sup>370</sup> See S/2012/83.

<sup>371</sup> S/PV.6717, p. 19.



At the meeting, the Council issued a presidential statement in which it expressed concern about the serious threats to international peace and stability posed by transnational organized crime, in particular in West Africa and the Sahel region, and its strong concern about the increasing violence perpetrated by armed groups in the region. The Council further encouraged coordination of actions by the United Nations as well as by Member States in fighting threats to the security of countries on its agenda. The Council stressed the importance of implementing relevant international agreements and of strengthening international, regional and transregional cooperation. It invited the Secretary-General to consider these threats as a factor in conflict prevention strategies, conflict analysis, integrated missions assessment, planning and peacebuilding support and to consider including in his reports an analysis of the role played by these threats in situations on the agenda of the Council.<sup>372</sup>

#### **Briefing on progress towards a United Nations integrated strategy for the Sahel**

On 17 September 2012, the Under-Secretary-General for Political Affairs briefed the Council on the progress in developing an integrated strategy for the Sahel encompassing security, governance, development, human rights and humanitarian dimensions, as requested of the Secretary-General in resolution 2056 (2012). In his briefing, the Under-Secretary-General stated that the Sahel region had long been characterized by cyclical instability and unconstitutional changes of Government. He added that States in the region suffered from extreme poverty with human development levels among the lowest in the world and that the region suffered from fractures rooted in societal divides. He added that weak institutions, porous borders, human rights violations and harsh climatic conditions contributed to the challenges of the region. He further underlined how critical it was that the international community dealt effectively with the underlying structural causes of vulnerability in the Sahel, and in that context said that the integrated strategy provided a conceptual framework and strategic priorities to guide United Nations engagement in the Sahel at the regional level, setting the basis for consultations with regional organizations, Governments and key actors.<sup>373</sup>

<sup>372</sup> S/PRST/2012/2.

<sup>373</sup> S/PV.6836, pp. 2-3.

The representative of Côte d'Ivoire spoke on behalf of the Economic Community of West African States (ECOWAS), focusing mainly on the situation in Mali. He denounced the fact that little progress had been achieved on the political process leading up to the holding of free, fair, transparent and credible elections and highlighted the dire security situation in the north, which had been exacerbated as a result of the political paralysis in Bamako. He provided an overview of trends in Mali from the stand point of ECOWAS and briefed the Council on the actions taken so far. In closing, he said that ECOWAS was working on building the necessary consensus for the deployment of an ECOWAS-led stabilization force in Mali.<sup>374</sup>

On 10 December 2012, the Council held a high-level meeting on the situation in the Sahel, at the initiative of the presidency of Morocco.<sup>375</sup> At the meeting, the Council issued a presidential statement in which it reiterated the grave concern about the consequences of instability in the north of Mali on the Sahel region and beyond. It also expressed concern about the serious threats posed by transnational organized crime in the Sahel region. The Council welcomed the initiatives of regional organizations and the United Nations to tackle the complex multidimensional challenges facing the region. In the same statement, the Council reiterated the need for an enhanced, comprehensive and more regional approach to the provision of humanitarian assistance and recognized that the strengthening of the State institutions, economic and social development, respect for human rights and the rule of law were necessary to ensure long-term security, development and stability in the Sahel region. The Council encouraged the Special Envoy of the Secretary-General for the Sahel to pursue his efforts in order to coordinate bilateral, interregional and international response and support for the Sahel region and, in this regard, reiterated its call to the Secretary-General and his Special Envoy to finalize as soon as possible the United Nations integrated strategy for the Sahel region, as requested in resolution 2056 (2012).<sup>376</sup>

The Secretary-General addressed the Council and noted that, as acute as the problems were in Mali, it was but a part of a systemic crisis across the entire Sahel region. He underlined that political turmoil,

<sup>374</sup> Ibid., pp. 4-6.

<sup>375</sup> See S/2012/906.

<sup>376</sup> S/PRST/2012/26.

terrorist activity, drug trafficking and arms smuggling were spilling over borders and threatening peace and security. He said that extreme climatic conditions and fragile economies “only add to that toxic brew of vulnerability”. In response to those challenges, he emphasized the need to strengthen resilience across the region in a coordinated manner. He noted the recognition by the Council, in resolution [2056 \(2012\)](#), of the need for an integrated strategy addressing all dimensions of the crisis, and reported the appointment of the Special Envoy for the Sahel and his focus on four key issues, namely, security, governance, humanitarian requirements and development.<sup>377</sup>

The Special Envoy of the Secretary-General for the Sahel explained in turn that the integrated strategy could not be “an occasion to only write an elegant paper” but would be instead a set of actions tailored to face dynamically evolving problems. He said that key to the strategy was close cooperation among all those who were facing the Sahel challenge. He added that in developing an integrated strategy interlocutors would be not only politicians but the whole of society; he said that to be operational and effective, substantial resources were needed and expressed his intention to exert all possible efforts to mobilize those resources.<sup>378</sup>

During the meeting, speakers echoed the Secretary-General in emphasizing the importance of building resilience in the region. Many speakers underlined the importance of an integrated strategy for the Sahel and urged for it to be developed as soon as possible in a holistic and coordinated manner. Many speakers referred to the situation in Mali as a symptomatic case within the region, and some called for the deployment of an international support mission to restore the sovereignty and territorial integrity of Mali.<sup>379</sup> Some speakers highlighted the key effect of the Libyan crisis as a catalyst of the crisis in Mali and the Sahel and cautioned that the Libyan crisis was still unfolding.<sup>380</sup>

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<sup>377</sup> [S/PV.6882](#), p. 4.

<sup>378</sup> *Ibid.*, pp. 5-6.

<sup>379</sup> *Ibid.*, p. 10 (Côte d’Ivoire); p.12 (Colombia); p. 14 (Togo); p. 24 (South Africa); and p. 27 (India). For more information on the deployment of an international force in Mali, see part I, sect. 16.

<sup>380</sup> [S/PV.6882](#), pp. 20-21 (Russian Federation); and pp. 22-23 (Pakistan).

### **Briefing and decision on the prevention of conflicts in Africa**

On 15 April 2013, the Council held a high-level briefing on the prevention of conflicts in Africa at the initiative of the presidency of Rwanda.<sup>381</sup> At the start of the meeting, the President of the Council expressed hope that it would be an occasion for the Council to revisit the concept and practice of conflict prevention as currently understood within the United Nations system. She added that the briefing was aimed at examining how to move from day-to-day management of conflicts to develop a culture of conflict prevention through skills, mechanisms and institutions that addressed the root causes of conflicts in Africa.<sup>382</sup>

The Secretary-General in his address to the Council noted that conflicts would breed where there was poor governance, abuse of human rights and grievances over the unequal distribution of resources, wealth and power. He emphasized the importance for mediation efforts to ensure that peace agreements were not just pacts between political elites but that they also dealt with the underlying causes of conflict and allowed all stakeholders to participate. He spoke of the importance of regional action to prevent or address conflicts and said it was critical to ensure that affected communities owned and led conflict prevention initiatives. He noted that prevention also demanded addressing the culture of impunity surrounding sexual violence, which affected more than isolated individuals: it was an assault on the peace and security of entire communities.<sup>383</sup>

The representative of Togo spoke of some of the root causes of conflicts in Africa.<sup>384</sup> The representative of Ethiopia, on behalf of the African Union, made reference to the report of the Secretary-General of 1998<sup>385</sup> on the causes of conflict and the promotion of durable peace and sustainable development in Africa as perhaps the best starting point for the discussion on the root causes of conflicts in Africa.<sup>386</sup> Most speakers emphasized the need for regional and subregional organizations to take the initiative in the areas of preventive diplomacy and the peaceful settlement of disputes. While several speakers regretted the absence

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<sup>381</sup> See [S/2013/204](#).

<sup>382</sup> [S/PV.6946](#), p. 2.

<sup>383</sup> *Ibid.*, pp. 2-4.

<sup>384</sup> *Ibid.*, pp. 4-5.

<sup>385</sup> [S/1998/318](#).

<sup>386</sup> [S/PV.6946](#), p. 6.

of an explicit reference to the International Criminal Court in the draft presidential statement,<sup>387</sup> others accused the Court of being subject to political manipulation and not playing a constructive role in preventing conflict.<sup>388</sup> Some speakers also made reference to the principle of the responsibility to protect and emphasized its dual role of recalling the responsibility of Governments to their populations and the responsibility of the international community to support and assist States in that task.<sup>389</sup>

At the meeting, the Council issued a presidential statement, in which it noted that, consistent with its functions in relation to international peace and security, it sought to remain engaged in all stages of the conflict cycle and in exploring ways of preventing the escalation of disputes into armed conflict or a relapse into armed conflict. The Council recognized the importance of a comprehensive strategy comprising operational and structural measures for prevention of armed conflict, and underlined the importance of partnership and cooperation between regional and subregional organizations in supporting conflict prevention and peacebuilding activities. The Council emphasized the need for States to comply with their obligations under international law, reaffirmed its strong opposition to impunity for serious violations of international humanitarian law, and highlighted the role of the international criminal justice system.<sup>390</sup>

#### **Briefing and decision on the question of combating terrorism in Africa**

On 13 May 2013, the Council held a high-level briefing on the question of combating terrorism in Africa in the context of the maintenance of international peace and security. The briefing was held at the initiative of the presidency of Togo.<sup>391</sup>

The Secretary-General addressed the Council first and emphasized that terrorism thrives where borders are weakest. He added that the lack of development and the absence of the rule of law allowed terrorist groups to recruit across communities and build their ranks. He noted that the international community and

the United Nations had to do more to strengthen the capacities of affected Member States and welcomed the initiative of several regional and subregional organizations to formulate counterterrorism strategies.<sup>392</sup>

During the debate that followed, many speakers referred to the very challenging circumstances affecting certain regions in Africa as well as the underlying causes of such circumstances. Most speakers emphasized the need for a comprehensive and multidimensional approach to fighting against the scourge of terrorism, including law enforcement, border control, capacity-building, humanitarian assistance and coordination and cooperation at the regional level. Many speakers recalled the United Nations Global Counter-Terrorism Strategy.

At the meeting, the Council issued a presidential statement in which it recognized that terrorism would not be defeated by military force or security forces, law enforcement measures and intelligence operations alone. The Council underscored that the long-term fight against terrorism must adopt a comprehensive approach. The Council reaffirmed that terrorism cannot and should not be associated with any religion, nationality or civilization, and it noted the changing nature of terrorism in Africa and expressed concern about its connection with transnational organized crime. The Council recalled its own resolutions and other counter-terrorism instruments and considered sanctions an important tool in countering terrorism. The Council underlined the importance of strengthening cooperation among Member States and with United Nations entities with a view to enhancing their individual capabilities. It invited the Secretary-General to submit, within six months, a concise report providing a comprehensive survey and assessment on the United Nations work to help States and subregional and regional entities in Africa in fighting terrorism, with a view to continuing consideration of possible steps in this regard.<sup>393</sup>

#### **Briefing and decision on the United Nations integrated strategy for the Sahel**

On 26 June and 16 July 2013, the Council held two meetings to consider the report of the Secretary-

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<sup>387</sup> Ibid., p. 11 (Guatemala); p. 13 (Argentina); p. 18 (Luxembourg); and p. 25 (France).

<sup>388</sup> Ibid., p. 27 (Rwanda).

<sup>389</sup> Ibid., p. 8 (Australia); p. 18 (Luxembourg); p. 21 (United Kingdom); and p. 25 (France).

<sup>390</sup> [S/PRST/2013/4](#).

<sup>391</sup> See [S/2013/264](#).

<sup>392</sup> [S/PV.6965](#), p. 3.

<sup>393</sup> [S/PRST/2013/5](#)

General on the situation in the Sahel region.<sup>394</sup> At the first meeting, the Special Envoy of the Secretary-General for the Sahel briefed the Council on the report of the Secretary-General. He explained that the challenges facing the people of the Sahel were immense and that only a strategy going beyond the existing efforts would allow the Governments of the region to overcome those challenges. He mentioned that a wider vision was necessary, and presented his “four-by-four strategy” based on the four pillars suggested by the Secretary-General, namely governance, security, humanitarian requirements and development. He further explained the elements of all four pillars in that strategy and clarified that the strategy focused on five key Sahelian countries in the greatest need, namely, Mali, Burkina Faso, Mauritania, the Niger and Chad.<sup>395</sup>

At the second meeting, on 16 July 2013, the Council issued a presidential statement in which it welcomed the development of the United Nations integrated strategy for the Sahel, as requested by resolution 2056 (2012), and the three strategic goals defining the strategy.<sup>396</sup> The Council further welcomed the efforts of the Special Envoy of the Secretary-General in the development of the strategy and in drawing attention on the situation in the Sahel region, and encouraged him to foster more coherent and coordinated United Nations support for the Sahel region. The Council stressed the importance of a coordinated approach by all concerned United Nations entities with a view to maximizing synergies. It also stressed the importance of national and regional ownership of the strategy and recognized the importance of implementing the strategy in close consultation with States of the Sahel, West Africa and the Maghreb as well as with regional and subregional organizations, bilateral donors and partners. The Council requested the Secretary-General to keep it informed of the progress towards the implementation of the strategy no later than 31 December 2013, and to present a written report no later than 30 June 2014.<sup>397</sup>

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<sup>394</sup> S/2013/354.

<sup>395</sup> S/PV.6988, pp. 2-4.

<sup>396</sup> For more information on the goals of the strategy, see S/2013/354, paras. 23-33.

<sup>397</sup> S/PRST/2013/10.

### **Rejection of a draft resolution concerning deferral of investigation and prosecution of Kenyan leaders by the International Criminal Court**

On 15 November 2013, the Council held a meeting to consider identical letters dated 21 October 2013 from the Permanent Representative of Kenya to the United Nations addressed to the Secretary-General and the President of the Security Council.<sup>398</sup> In those letters Kenya sought a decision by the Council that no investigations or prosecutions would be initiated with regard to the cases pending at the International Criminal Court relating to the situation in Kenya concerning the President and Deputy President of Kenya.

At the meeting, a draft resolution was put to a vote but was not adopted because it failed to obtain the required number of affirmative votes, there being 7 votes in favour and 8 abstentions.<sup>399</sup> By the draft resolution the Council would have requested the Court to defer the investigation and prosecution against the President and Deputy President of Kenya in accordance with article 16 of the Rome Statute.

During the meeting, the members of the Council explained the rationale for their votes. While those that abstained considered that the continuation of the Court proceedings did not constitute in and of itself a threat to international peace and security in accordance with the tenor of article 16 of the Rome Statute, those that voted in favour argued that African countries had presented a compelling argument in favour of the draft resolution and the deferral. Many speakers emphasized the futility of the vote and the negative consequences that it had on the relationships between the Court and the Council and between the African Union and the Council. The representative of Luxembourg said that resorting to article 16 was not necessary because there were other resources available to address the concerns of Kenya and the African Union.<sup>400</sup> While the representative of Togo hoped that the outcome of the vote would not have a negative impact on relations between Africa and the Security Council,<sup>401</sup> the representative of Rwanda affirmed that the vote undermined the principle of sovereign equality of

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<sup>398</sup> S/2013/624.

<sup>399</sup> S/2013/660. For more information on the vote, see the table at the end of the section.

<sup>400</sup> S/PV.7060, p. 3.

<sup>401</sup> *Ibid.*, p. 10.

States enshrined in the Charter of the United Nations.<sup>402</sup> The representative of Kenya asserted that the turn of events at the Council was “sad, absurd and confounding” and that it did nothing for building confidence and solidarity with the Council at a time when the usefulness of the Council was under question.<sup>403</sup> The representative of Ethiopia noted that this was not a Kenyan matter but an African one and that the position of African leaders was that the continuation of the Court proceedings constituted a threat to the peace and security of the region. He added that the response of the Council was bound to make Africa conclude that a few members of the Council had difficulty in seeing Africa exercise ownership of its policies and strategies for the peace and security of the continent.<sup>404</sup>

### **Briefing on the Sahel**

On 12 December 2013, the Council held a meeting on the Sahel. The Secretary-General briefed the Council on his visit to the region together with representatives of the African Union, the World Bank, the African Development Bank and the European Union. He affirmed that he had returned from the visit with a clear sense of the need to do much more to fight poverty, empower women, provide employment opportunities for young people and ensure that all the people of the Sahel had what they needed to build a better future.<sup>405</sup>

The President of the World Bank also briefed the Council on his conclusions on the visit to the region. He emphasized the need for a coordinated regional approach to tackling the major development challenges of the region.<sup>406</sup>

The Special Envoy of the Secretary-General for the Sahel briefed the Council on the progress in the implementation of the United Nations integrated strategy for the Sahel. He said that many factors would continue to impact efforts in the Sahel and needed to be taken into account when implementing the strategy. He said that the region would have to compete for attention with other serious crises around the world, and declared that that attention was decreasing. He

underlined that the current global economic climate limited traditional funding mechanisms and donors, and described the efforts made to raise the profile of the challenges facing the Sahel and the awareness that the Sahel was a global problem. He recalled that security, governance and development were linked and said that, in terms of security, problems had no border and solutions should have no borders. He voiced the request of African countries to involve surrounding countries, and not only those specifically involved, when dealing with security issues. He also urged the Council to take into account the need for governance reforms in the region in all decisions dealing with terrorism and conflicts in the Sahel.<sup>407</sup>

The observer of the African Union described the activities undertaken by his organization to strengthen security cooperation among the countries of the Sahel-Saharan region through the Nouakchott Process. He explained that it was launched as a means of coordinating forms of action among intelligence and security services of the countries of the region. He noted, however, that long-term socioeconomic development was of crucial importance to create lasting stability in the Sahel-Saharan region.<sup>408</sup>

During the meeting, speakers praised the United Nations integrated strategy for the Sahel as well as the efforts of the Special Envoy of the Secretary-General. Most speakers agreed on the root causes of the situation of the Sahel as well as on the strategies to reverse course and support the States of the Sahel, emphasizing the need for coordination among stakeholders, particularly among the States of the region and subregional organizations.

At the meeting, the Council issued a presidential statement reiterating most of the contents of the presidential statement of 16 July 2013.<sup>409</sup> The Council welcomed the efforts of the Special Envoy of the Secretary-General for the Sahel, and reiterated the importance of a coordinated approach in the implementation of the strategy.<sup>410</sup>

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<sup>402</sup> Ibid.

<sup>403</sup> Ibid., p. 13.

<sup>404</sup> Ibid., pp. 15-16.

<sup>405</sup> S/PV.7081, pp. 2-3.

<sup>406</sup> Ibid., p. 3.

<sup>407</sup> Ibid., pp. 4-5.

<sup>408</sup> Ibid., pp. 6-7.

<sup>409</sup> S/PRST/2013/10.

<sup>410</sup> S/PRST/2013/20.

### **Drug trafficking and its consequences for peace and security in West Africa and the Sahel**

On 18 December 2013, the Council held a meeting to discuss drug trafficking and its consequences for peace and security in West Africa and the Sahel. The meeting was held at the initiative of the presidency of France.<sup>411</sup>

The Secretary-General opened the discussion by noting that around the world drug trafficking and transnational organized crime threatened security, undermined respect for the rule of law and jeopardized peace and stability. He further underlined the particular challenge that these posed to West Africa and the Sahel given the magnitude of the traffic and the rising consumption of illicit drugs, which aggravated the already challenging public health environment and threatened socioeconomic development. He noted that the work on this front was guided by the conventions against organized crime, drug trafficking and corruption as well as the international instruments on terrorism. He emphasized the need to generate partnerships to support victims and advised that drug trafficking presented an enormous challenge to peace, stability and social development in West Africa and the Sahel. In the context of the discussion of the post-2015 development agenda, he highlighted that the aim should be not only to relieve citizens of the burden of crime but to lift them out of the conditions that enabled crime to grow.<sup>412</sup>

Most speakers underlined the harmful effect of drug trafficking for the region. Many speakers echoed the Secretary-General in expressing their alarm

concerning the increase in drug consumption, which posed a genuine threat to the region. The Executive Director of the United Nations Office on Drugs and Crime welcomed the discussion of this subject as an opportunity to assess priorities and challenges, enhance synergies and decide on the best strategies.<sup>413</sup> Most speakers expressed their concern regarding the ties between drug trafficking, organized crime and terrorism. They agreed also on the basic analysis of the circumstances underlying the advance of these scourges and some recalled the need for a holistic approach not limited to law enforcement and repressive measures.<sup>414</sup> Many speakers urged cooperation at the national, regional and international levels.

At the meeting, the Council issued a presidential statement in which it expressed growing concern about the serious threats posed by drug trafficking and related transnational organized crime to international peace and stability in West Africa and the Sahel region. The Council called upon States that had not yet ratified or implemented the relevant international conventions to do so, and reaffirmed that responses to drug trafficking needed to be addressed in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights. The Council stressed the importance of strengthening transregional and international cooperation on the basis of a common and shared responsibility to counter the world drug problem, and called upon Member States of West Africa and the Sahel region to strengthen border management to effectively constrain the spread of transnational threats such as drug trafficking.<sup>415</sup>

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<sup>411</sup> See [S/2013/728](#)

<sup>412</sup> [S/PV.7090](#), pp. 2-3.

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<sup>413</sup> *Ibid.*, p. 4.

<sup>414</sup> *Ibid.*, p 7 (United Kingdom); and p. 24 (African Union).

<sup>415</sup> [S/PRST/2013/22](#).

## Meetings: peace and security in Africa

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6709</a> 26 January 2012	Letter dated 17 January 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/42</a> )		Chad, Mali, Niger	Under-Secretary-General for Political Affairs	Under-Secretary-General for Political Affairs, all Council members, all invitees	
<a href="#">S/PV.6717</a> and <a href="#">S/PV.6717 (Resumption 1)</a> 21 February 2012	The impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region  Letter dated 17 January 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/42</a> )  Letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/83</a> )		22 Member States <sup>a</sup>	Executive Director of the United Nations Office on Drugs and Crime, Special Representative of the Chairperson of the African Union Commission for Counter-Terrorism Cooperation, Deputy Secretary-General of the European External Action Service	Secretary-General, all Council members, <sup>b</sup> all invitees	<a href="#">S/PRST/2012/2</a>

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6836</a> 17 September 2012			Côte d'Ivoire (on behalf of the Economic Community of West African States (ECOWAS))	Under-Secretary-General for Political Affairs	All invitees	
<a href="#">S/PV.6882</a> 10 December 2012	The Sahel: Towards a more comprehensive and coordinated approach  Letter dated 5 December 2012 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/906</a> )		Côte d'Ivoire (on behalf of ECOWAS), <sup>c</sup> Chad (on behalf of the Community of Sahelo-Saharan States)	Special Envoy of the Secretary-General for the Sahel, United Nations High Commissioner for Refugees, Permanent Observer of the African Union to the United Nations, Chief Operating Officer of the European External Action Service, Director of Political Affairs in the Arab Maghreb Union, Director of the Human Development Group in the Africa Region of the World Bank, Special Adviser to the President of the African Development Bank, Permanent Observer of the Organization of Islamic Cooperation to the United Nations	Secretary-General, all Council members, <sup>d</sup> all invitees	<a href="#">S/PRST/2012/26</a>



<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6946</a> 15 April 2013	Prevention of conflicts in Africa: addressing the root causes  Letter dated 2 April 2013 from the Permanent Representative of Rwanda to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/204</a> )		Ethiopia (on behalf of the Chairperson of the African Union)		Secretary-General, all Council members, <sup>e</sup> Ethiopia	<a href="#">S/PRST/2013/4</a>
<a href="#">S/PV.6965</a> 13 May 2013	The challenges of the fight against terrorism in Africa in the context of maintaining international peace and security  Letter dated 30 April 2013 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/264</a> )		Algeria, Benin, Côte d'Ivoire (on behalf of ECOWAS), Ethiopia (on behalf of the Intergovernmental Authority on Development), Somalia, Sudan, United Republic of Tanzania	Director-General of the Intergovernmental Action Group against Money Laundering in West Africa, Permanent Observer of the African Union, Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, <sup>f</sup> six invitees under rule 37 <sup>g</sup>	<a href="#">S/PRST/2013/5</a>
<a href="#">S/PV.6988</a> 26 June 2013	Report of the Secretary-General on the situation in the Sahel region ( <a href="#">S/2013/354</a> )			Special Envoy of the Secretary-General for the Sahel	Special Envoy of the Secretary-General for the Sahel	
<a href="#">S/PV.7001</a> 16 July 2013	Report of the Secretary-General on the situation in the Sahel region ( <a href="#">S/2013/354</a> )					<a href="#">S/PRST/2013/10</a>

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7060</a> 15 November 2013	Identical letters dated 21 October 2013 from the Permanent Representative of Kenya to the United Nations addressed to the Secretary-General and the President of the Security Council ( <a href="#">S/2013/624</a> )	Draft resolution submitted by 14 Member States <sup>h</sup> ( <a href="#">S/2013/660</a> )	10 Member States <sup>i</sup>		All Council members, Kenya, Ethiopia	Draft resolution ( <a href="#">S/2013/660</a> ) not adopted <sup>j</sup>
<a href="#">S/PV.7081</a> 12 December 2013				President of the World Bank, Special Envoy of the Secretary-General for the Sahel, Permanent Observer of the African Union, European Union Special Representative for the Sahel	Secretary-General, all Council members, all invitees	<a href="#">S/PRST/2013/20</a>
<a href="#">S/PV.7090</a> 18 December 2013	Combating drug trafficking in the Sahel and in West Africa  Letter dated 5 December 2013 from the Permanent Representative of France to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/728</a> )		Côte d'Ivoire (on behalf of ECOWAS)	Executive Director of the United Nations Office on Drugs and Crime, Special Representative of the Secretary-General and Head of the United Nations Office for West Africa, Permanent Observer of the African Union	Secretary-General, all Council members, <sup>k</sup> all invitees	<a href="#">S/PRST/2013/22</a>

(Footnotes on following page)

(Footnotes to Meetings: peace and security in Africa)

- <sup>a</sup> Algeria, Australia, Benin, Brazil, Burkina Faso, Canada, Côte d'Ivoire (on behalf of ECOWAS), Egypt, Finland, Israel, Italy, Japan, Luxembourg, Mali, Mauritania, Nigeria, Norway, Senegal, Sudan, Tunisia, Turkey and Uganda.
- <sup>b</sup> Togo (President of the Security Council) was represented by its President; France by the Minister of State responsible for French nationals abroad; Morocco by the Minister Delegate for Foreign Affairs and Cooperation; the Russian Federation by the Special Envoy of the President; and the United States by the Permanent Representative and member of the President's Cabinet.
- <sup>c</sup> Côte d'Ivoire was represented by its Minister for Foreign Affairs.
- <sup>d</sup> Morocco (President of the Council) was represented by the Minister for Foreign Affairs and Cooperation; Colombia by the Minister for Foreign Affairs; and Togo by the Minister of State, Minister for Foreign Affairs and Cooperation.
- <sup>e</sup> Rwanda (President of the Security Council) was represented by the Minister for Foreign Affairs; and Togo by the Minister of State, Minister for Foreign Affairs and Cooperation.
- <sup>f</sup> Togo (President of the Security Council) was represented by its President; Luxembourg by the Deputy Prime Minister and Minister for Foreign Affairs; Argentina by the Secretary for Foreign Affairs; Morocco by the Minister for Foreign Affairs and Cooperation; the Republic of Korea by the Vice-Minister for Foreign Affairs; Rwanda by the Permanent Representative and Minister of State in Charge of Cooperation;; and the United States by the Permanent Representative and member of the President's Cabinet.
- <sup>g</sup> The representative of Somalia did not make a statement.
- <sup>h</sup> Azerbaijan, Burundi, Ethiopia, Gabon, Ghana, Kenya, Mauritania, Mauritius, Morocco, Namibia, Rwanda, Senegal, Togo, Uganda.
- <sup>i</sup> Burundi, Gabon, Ghana, Ethiopia (on behalf of the African Union), Kenya, Mauritania, Mauritius, Namibia, Senegal and Uganda.
- <sup>j</sup> *For:* Azerbaijan, China, Morocco, Pakistan, Russian Federation, Rwanda, Togo;  
*Against:* none;  
*Abstaining:* Argentina, Australia, France, Guatemala, Luxembourg, Republic of Korea, United Kingdom, United States.
- <sup>k</sup> Guatemala was represented by its Minister for Foreign Affairs.

## 15. The situation in Libya

### Overview

During the years 2012 and 2013, the Security Council held 18 meetings in connection with the situation in Libya, and adopted one presidential statement and two resolutions under Chapter VII of the Charter. In its deliberations, the Council focused on the numerous security challenges facing the country, the human rights situation and the political developments after elections to the General National Congress in July 2012 and the formation of a new Government.

By resolutions 2040 (2012) and 2095 (2013), the Council modified and twice extended the mandate of the United Nations Support Mission in Libya (UNSMIL), for one year each time.<sup>416</sup> By the same

<sup>416</sup> For information on the mandate of UNSMIL, see part X, sect. II, "Political and peacebuilding missions".

resolutions, the Council also made adjustments to the sanctions regime established pursuant to resolution 1970 (2011), as modified by resolution 2009 (2011).<sup>417</sup> The Council also modified and extended the mandate of the Panel of Experts twice, first for 12 months and then for 13 months.<sup>418</sup>

### Transitional period leading up to elections in July 2012

At its meeting on 25 January 2012, the Council heard a briefing by the Special Representative of the

<sup>417</sup> For information on sanctions concerning Libya, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter".

<sup>418</sup> For information on the Panel of Experts, see part IX, sect. I. B, under "Committee established pursuant to resolution 1970 (2011) concerning Libya".

Secretary-General and Head of UNSMIL on a variety of political and security challenges affecting Libya's transition, including the lack of full legitimacy of the interim authorities at the national and local levels, growing popular dissatisfaction with the performance of the National Transitional Council and the interim Government, weak State institutions and security structures, wide circulation of weapons, and the uncertain future of the diverse armed brigades and revolutionary fighters in the country. The Special Representative made reference to the Mission's coordination role with regard to international assistance as well as to measures relating to arms proliferation and border security. He also mentioned the Mission's role in providing technical support to the newly established National Council for Public Liberties and Human Rights. In closing, he underlined the need to support Libya's interim authorities in addressing internal priorities identified by them rather than the longer-term interests of external actors.<sup>419</sup>

The Council also heard a briefing from the United Nations High Commissioner for Human Rights, who stressed three main points: first, the need to take urgent steps to put an end to human rights abuses, especially those occurring in detention; secondly, the need for the authorities to expeditiously deliver on their commitment to make transitional justice a reality; and, thirdly, the need for the Libyan authorities to use civil society, including women's and youth groups, as a key resource to address the social and political challenges. She also identified the situation of persons subjected to internal forced and involuntary displacement and that of women in Libya as areas of concern. With reference to the inquiry under way into the possible civilian deaths resulting from the operations of the North Atlantic Treaty Organization (NATO), she noted that its findings should provide information on the extent to which NATO forces took all feasible measures to protect civilians, details of events in which civilians were killed or injured and the remedial actions taken.<sup>420</sup>

In his statement, the representative of Libya affirmed that the situation in the country was not bright. While some progress had been achieved in establishing an interim Government and a National Transitional Council and in adopting an electoral and an interim justice law, challenges remained concerning

the treatment of Libyan and non-Libyan Tuareg communities, the absence of administrative structures, national reconciliation, the involvement of armed combatants in the post-conflict Libya, and the representation of women. He defended and praised the NATO intervention in Libya and thanked the Council for "its great, historic decision to save [his] homeland".<sup>421</sup>

In his briefing on 29 February 2012, the Special Representative of the Secretary-General described the peaceful nature of the celebration of the first anniversary of the revolution in spite of security concerns. While dwelling on the numerous challenges faced by the Government, he also made reference to the progress achieved in providing security with the adoption of the transitional justice and electoral laws as well as the development of State authority. He also described the supporting role of UNSMIL in a number of key areas such as arms proliferation, border security, the rehabilitation of the police and human rights.<sup>422</sup> The Council was also briefed by the Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) on the work of the Committee and on the implementation of the arms embargo, asset freeze and travel ban.<sup>423</sup> In his statement, the representative of Libya assured the Council that despite the various challenges elections would be held in June 2012. He appealed to the international community for more assistance and for the release of the country's frozen assets in order to, among other things, combat terrorism in the Sahara.<sup>424</sup>

A week later, on 7 March 2012, the Council met again to hear a briefing of the Special Representative of the Secretary-General, who explained that the planning process undertaken by UNSMIL reaffirmed its continued relevance and helped to define the five areas in which it needed to engage more deeply in the following 12 months, namely, the democratic transition and electoral processes; public security; arms proliferation and border security; human rights, transitional justice and the rule of law; and coordination of international assistance. He clarified that the role of the United Nations had to be to support the people of Libya where and when needed. He proposed that the Mission maintain a light footprint

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<sup>419</sup> [S/PV.6707](#), pp. 2-6.

<sup>420</sup> *Ibid.*, pp. 7-8.

<sup>421</sup> *Ibid.*, pp. 9-11.

<sup>422</sup> [S/PV.6728](#), pp. 2-7.

<sup>423</sup> *Ibid.*, pp. 7-8.

<sup>424</sup> *Ibid.*, pp. 8-9.

with the aim of providing flexible, responsive and high-quality expertise in a structurally integrated form, thereby maximizing the impact of the entire United Nations system.<sup>425</sup> The representative of Libya underscored the challenges confronting Libya and the rising expectations of its people. While noting his Government's achievements, he acknowledged that there had been some violations of human rights. In support of efforts to achieve security, he called upon the Council to lift the embargo on military equipment and weaponry and expressed appreciation for recent international efforts to release frozen assets.<sup>426</sup>

The representative of the Russian Federation took the floor to express concern about the civilian casualties as a result of the NATO airstrikes on Libya as well as the uncontrolled proliferation of Libyan arms in the region.<sup>427</sup> The representatives of the United States, France and Germany countered that the International Commission of Inquiry of the Human Rights Council had concluded that NATO had conducted a highly precise campaign with a demonstrable determination to avoid civilian casualties, exceeding what was required under international humanitarian law and in full accordance with the United Nations mandate.<sup>428</sup> The representative of China echoed the concerns of the Russian Federation, both regarding the NATO campaign and the proliferation of weapons.<sup>429</sup> Finally, the representative of Libya reassured the Council that the Government had investigated the death of "each and every Libyan civilian" and had enjoyed the cooperation of NATO. He argued that the matter should not be made fodder for political propaganda or prevent the international community from intervening in situations in other States where the people "are being massacred by their own rulers".<sup>430</sup>

On 10 May 2012, the Special Representative of the Secretary-General briefed the Council on the preparations for the first elections to be held in Libya in more than 45 years. He also briefed the Council about local conflicts and escalating tensions. He informed the Council that in each case the Government had reacted quickly by deploying forces and mediation

capacities and said that rapid reaction was necessary to defuse tensions and prevent their entrenchment. He noted that the country, while facing disturbances resulting from discontent among some of the armed brigades, was experiencing economic progress. This notwithstanding, the scale of the challenges coupled with the high expectations of the Libyan people for tangible and quick progress had strained the interim political system. He dwelled in particular on key questions such as the integration of the revolutionary fighters, treatment of detainees, and control of weapons and border security, which were urgent challenges to be settled through early legitimate electoral processes. He briefed the Council on the progress achieved and praised the High National Elections Commission and the Libyan authorities for their efforts to carry forward the electoral operation and to establish a functioning State based on the rule of law and democracy.<sup>431</sup> The Council also heard a briefing from the Chair of the Committee established pursuant to resolution 1970 (2011), who reported about the threats and challenges of arms proliferation from Libya to the region and the implementation of the arms embargo, travel ban and asset freeze.<sup>432</sup>

#### **Establishment of democratic institutions amid persistent security challenges**

At its meeting on 18 July 2012, the Council heard a briefing from the Special Representative of the Secretary-General on the elections of 7 July. Despite violent incidents and the efforts of some groups to sabotage them, the organization of the elections had been an extraordinary accomplishment. In order to meet concerns in the east of Libya, he noted the decision of the National Transitional Council that the constitution should be drafted not by the National Congress but by a 60-member constitutional commission, with equal representation from the three historic regions of Libya. He underscored the urgency of reaching an agreement in the National Congress on the formation of a new Government which would have to face numerous challenges in the justice, security and defence sectors, including border security, clearance of explosive remnants of war and weapons control, as well as in other fields such as the development of institutions of a modern State, the fight against corruption in the management of the country's wealth,

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<sup>425</sup> S/PV.6731, pp. 2-5.

<sup>426</sup> Ibid., 5-7.

<sup>427</sup> Ibid., p.8.

<sup>428</sup> Ibid., pp. 8-9.

<sup>429</sup> Ibid., pp. 9-10.

<sup>430</sup> Ibid., p.10.

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<sup>431</sup> S/PV.6768, pp. 2-7.

<sup>432</sup> Ibid., pp. 7-8.

the diversification of the economy and creation of employment, and the proper regulation of migrant labour. While expressing confidence in the continuation of cooperation between the new Government and UNSMIL in the areas where the Mission was already active such as support for the democratic transition, promotion of the rule of law and human rights, restoration of public security, and countering the illicit proliferation of arms, he voiced concerns about the insufficient capabilities of UNSMIL to carry out the fifth element of the mandate, namely, support to the Libyan efforts to coordinate international assistance.<sup>433</sup>

In his statement, the representative of Libya confirmed that the elections were free and fair and met all international standards. He expressed gratitude to the Security Council and UNSMIL for their role.<sup>434</sup>

On 12 September 2012, one day after the attack on the United States diplomatic presence in Benghazi, the Council was briefed by the Under-Secretary-General for Political Affairs. He condemned the attack in the strongest terms and said that this incident, together with a spate of assassinations of security personnel in Benghazi, explosive devices in Tripoli and attacks on Sufi shrines, underlined the security challenges facing the authorities in Libya. At the same time, he noted the historic nature of the transfer of authority from the National Transitional Council to the 200-member General National Congress on 8 August and the election by the Congress of a President, two Vice-Presidents and a Prime Minister. However, he reminded the Council that the General National Congress needed to address several urgent priorities, including initiating a national dialogue on reconciliation, strengthening its capacity to oversee the Government, preventing systemic corruption and adopting local governance legislation. He added that, to assist the Government, UNSMIL had increased its advisory capacity and stepped up efforts to strengthen international coordination for support to security sector governance. Reiterating comments made in his previous briefings to the Council concerning persistent challenges, he welcomed the release of 130 detainees during August as a first important step towards solving the issue of conflict-related detentions. He underlined that UNSMIL was working closely with the Libyan

authorities in the areas of judicial reform.<sup>435</sup> The representative of Libya took the floor to reiterate his Government's condemnation of the attack on 11 September and assured the Council that the perpetrators of that heinous crime would be brought to justice.<sup>436</sup>

On 8 November 2012, following the one-year anniversary of Libya's liberation, the new Special Representative of the Secretary-General briefed the Council on the formation of the new Government of Libya and the priorities indicated by it in the areas of internal affairs, in particular security-related issues, as well as reconstruction and economic development. He also informed the Council about the military operations launched by the Libyan authorities in Bani Walid to extend the State's authority and the concerns of the United Nations with regard to the protection of civilians and the return of internally displaced persons. He added that UNSMIL and the United Nations country team had conducted four missions around and inside Bani Walid to assess the needs of internally displaced persons and to provide assistance. He noted that, while some progress had been made, security conditions remained precarious. He underscored the need for rapid and effective policy decisions and practical measures in the area of security sector reform and full activation of the judiciary so that perpetrators were held accountable and the rule of law upheld.<sup>437</sup> The Council was also briefed by the Chair of the Committee established pursuant to resolution 1970 (2011), who reported on the two meetings held by the Committee between 11 May and 8 November, the first on the implementation of the travel ban, asset freeze and arms embargo, and the second on issues related to arms proliferation.<sup>438</sup>

At the meeting held on 29 January 2013, the Special Representative of the Secretary-General briefed the Council on developments related to the constitution-making process, security sector reform, border security, national reconciliation and transitional justice. He explained that the security situation remained precarious, although efforts to reform the security sector had begun to assure greater coherence. In the context of national reconciliation efforts, he noted the strong drive among certain political forces to further marginalize

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<sup>433</sup> S/PV.6807, pp. 2-5.

<sup>434</sup> Ibid., p. 6.

<sup>435</sup> S/PV.6832, pp. 2-4.

<sup>436</sup> Ibid., p. 5.

<sup>437</sup> S/PV.6857, pp. 2-5.

<sup>438</sup> Ibid., p. 5.

persons associated with the previous regime with the introduction of a proposal on “political isolation”. UNSMIL had encouraged consultations on this proposal and careful attention to its possible undesirable effects on reconciliation and social cohesion. He highlighted the technical assistance provided by UNSMIL to the Libyan authorities in developing effective institutions and processes, and the advice rendered to the Office of the Prosecutor-General on the implementation of an overall prosecutorial strategy.<sup>439</sup> The representative of Libya underlined that the Government depended on UNSMIL at a critical time and it was important for the Mission to remain in Libya because of its advisory role in relation to security sector reform, constitution drafting and elections.<sup>440</sup>

#### **Modification of sanctions regime and mandates of UNSMIL and Panel of Experts**

On 12 March 2012 and 14 March 2013, acting under Chapter VII of the Charter, the Council unanimously adopted resolutions [2040 \(2012\)](#) and [2095 \(2013\)](#). In each instance, it extended and modified the mandates of the Panel of Experts and UNSMIL to allow the Mission to assist the Libyan authorities in defining national needs and priorities and to offer strategic and technical advice accordingly. The Council also modified the scope of the sanctions regime imposed by resolution [1970 \(2011\)](#), as modified by resolution [2009 \(2011\)](#).

At the meeting held on 14 March 2013, the Special Representative of the Secretary-General briefed the Council on the events of 15 and 17 February to celebrate the second anniversary of the revolution in Libya, which had been accompanied by demands for greater stability and an end to the political and socioeconomic marginalization of the east. He reiterated his concern about the political crisis over a proposed law on political isolation, the overall security situation and the condition of detainees. He explained that improving the country’s security situation was hampered by weak State institutions and security coordination mechanisms. He added that Libya’s democratic transition required an inclusive dialogue leading to national reconciliation. In conclusion, he noted that the Secretary-General had proposed the renewal of the mandate of UNSMIL for 12 additional months to allow the Mission to continue to assist the

State of Libya in defining national priorities related to its democratic transition, consistent with the request from the Libyan authorities.<sup>441</sup> The Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) briefed the Council on developments in the period from 9 November 2012 to 14 March 2013. He also briefed the Council on the content of the final report of the Panel of Experts concerning the implementation of the sanctions regime and confirmed that the Committee had agreed to take follow-up action on five of the eight recommendations of the Panel.<sup>442</sup>

In his statement, the representative of Libya highlighted that while the security challenges faced by the country were enormous and difficult, progress had been achieved in the security and justice sectors. He underscored the Government’s efforts in promoting national reconciliation, reintegrating internally displaced persons and rebuilding a variety of national institutions. In closing, he asked for the Council’s assistance in restoring the frozen assets.<sup>443</sup>

#### **Deterioration of the security situation and internal divisions**

On 18 June 2013, the Council was briefed by the Special Representative of the Secretary-General on the incident in Benghazi on 8 June, when a peaceful demonstration outside the barracks of an armed brigade deteriorated into an exchange of fire that left many dead and wounded. After the events, several brigade barracks in Benghazi were transferred to the Libyan Army and the General National Congress charged the Government with the task of integrating the armed brigades that remained outside State control. The Special Representative also reported on the adoption and impact of the law on political isolation excluding individuals associated with the former regime from public life for 10 years. He underlined the urgency of adopting a transnational justice law anchored in truth-seeking, accountability and reparations. He made reference to the work of UNSMIL in assisting the Libyan authorities in a variety of areas, including the transitional justice process, conflict-related detentions, and the preparation of the elections for the constituent assembly. He also explained the controversy regarding the role of UNSMIL and its perceived interventionist approach following the adoption of resolution

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<sup>439</sup> [S/PV.6912](#), pp. 2-5.

<sup>440</sup> *Ibid.*, p. 5.

<sup>441</sup> [S/PV.6934](#), pp. 2-4.

<sup>442</sup> *Ibid.*, pp. 4-5.

<sup>443</sup> *Ibid.*, pp. 5-7.

2095 (2013) under Chapter VII and the efforts undertaken by the Mission to dispel misperceptions as well as false expectations.<sup>444</sup>

The Council also heard a briefing from the Chair of the Committee established pursuant to resolution 1970 (2011),<sup>445</sup> who reported on the follow-up actions to the recommendations included in the final report of the Panel of Experts.<sup>446</sup>

On 16 September 2013, the Council heard a briefing from the Special Representative of the Secretary-General on the numerous political and security issues affecting the country. He pointed out that the regional dynamics, political disagreements among the various forces, disruption of oil exports and lack of a law on transitional justice had strained the political processes taking place in the country even though some progress had been achieved on the constitution-making process. He noted that the security problems remained the predominant concern and underscored the importance of national dialogue to overcome the disillusionment with the political process.<sup>447</sup> The Council was also briefed by the Chair of the Committee established pursuant to resolution 1970 (2011), on the follow-up actions by the Committee on the recommendations of the Panel of Experts and the agreement signed with INTERPOL on INTERPOL-Security Council special notices.<sup>448</sup> The representative of Libya acknowledged the difficulties faced by the Libyan authorities and called for the continuous support of the Council and all Member States.<sup>449</sup>

On 9 December 2013, the Special Representative of the Secretary-General informed the Council of the mass demonstrations in Tripoli, Benghazi and Darnah by which the civilian population had expressed frustration with the political process and distrust of the armed brigades, and the armed clashes between civilians and the armed brigades. Despite the efforts of the Government to restore stability, the weak capacity of the State military and policy institutions remained a serious concern. He said that the UNSMIL request for the strengthening of the protection of its premises was misunderstood by groups in the country, some suspecting that the proposed arrangement was a

prelude to an international intervention. In spite of certain improvements and the adoption of the new law on transitional justice, he reiterated concern about the situation of the conflict-related detainees. He further informed the Council about the Mission's contribution to preparations for the national dialogue through technical assistance and advice.<sup>450</sup>

The Council also heard a briefing from the Chair of the Committee established pursuant to resolution 1970 (2011) on the implementation of sanctions measures and on the difficulties encountered by the Panel of Experts in obtaining responses from certain Member States to requests for visits.<sup>451</sup>

At its meeting on 16 December 2013, the Council issued a presidential statement in which it expressed grave concern at the worsening security situation and political divisions which threatened to undermine Libya's transition to democracy. The Council welcomed the efforts of UNSMIL to facilitate inclusive national dialogue and noted that the adoption of a constitution would be crucial in providing the framework for a secure and prosperous future. The Council strongly condemned the killing of unarmed protestors in Tripoli on 15 November and called for urgent progress towards an inclusive approach to disarmament, demobilization and reintegration of armed groups into civilian life. The Council also stressed the urgent need to strengthen military and police institutions in Libya, expressed concern at the threat posed by unsecured arms and ammunition and their proliferation, and condemned cases of torture and mistreatment.<sup>452</sup>

In his statement, the representative of Libya noted that, while his Government had come to different conclusions from those in the presidential statement, the overall message of support for the Libyan people and the efforts of the newly elected authorities to expedite the democratic transition was much appreciated. He underscored the principled position and commitment of the Libyan authorities to prevent extrajudicial killings and inhumane treatments and stressed that the General National Congress and the Government were determined to strengthen State authority and impose the rule of law.<sup>453</sup>

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<sup>444</sup> S/PV.6981, pp. 2-5.

<sup>445</sup> Ibid., p. 5.

<sup>446</sup> S/2012/163.

<sup>447</sup> S/PV.7031, pp. 2-4.

<sup>448</sup> Ibid., p. 5.

<sup>449</sup> Ibid., p. 6.

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<sup>450</sup> S/PV.7075, pp. 2-4.

<sup>451</sup> Ibid., p. 4.

<sup>452</sup> S/PRST/2013/21.

<sup>453</sup> S/PV.7083, p. 2.



### Biannual briefings of the International Criminal Court

The Prosecutor of the International Criminal Court briefed the Council on four occasions during the period under review pursuant to resolution 1970 (2011). On 16 May 2012, the Prosecutor informed the Council that Libya had submitted an admissibility challenge for the Saif al-Islam Gaddafi case in order to conduct a national investigation against him. This was the first time in the history of the Court that a State had presented such a challenge. He also informed the Council that the Mauritanian authorities had arrested the second indictee, Abdullah Al-Senussi, and that his Office was also gathering information about the activities of high-level Gaddafi officials outside Libya. He called for a national comprehensive strategy to address all crimes and put an end to impunity as well as for the dismantlement of all unofficial and unacknowledged detention centres. He also reported on the International Commission of Inquiry and its finding that NATO did not deliberately target civilians in Libya.<sup>454</sup> While the representatives of Pakistan and Morocco favoured giving priority to national jurisdiction,<sup>455</sup> the majority of Member States left the decision to the Court's judges, the representatives of Guatemala and South Africa calling for cooperation between the Court and national courts irrespective of the decision on the admissibility challenge.<sup>456</sup>

The representative of the Russian Federation recommended the prosecution of Gaddafi opponents and, together with the representative of China, expressed concerns about the civilian casualties that had resulted from NATO activities.<sup>457</sup> Several representatives stressed the importance of placing all detainees under the control of national authorities.<sup>458</sup> The representative of Libya underlined his country's ability to conduct transparent and fair trials that met all safeguards provided for under international law and expressed the intention of the Libyan judicial authorities to investigate allegations of torture and crimes committed by the rebels against detainees. In

conclusion, he reaffirmed the conviction of the Libyan authorities that the strategies employed by NATO leaders were designed merely to protect civilians from the violence aimed at them by Gaddafi forces.<sup>459</sup>

At the briefing on 7 November 2012, the new Prosecutor of the International Criminal Court updated the Council on the admissibility challenge presented by the Libyan authorities for the Gaddafi case and on their intent also to challenge the admissibility of the case against Al-Senussi. She referred to the adoption of Law 38, which granted amnesty at the national level for acts made necessary by the revolution of 17 February, and Law 35, ensuring that acts found to be in contravention of international law and human rights covenants were not exempt. Furthermore, she stated that her Office continued to collect evidence in relation to several allegations, including of rape and sexual violence.<sup>460</sup> With regard to the admissibility challenge, some representatives encouraged domestic prosecution as a first option,<sup>461</sup> whereas others expressed serious doubts about Libya's capabilities to ensure fair legal proceedings.<sup>462</sup> Several countries called for continued cooperation between Libya and the Court. The representative of Libya highlighted the Government's plan to deal with different aspects of the implementation of the judicial system and every crime, irrespective of the identity of the victim or the accused.<sup>463</sup>

On 8 May 2013, the Prosecutor reported on the response filed by her Office to Libya's challenge on the admissibility of the Saif al-Islam Gaddafi and Al-Senussi cases. She added that the Gaddafi case had reached a stage where it remained only for the Chamber to pronounce itself on the submissions made by the parties. She said that her Office was documenting the most serious crimes committed by former Gaddafi officials, some of whom were outside of Libya, and expressed concern about the allegations of crimes committed by rebel forces. In conclusion, she stressed that as Prosecutor she could not get involved in political considerations or stretch the interpretation of the Rome Statute. Equally, neither the Council nor

<sup>454</sup> S/PV.6772, pp. 2-4.

<sup>455</sup> Ibid., p. 4 (Pakistan); and p. 8 (Morocco).

<sup>456</sup> Ibid., p. 7 (Guatemala); and p. 8 (South Africa).

<sup>457</sup> Ibid., pp. 5-6 (Russian Federation); and p. 11 (China).

<sup>458</sup> Ibid., p. 7 (Guatemala); p. 8 (South Africa); p. 9 (Germany); p. 12 (France); p. 13 (Togo); and p. 15 (Azerbaijan).

<sup>459</sup> Ibid., pp. 15-16.

<sup>460</sup> S/PV.6855, pp. 2-3.

<sup>461</sup> Ibid., p. 5 (Togo); pp. 6-7 (South Africa); p. 10 (Pakistan); and p. 12 (Morocco).

<sup>462</sup> Ibid., p. 4 (Colombia); and pp. 5-6 (Russian Federation).

<sup>463</sup> Ibid., p. 15.

its members or any other State should seek to interfere with the judicial processes of the Court.<sup>464</sup>

The representative of the Russian Federation complained about the lack of progress in the prosecution of the individuals who had committed serious crimes and reiterated his serious doubts that conditions in Libya allowed for fair legal proceedings.<sup>465</sup> Conversely, the representative of Rwanda noted that the Court had failed to live up to international aspirations of delivering justice independent of political interference and had been selective in its methods of investigating and prosecuting perpetrators.<sup>466</sup> In conclusion, the representative of Libya noted that the relationship between the Court and the Government of Libya was based on complementarity and cooperation and expressed the hope that States would cooperate with them in bringing all accused to justice.<sup>467</sup>

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<sup>464</sup> S/PV.6962, pp. 2-3.

<sup>465</sup> Ibid., p. 5.

<sup>466</sup> Ibid., p. 9.

<sup>467</sup> Ibid., p. 17.

At the meeting on 14 November 2013, the Prosecutor said that the security situation in Libya hampered the ability of her Office to effectively undertake investigations. While appreciating gains towards a system based on the rule of law, she expressed concern about the treatment of detainees and minorities. She updated the Council on the decisions issued in relation to the Al-Senussi and the Saif al-Islam Gaddafi cases. With regard to the latter, she affirmed the obligation on the part of the Government of Libya to surrender Mr. Gaddafi to the custody of the Court. She also underlined the joint, complementary efforts of the Government of Libya and the Court to investigate and prosecute all perpetrators of crimes and, to that end, she informed the Council on the conclusion of a burden-sharing memorandum of understanding.<sup>468</sup> The representative of Libya reiterated his Government's commitment to judicial complementarity and hoped that the Court would soon recognize Libya's responsibility for the trial of Saif al-Islam Gaddafi.<sup>469</sup>

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<sup>468</sup> S/PV.7059, pp. 2-3.

<sup>469</sup> Ibid., p.16.

**Meetings: the situation in Libya**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6707</a> 25 January 2012			Libya	Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya (UNSMIL), United Nations High Commissioner for Human Rights	All invitees	
<a href="#">S/PV.6728</a> 29 February 2012			Libya	Special Representative of the Secretary-General	Portugal (as Chair of the Security Council Committee established pursuant to resolution <a href="#">1970 (2011)</a> ), all invitees	
<a href="#">S/PV.6731</a> 7 March 2012	Report of the Secretary-General on UNSMIL ( <a href="#">S/2012/129</a> )		Libya (Prime Minister)	Special Representative of the Secretary-General	China, France, Germany, Russian Federation, United States, all invitees	
<a href="#">S/PV.6733</a> 12 March 2012	Report of the Secretary-General on UNSMIL ( <a href="#">S/2012/129</a> ) Letter dated 7 March 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/139</a> )	Draft resolution submitted by France, Germany, Morocco, Portugal, United Kingdom, United States ( <a href="#">S/2012/146</a> )	Libya		Libya	Resolution <a href="#">2040 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6768</a> 10 May 2012	Letter dated 23 March 2012 from the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1970 (2011)</a> concerning Libya addressed to the President of the Security Council ( <a href="#">S/2012/178</a> )		Libya	Special Representative of the Secretary-General	Portugal (as Chair of the Committee established pursuant to resolution <a href="#">1970 (2011)</a> ), Special Representative of the Secretary-General	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6772</a> 16 May 2012			Libya	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.6807</a> 18 July 2012			Libya	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.6832</a> 12 September 2012	Report of the Secretary-General on UNSMIL ( <a href="#">S/2012/675</a> )		Libya	Under-Secretary-General for Political Affairs	All invitees	
<a href="#">S/PV.6855</a> 7 November 2012			Libya	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.6857</a> 8 November 2012			Libya	Special Representative of the Secretary-General	Portugal (as Chair of the Committee established pursuant to resolution <a href="#">1970 (2011)</a> ), Special Representative of the Secretary-General	
<a href="#">S/PV.6912</a> 29 January 2013			Libya	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.6934</a> 14 March 2013	Report of the Secretary-General on UNSMIL ( <a href="#">S/2013/104</a> )	Draft resolution submitted by Australia, France, Luxembourg, Morocco, Rwanda, United Kingdom, United States ( <a href="#">S/2013/156</a> )	Libya (Prime Minister)	Special Representative of the Secretary-General	Rwanda (as Chair of the Committee established pursuant to resolution <a href="#">1970 (2011)</a> ), all invitees	Resolution <a href="#">2095 (2013)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6962</a> 8 May 2013			Libya	Prosecutor of the International Criminal Court	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6981</a> 18 June 2013			Libya	Special Representative of the Secretary-General	Rwanda (as Chair of the Committee established pursuant to resolution <a href="#">1970 (2011)</a> ), Special Representative of the Secretary-General	
<a href="#">S/PV.7031</a> 16 September 2013	Report of the Secretary-General on UNSMIL ( <a href="#">S/2013/516</a> )		Libya	Special Representative of the Secretary-General	Rwanda (as Chair of the Committee established pursuant to resolution <a href="#">1970 (2011)</a> ), all invitees	
<a href="#">S/PV.7059</a> 14 November 2013			Libya	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.7075</a> 9 December 2013			Libya	Special Representative of the Secretary-General	Rwanda (as Chair of the Committee established pursuant to resolution <a href="#">1970 (2011)</a> ), Special Representative of the Secretary-General	
<a href="#">S/PV.7083</a> 16 December 2013			Libya		All invitees	<a href="#">S/PRST/2013/21</a>

## 16. The situation in Mali

### Overview

During the period under review, the Security Council included the item entitled “The situation in Mali” in its agenda<sup>470</sup>. The Council held 12 meetings and adopted four resolutions and two presidential statements in connection with the situation in Mali, previously considered under the item entitled “Peace and security in Africa”.<sup>471</sup>

The Council followed closely the unfolding of the crisis in Mali from its outbreak at the beginning of 2012. Its decisions and actions culminated, first, in the authorization of the deployment of an African-led International Support Mission in Mali and then the establishment of the United Nations Multidimensional Integrated Stabilization Mission in Mali on 25 April 2013 and the transfer of responsibilities from the African-led mission to the United Nations mission on 1 July 2013. The Council also followed closely the developments of the political process, including the holding of presidential and legislative elections in the country and the implementation of the agreement between the Government of Mali and the armed groups in the northern regions signed in Ouagadougou on 18 June 2013.

### First stages of the crisis in Mali

Against the backdrop of the Tuareg-led rebellion in the northern part of the country and the forcible seizure of power from the democratically elected Government of Mali by some elements of the Malian armed forces, the Council held a meeting on 26 March 2012.<sup>472</sup> At that meeting, the Council issued a presidential statement in which it expressed serious concern about the insecurity and rapidly deteriorating humanitarian situation in the Sahel region. The Council strongly condemned the forcible seizure of power by elements of the Malian armed forces, and called for the

restoration of constitutional order and the holding of elections as previously scheduled. The Council also condemned the attacks carried out by rebel groups against forces of the Government of Mali, and called upon the rebels to cease all violence and to seek a peaceful solution.<sup>473</sup>

On 4 April 2012, the Council held a meeting in the context of which it issued another presidential statement, in which it called upon the mutineers to ensure the safety and security of all Malian officials and demanded the immediate release of those detained.<sup>474</sup> At the meeting, the representative of Mali recounted that northern Mali was occupied by Tuareg rebels and Salafists with hundreds of thousands of refugees and internally displaced persons living in unimaginable conditions. He commended the Council for the adoption of the presidential statement and asked for help to find a way out of the crisis. He further questioned the decision of the Economic Community of West African States (ECOWAS) to impose sanctions on Mali at a time when the country required help to find a way forward. He informed the Council that the military officers who had undertaken the coup had asked to engage in discussions in order to seek a national consensus to emerge from the crisis.<sup>475</sup>

On 5 July 2012, by resolution [2056 \(2012\)](#), the Council determined that the situation in Mali constituted a threat to international peace and security; it expressed its full support for the efforts of ECOWAS and the African Union and encouraged them to coordinate with the transitional authorities of Mali for the restoration of constitutional order. Acting under Chapter VII of the Charter, the Council demanded the cessation of hostilities by rebel groups in the north of Mali and requested the Secretary-General to provide support to ongoing mediation efforts, including through the good offices of his Special Representative for West Africa.

Speaking after the adoption of the resolution, the representative of ECOWAS stated that resolution [2056 \(2012\)](#) represented an important first phase in the political involvement of the international community in support of the efforts of ECOWAS. He also reiterated

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<sup>470</sup> Pursuant to the note by the President of the Security Council dated 20 December 2012 ([S/2012/961](#)), issues pertaining to Mali were, from that date, considered under the item entitled “The situation in Mali”, under which was subsumed the earlier consideration by the Council of those issues under the item entitled “Peace and security in Africa”.

<sup>471</sup> For more information, see part II, sect. II, “Agenda”; and part I, sect. 14, “Peace and security in Africa”.

<sup>472</sup> See [S/PV.6741](#).

<sup>473</sup> [S/PRST/2012/7](#).

<sup>474</sup> [S/PRST/2012/9](#).

<sup>475</sup> [S/PV.6745](#), p. 3.

the request from ECOWAS to the Security Council to accelerate the process of adopting a resolution by which it would support the deployment of an operational force of ECOWAS in Mali in order to secure the transition, restore the country's unity and fight terrorism in the region.<sup>476</sup>

### **Deterioration of the situation in Mali**

On 8 August 2012, in his briefing to the Council, the Secretary-General stated that the situation posed a growing threat to international peace and security and confirmed the limited progress with respect to restoring constitutional order. While noting that the military junta was having a harmful effect owing to its strong influence over the transitional process, he highlighted, as a positive development, the return of the President of Mali to Bamako and commended the steps that he was taking to ensure the formation of a government of national unity.

Regarding the situation in the north, the Secretary-General confirmed that the situation remained volatile and unpredictable. He said that Ansar Eddine and the Movement for Unity and Jihad in West Africa, with reported links to Al-Qaida in the Islamic Maghreb, had taken control over the north after pushing out the Mouvement national de libération de l'Azawad and had imposed sharia law on the residents. He reported on the mediation efforts of ECOWAS, the establishment of a national commission for negotiations by the President of Mali, the good offices of his Special Representative for West Africa and the consultations between the Department of Political Affairs and the States members of ECOWAS. He also spoke of the dire humanitarian situation and the reports of serious human rights violations by armed groups in the north. He encouraged the Council to give serious consideration to the imposition of targeted sanctions against individuals engaged in terrorist and other criminal activities. In closing, the Secretary-General affirmed that the resolution of the crisis in Mali required a holistic and comprehensive approach given its complexity and multidimensional nature, and encouraged the Government of Mali to develop an overarching political strategy to return the country to constitutional order and re-establish State authority in the north.<sup>477</sup>

All speakers emphasized that, while the humanitarian and security situation remained dire, there were encouraging signs of normalization such as the return of the President to Bamako. The representative of ECOWAS recalled that the strategy of ECOWAS in Mali was aimed at intensifying mediation efforts with all stakeholders while undertaking a phased deployment process of an ECOWAS stabilization force.<sup>478</sup> The representative of the African Union underlined the need to encourage Malians to speed up the process of forming a government of national unity in order to lift the suspension of Mali's participation in African Union activities, imposed by the Peace and Security Council of the African Union further to the coup in March.<sup>479</sup> The representative of Mali reported on transitional measures and on the security and humanitarian situation in the north. He emphasized that improving the living conditions of those affected by the crisis in the north and addressing the food insecurity were priorities of the Government and appealed to the international community for support.<sup>480</sup>

On 12 October 2012, the Council unanimously adopted resolution [2071 \(2012\)](#), in which it welcomed the appointment of a Government of National Unity and urged the transitional authorities of Mali to present a detailed road map for transition. Acting under Chapter VII of the Charter, the Council also took note of the adoption by ECOWAS of targeted sanctions and expressed its readiness to consider appropriate measures as necessary. It called upon the Malian rebel groups to cut off all ties to terrorist organizations. The Council declared its readiness, upon receiving a report of the Secretary-General with recommendations regarding an international military force, to respond to the request of Mali for such a force to assist the Malian armed forces in recovering the occupied regions in the north. The Council welcomed the appointment of the Special Envoy of the Secretary-General for the Sahel.

At the meeting, the representative of Mali underlined the importance and urgency of deploying an international military force under Chapter VII of the Charter to support the defence and security forces of Mali in restoring territorial integrity, fighting terrorism and transnational organized crime, and restoring

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<sup>476</sup> [S/PV.6798](#), p. 3.

<sup>477</sup> [S/PV.6820](#), pp. 2-3.

<sup>478</sup> *Ibid.*, p. 5.

<sup>479</sup> *Ibid.*, pp. 6-7.

<sup>480</sup> *Ibid.*, pp. 7-8.

human rights in the northern regions.<sup>481</sup> The representative of Côte d'Ivoire, on behalf of ECOWAS and his own Government, noted that, while pressing for the deployment of troops, ECOWAS and the African Union believed that priority should be devoted to negotiations and political solutions.<sup>482</sup>

On 5 December 2012, the Under-Secretary-General for Political Affairs explained to the Council that, since the adoption of resolution 2071 (2012), the United Nations system had intensified and accelerated its efforts in Mali along two main tracks: the first to give impetus to the Malian political process and the second to support ECOWAS and the African Union in planning for an international force to support the Malian authorities in restoring the territorial integrity of the country. He also said that the Special Envoy of the Secretary-General for the Sahel had been active on the broader Sahel issues, emphasizing that it was vital to address Sahel issues as part of the solution to the crisis in Mali. With regard to the deployment of an international force, he confirmed that the United Nations had worked with ECOWAS and the African Union, in close consultation with the Malian authorities, in developing a strategy for the proposed African-led international support mission in Mali. He noted that the very existence of the military option could provide useful and complementary leverage to the political process but it should be well planned, coordinated and implemented. He added that both the international support mission in Mali and the Malian forces would need the requisite capacities for carrying out operations against terrorist and affiliated groups in northern Mali.<sup>483</sup>

The representative of Mali reiterated that the situation in her country required an international force in support of the Government forces. She said that Mali had not asked for such a force to fight ethnic minorities, nor did it aim at destabilizing neighbouring countries but at ensuring security in the country, and reaffirmed her Government's commitment to dialogue.<sup>484</sup>

The representative of ECOWAS expressed the view of his organization that the political dialogue had to be combined with the military option in order to

help Mali to regain its territorial integrity, and asked the Council for a robust resolution authorizing the deployment of the African-led international support mission.<sup>485</sup>

The representative of the African Union expressed the hope that the Security Council would authorize the deployment of the African-led international support mission in Mali without delay. He reiterated the call of the African Union to establish a United Nations support package financed from assessed contributions to ensure the sustainability of the mission. He called also on the Council to establish a trust fund to support the Malian defence and security forces.<sup>486</sup>

#### **Authorization of the deployment of an African-led mission in Mali**

On 20 December 2012, the Council unanimously adopted resolution 2085 (2012), in which it decided to authorize the deployment of an African-led International Support Mission in Mali (AFISMA) for an initial period of one year.<sup>487</sup> The Council called upon Member States, including States of the Sahel region, to contribute troops to AFISMA, and called upon the transitional authorities of Mali and all other parties in Mali to cooperate fully with the deployment and operations of the Mission. The Council requested the Secretary-General to establish a multidisciplinary United Nations presence in Mali in order to provide support to the political process and the security process.

The representative of Mali welcomed resolution 2085 (2012) as a reflection of the commitment of the international community to stand by Mali in combating terrorism and transnational organized crime.<sup>488</sup> The representative of Côte d'Ivoire, on behalf of ECOWAS, pointed out that the resolution was a message of hope and solidarity and set out a political strategy that provided every opportunity for peace.<sup>489</sup> The representative of the African Union also commended the wisdom and political will shown by the members of the Security Council in support of the requests of

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<sup>481</sup> S/PV.6846, p. 2.

<sup>482</sup> Ibid., p. 3.

<sup>483</sup> S/PV.6879, pp. 3-4.

<sup>484</sup> Ibid., p. 6.

<sup>485</sup> Ibid., p. 9.

<sup>486</sup> Ibid., pp. 11-12.

<sup>487</sup> For more information on the mandate of AFISMA, see part VIII, sect. III, "Peacekeeping operations led by regional arrangements".

<sup>488</sup> S/PV.6898, p. 2.

<sup>489</sup> Ibid., p. 3.



ECOWAS and the African Union to authorize the deployment of AFISMA.<sup>490</sup>

### **Deployment of French forces in Mali**

Against the backdrop of the deployment of French forces in January 2013 and further to the request of the transitional authorities of Mali to support military operations to repel the advance of extremist groups in the northern part of the country, the Council was briefed, on 22 January 2013, by the Under-Secretary-General for Political Affairs, who said that the crisis was at a potential turning point. The military struggle over northern Mali had been engaged and the Secretary-General had applauded the decision of France to halt the push of extremist groups southward. He reported that AFISMA was facing critical gaps in various logistical areas, questioning the Mission's capacity for self-sustainment. This notwithstanding, he noted that the Secretary-General was firmly committed to using the tools of the United Nations to help to address the crisis in Mali and to promote the implementation of resolution 2085 (2012). He said that the Government of Mali agreed on the need for the military and the political processes to evolve jointly and stated that reliance on an exclusively military option would not allow for the building of a lasting solution for Mali.<sup>491</sup>

The representative of Mali commended the Council on its support for the action of France in Mali. He appealed, however, to the international community to help to mobilize the financial resources necessary for the prompt deployment of AFISMA. He expressed certainty that military intervention in Mali to combat terrorist and rebel groups would promote the political process leading to normalization.<sup>492</sup> All the other speakers commended the French decision to intervene in Mali. The representative of Senegal noted that, while the French intervention had already allowed the retaking of certain towns, the deployment of African troops would decidedly contribute to stepping up the pace of the operation for retaking northern Mali.<sup>493</sup> Each of the speakers briefed the Council on their countries' respective actions taken for the implementation of resolution 2085 (2012). Most speakers also made reference to the donors' conference

of 29 January 2013 for the mobilization of financial, logistical and material resources for the deployment of AFISMA. The representative of the European Union expressed hope that the Security Council would be able to quickly decide on authorizing a solid system for the financing of AFISMA.<sup>494</sup>

### **Options for the deployment of a United Nations mission in Mali**

On 3 April 2013, the Under-Secretary-General for Political Affairs updated the Council on the most important political and security developments in the country. He underlined the adoption in January of a road map for the transition, including the restoration of the territorial integrity and the organization of free and fair elections. He said that, while the humanitarian access had improved in some parts of the country, the situation remained highly volatile. He added that the United Nations was monitoring the human rights situation and noted that the Human Rights Council had appointed a special rapporteur on Mali. He also advised that in the interplay between political and security priorities it was of critical importance to ensure that the security imperative did not detract from the primacy of politics in Mali. With respect to the security challenges, he said that a key question was the extent to which the United Nations could or should assume responsibility for security and stabilization, bearing in mind the concerns of the humanitarian actors regarding the need to retain a clear distinction between the humanitarian and political/security agendas. Against this background, he described options for United Nations engagement in Mali.<sup>495</sup>

The representative of Mali reported that outbreaks of violence constituted obstacles to the re-establishment of State authority and to the return of internally displaced persons and refugees living in neighbouring countries, as well as to the organization of free, transparent and credible elections throughout the territory. He expressed his Government's preference for the deployment of a multidimensional, integrated United Nations stabilization mission under Chapter VII of the Charter.<sup>496</sup>

The representative of Côte d'Ivoire, on behalf of ECOWAS, confirmed that the situation in Mali had

<sup>490</sup> Ibid., p. 4.

<sup>491</sup> S/PV.6905, pp. 2-5.

<sup>492</sup> Ibid., pp. 5-7.

<sup>493</sup> Ibid., p. 11.

<sup>494</sup> Ibid., p. 18.

<sup>495</sup> S/PV.6944, pp. 2-5.

<sup>496</sup> Ibid., pp. 6-7.

enjoyed positive developments since the launching of the French Operation Serval. He noted, however, the continuation of the military activity in the north and the efforts to launch offensives against the jihadist havens. He said that ECOWAS recommended the transformation of AFISMA into a United Nations stabilization operation equipped with a robust mandate, together with the presence of a parallel force equipped with the capacity necessary to rapidly dislodge the groups of terrorists and insurgents.<sup>497</sup>

#### **Establishment of the United Nations Multidimensional Integrated Stabilization Mission in Mali**

On 25 April 2013, the Council unanimously adopted resolution [2100 \(2013\)](#), by which it established the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).<sup>498</sup> It also requested the Secretary-General to subsume the United Nations Office in Mali into MINUSMA. The Council authorized MINUSMA to use all necessary means, within the limits of its capacities and areas of deployment, to carry out its mandate. The Council authorized French troops, within the limits of their capacities and areas of deployment, to use all necessary means to intervene in support of elements of MINUSMA when under imminent and serious threat upon request of the Secretary-General.

Speaking after the adoption of the resolution, the representative of the Russian Federation expressed his Government's concern about the growing shift towards the military aspects of United Nations peacekeeping, as well as his Government's belief that the mandate of MINUSMA excluded offensive or counter-terrorism operations. He stated that the activity of MINUSMA should be backed by tangible and palpable political processes, which would include political dialogue between the main Malian sides.<sup>499</sup>

The representative of Mali stated that his delegation was particularly pleased by the adoption of the resolution and recalled that, despite significant progress in the security area, certain terrorist cells remained, and he therefore welcomed the commitment of the international community to deter and prevent the

return of armed rebel groups.<sup>500</sup> The representative of the African Union advocated in favour of ECOWAS and the African Union maintaining a strong presence in Bamako to pursue their political commitment in Mali, the continuation of consultations on all joint action on Mali, and strong coordination between MINUSMA, the French force and the Malian army.<sup>501</sup>

On 25 June 2013, the Council held a meeting to consider the report of the Secretary-General on the situation in Mali.<sup>502</sup> The Special Representative of the Secretary-General for Mali and Head of MINUSMA addressed the Council via videoconference from Bamako. He gave an overview of the situation on the ground, stressing that the security situation had gradually improved, but remained complex and fragile. On the political process, he said that on 18 June the transitional Government of Mali and the armed groups in the northern regions had signed in Ouagadougou a preliminary agreement on the presidential elections and inclusive negotiations. Concerning the preparations for the elections, he informed the Council that presidential polls had been scheduled for 28 July 2013, with MINUSMA having a supporting role. On the humanitarian front he expressed concern and noted that humanitarian activities were being carried out in the northern regions in spite of the security challenges and the upcoming rainy season. He confirmed that the human rights situation remained precarious, with violations committed by all parties.<sup>503</sup>

The Under-Secretary-General for Peacekeeping Operations reported that, since its establishment on 25 April, MINUSMA had begun to implement its mandate of political good offices, electoral support, human rights and support for the restoration of State authority. He explained that the majority of the staff would be in the north, maintaining a military presence in key population centres. In spite of the progress, he said that significant challenges remained, including the harsh climate and the vast size of the geographic area of responsibility.<sup>504</sup> The Under-Secretary-General for Field Support said that MINUSMA was engaged in two complex endeavours, namely, the preparations for the presidential elections and the follow-up to the interim agreement signed in Ouagadougou on 18 June, and

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<sup>497</sup> *Ibid.*, pp. 7-8.

<sup>498</sup> For more information on the mandate of MINUSMA, see part X, sect. I, "Peacekeeping operations".

<sup>499</sup> [S/PV.6952](#), p. 2.

<sup>500</sup> *Ibid.*, p. 3.

<sup>501</sup> *Ibid.*, p. 4.

<sup>502</sup> [S/2013/338](#).

<sup>503</sup> [S/PV.6985](#), pp. 2-4.

<sup>504</sup> *Ibid.*, pp. 6-8.

explained the major challenges posed to MINUSMA because of the security, climatic and logistical conditions in the country. She highlighted the use of technology as a means of reducing the environmental footprint of the Mission and speeding up the process for the Mission to become operational.<sup>505</sup>

The representative of Mali informed the Council that the security conditions were favourable to a transfer of competence from AFISMA to MINUSMA. On the agreement signed in Ouagadougou, he added that it represented a decisive step towards the re-establishment of the territorial integrity of Mali and that it created conditions conducive to the holding of the presidential elections throughout the national territory.<sup>506</sup>

On 16 October 2013, the Special Representative of the Secretary-General presented the second report of the Secretary-General on the situation in Mali.<sup>507</sup> and offered an overview of the political and security situation in Mali to the Council. He underscored two important achievements, the successful holding of presidential elections and the establishment, even if incomplete, of MINUSMA on 1 July 2013. Looking ahead, he said that legislative elections would be held

in November and December 2013. On the security front, he warned that the recent security incidents registered in Mali were an important wake-up call. However, he assured the Council that the overall improvement of the security situation in Mali had also opened up new prospects for the country's recovery and longer-term perspectives. He referred to the shortfalls affecting MINUSMA and called on the Council and troop-contributing countries to promote the rapid deployment of additional enablers that would allow MINUSMA to discharge its mandate speedily and effectively.<sup>508</sup>

The representative of Mali informed the Council of the presidential elections in which a new president had been elected. He also enumerated a series of actions by the Government in furtherance of the agreement of 18 June 2013, including negotiations with the armed groups, the establishment of sensitization forums, and the establishment of the National Commission for Dialogue, Truth and Reconciliation, as well as upcoming activities concerning decentralization and the accelerated development of the northern regions. He asserted that, while the deployment of the Malian defence and security forces, MINUSMA and Operation Serval had helped significantly in improving the security situation in the major cities of northern Mali, the situation remained volatile and the sustained attention of the international community was necessary.<sup>509</sup>

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<sup>505</sup> Ibid., pp. 8-10.

<sup>506</sup> Ibid., pp. 10-11.

<sup>507</sup> [S/2013/582](#).

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<sup>508</sup> [S/PV.7043](#), pp. 2-4

<sup>509</sup> Ibid., pp. 5-6.

## Meetings: the situation in Mali

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6741</a> 26 March 2012						<a href="#">S/PRST/2012/7</a>
<a href="#">S/PV.6745</a> 4 April 2012			Mali		Mali	<a href="#">S/PRST/2012/9</a>
<a href="#">S/PV.6798</a> 5 July 2012		Draft resolution submitted by France, Germany, Morocco, South Africa, Togo, United Kingdom, United States ( <a href="#">S/2012/512</a> )		President of the Commission of the Economic Community of West African States (ECOWAS)	President of the Commission of ECOWAS	Resolution <a href="#">2056 (2012)</a> 15-0-0
<a href="#">S/PV.6820</a> 8 August 2012			Mali	Commissioner for Political Affairs, Peace and Security of ECOWAS, Permanent Observer of the African Union to the United Nations	Secretary-General, all invitees	
<a href="#">S/PV.6846</a> 12 October 2012		Draft resolution submitted by France, Germany, India, Morocco, South Africa, Togo, United Kingdom ( <a href="#">S/2012/761</a> )	Côte d'Ivoire (also on behalf of ECOWAS), Mali		All invitees	Resolution <a href="#">2071 (2012)</a> 15-0-0
<a href="#">S/PV.6879</a> 5 December 2012	Report of the Secretary-General on the situation in Mali ( <a href="#">S/2012/894</a> )		Mali	Under-Secretary-General for Political Affairs, President of the Commission of ECOWAS, Permanent Observer of the African Union	All invitees	
<a href="#">S/PV.6898</a> 20 December 2012	Letter dated 13 December 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/926</a> )	Draft resolution submitted by 10 Member States <sup>a</sup> ( <a href="#">S/2012/946</a> )	Mali (Minister for Foreign Affairs and International Cooperation), Côte d'Ivoire (on behalf of ECOWAS)	Permanent Observer of the African Union	All invitees	Resolution <a href="#">2085 (2012)</a> 15-0-0

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6905</a> 22 January 2013			Benin, Burkina Faso, Chad, Côte d'Ivoire (on behalf of ECOWAS), Mali, Niger, Nigeria, Senegal	Under-Secretary-General for Political Affairs, Permanent Observer of the African Union, Head of the Delegation of the European Union to the United Nations	All invitees	
<a href="#">S/PV.6944</a> 3 April 2013	Report of the Secretary-General on the situation in Mali ( <a href="#">S/2013/189</a> )		Côte d'Ivoire (on behalf of ECOWAS), Mali	Under-Secretary-General for Political Affairs	All invitees	
<a href="#">S/PV.6952</a> 25 April 2013	Report of the Secretary-General on the situation in Mali ( <a href="#">S/2013/189</a> )	Draft resolution submitted by Australia, France, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/242</a> )	Mali (Minister for Foreign Affairs and International Cooperation)	Permanent Observer of the African Union	All invitees	Resolution <a href="#">2100 (2013)</a> 15-0-0
<a href="#">S/PV.6985</a> 25 June 2013	Report of the Secretary-General on the situation in Mali ( <a href="#">S/2013/338</a> )		Mali (Minister for Foreign Affairs and International Cooperation)	Special Representative of the Secretary-General for Mali and Head of the United Nations Multidimensional Integrated Stabilization Mission in Mali, Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Field Support	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7043</a> 16 October 2013	Report of the Secretary-General on the situation in Mali ( <a href="#">S/2013/582</a> )		Mali (Minister for Reconciliation and Development of the North of the Republic of Mali)	Special Representative of the Secretary-General	All invitees	

<sup>a</sup> Colombia, France, Germany, Luxembourg, Morocco, Portugal, South Africa, Togo, United Kingdom and United States.

## Americas

### 17. The question concerning Haiti

#### Overview

During the period 2012-2013, the Security Council held eight meetings in connection with the question concerning Haiti, including two closed meetings with countries contributing troops and police to the United Nations Stabilization Mission in Haiti (MINUSTAH),<sup>510</sup> and adopted two resolutions under Chapter VII of the Charter. The Council heard semi-annual briefings by senior officials of the Organization on the situation on the ground, addressing political and security conditions, activities of MINUSTAH and humanitarian, recovery and development matters. The Council twice renewed the mandate of MINUSTAH for periods of one year,<sup>511</sup> while at the same time reducing the force level. In addition, the Security Council mission visited Haiti from 13 to 16 February 2012.<sup>512</sup>

#### The situation concerning Haiti and activities of MINUSTAH

On 8 March 2012, the Council heard a briefing by the Special Representative of the Secretary-General for Haiti and Head of MINUSTAH, who introduced the report of the Secretary-General of 29 February 2012.<sup>513</sup> He reported on the political situation, including the resignation of the Prime Minister, Garry Conille, after four months in office, and the continuing conflicts between the executive and legislative branches; the rule of law and security, including the establishment of the Supreme Court and efforts by MINUSTAH for strengthening the Haitian National Police; the socio-economic, humanitarian and human rights situation; and the tackling of the cholera epidemic. He also reported that the reduction of the military and police components of MINUSTAH in accordance with resolution 2012 (2011) was to be completed by June.<sup>514</sup>

Speakers were generally concerned about the political stalemate and urged the Government to engage in political dialogue and to hold the next partial legislative, municipal and local elections as soon as possible. While acknowledging the relatively stable security situation and the progress in the areas of the rule of law and recovery and reconstruction since the earthquake of January 2010, many speakers also stressed the need for more progress, particularly in the strengthening and capacity-building of the national police — to which MINUSTAH had been contributing — and in resettling the displaced population and protecting vulnerable groups. Several speakers expressed concerns over the resurfacing of armed former members of the Haitian armed forces, which had been dissolved in 1995. The representative of Haiti hoped that his country would no longer figure in United Nations reports and resolutions as a “threat to international peace and security” as that phrase struck fear in potential investors.<sup>515</sup>

A number of speakers opined that the size and the mandate of the future MINUSTAH should be considered on the basis of conditions on the ground, particularly the ability of the national police to take on greater responsibility. The representative of the Russian Federation was pleased that the reconfiguration of the Mission was going according to plan and said that, once the reform process was concluded, the Council could assess the effectiveness of the implementation of its mandate under Chapter VII of the Charter and possibly consider additional measures.<sup>516</sup> In view of the allegations of sexual misconduct by the personnel of the Mission, speakers underscored the need for the United Nations to ensure compliance with its zero-tolerance policy on sexual exploitation and abuse.

On 3 October 2012, introducing the report of the Secretary-General of 31 August 2012,<sup>517</sup> the Special Representative of the Secretary-General briefed the Council on a wide range of issues, including the positive developments in the political stabilization

<sup>510</sup> See [S/PV.6833](#) and [S/PV.7023](#).

<sup>511</sup> See resolutions [2070 \(2012\)](#) and [2119 \(2013\)](#). For more information on the mandate of MINUSTAH, see part X, sect. I, “Peacekeeping operations”.

<sup>512</sup> See part I, sect. 34, “Security Council mission”.

<sup>513</sup> [S/2012/128](#).

<sup>514</sup> [S/PV.6732](#), pp. 2-5.

<sup>515</sup> *Ibid.*, p. 21.

<sup>516</sup> *Ibid.*, p. 16.

<sup>517</sup> [S/2012/678](#).

process and the rule of law in Haiti, namely the confirmation by Parliament of the new Prime Minister, Laurent Lamothe, and the establishment of the Superior Council of the Judiciary overseeing the transparency and independence of the judiciary. At the same time he reported a serious impasse in the formation of the Permanent Electoral Council responsible for organizing all elections in Haiti according to constitutional provisions. He further reported that the illegal activities of former members of the Haitian army were no longer an issue of concern, as the Haitian police, with the support of MINUSTAH, had evicted those calling for the re-establishment of the army and the payment of pensions from the 10 sites that they had occupied. Turning to the strengthening of the police, he stated that the Superior Council of the Haitian National Police had endorsed the 2012-2016 plan for the police which, among other measures, called for the training of at least 1,200 new officers a year to create a police force made up of more than 15,000 officers in total. He reiterated the recommendation of the Secretary-General in his report to reduce the authorized strength of troops from 7,340 to 6,270 and the police from 3,241 to 2,601, with a consequent drop in civilian personnel in accordance with the reduced scope of the activities of the Mission. He further announced that MINUSTAH, together with the United Nations country team, had consulted the Government of Haiti on the conditions-based consolidation plan, which was in a working phase at that moment, so as to facilitate the concentration and reduction of the activities of MINUSTAH in a rational fashion and to head towards a final state of the Mission.<sup>518</sup>

Speakers were encouraged by the more promising picture represented by the swearing-in of a new Government, the publication of the constitutional amendments and the establishment of the Superior Council of the Judiciary, which paved the way towards the formation of the Permanent Electoral Council. With regard to the former armed forces, many speakers also welcomed the progress on the security front as well as the increased performance of the national police, including a handover of security from MINUSTAH to the police in camps of internally displaced people. There was a general consensus on the renewal of the mandate of MINUSTAH for one year as the Secretary-General had recommended. Many speakers were also

supportive of the recommendation of the Secretary-General concerning the reconfiguration and consolidation of MINUSTAH as envisaged in the 2013-2016 consolidation plan. At the same time, several speakers underlined the necessity to draw down MINUSTAH carefully and on the basis of the conditions on the ground, not of a fixed timeline, without undermining the gains achieved thus far. A few speakers underscored the contribution of and the importance of maintaining the engineering component as well as quick-impact and community violence reduction projects,<sup>519</sup> while others maintained that some of the tasks of MINUSTAH should be handed over to other actors, including national ones.<sup>520</sup>

At its 6845th meeting, on 12 October 2012, the Council unanimously adopted resolution [2070 \(2012\)](#), in which it commended the wide range of recovery efforts delivered in the aftermath of the January 2010 earthquake by the United Nations system in Haiti, especially the United Nations-supported housing and debris removal programmes and the successful use of the military engineering units of MINUSTAH. Acting under Chapter VII of the Charter, the Council extended the mandate of MINUSTAH until 15 October 2013, while reducing the overall force level of the Mission to 6,270 troops and 2,601 police personnel. The Council took note of the conditions-based consolidation plan of MINUSTAH, and acknowledged the value of focusing the activities of the Mission on a core set of mandated tasks achievable within a reasonable time frame. It also recognized that a stable political and institutional environment was crucial for stability and the progress of recovery and reconstruction efforts, and called upon all the relevant political actors in Haiti to work cooperatively for the installation of the country's Permanent Electoral Council as established in the constitutional amendments and for the realization of the partial legislative, municipal and local elections that were now overdue.

On 20 March 2013, in presenting the political, socioeconomic and security situations in Haiti in line with the report of the Secretary-General dated 8 March 2013,<sup>521</sup> the Acting Special Representative of the Secretary-General stated that the six-month

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<sup>518</sup> [S/PV.6842](#), pp. 2-6.

<sup>519</sup> *Ibid.*, pp. 17-18 (Colombia); p. 20 (South Africa); p. 24 (Brazil); and p. 29 (Chile).

<sup>520</sup> *Ibid.*, pp. 20-21 (United Kingdom); and p. 21 (Russian Federation).

<sup>521</sup> [S/2013/139](#).



reporting period had been one of impasse in the political domain, epitomized by the lack of progress in creating the electoral council. The MINUSTAH consolidation plan,<sup>522</sup> as had been agreed with the Government of Haiti, outlined four key objectives for the three years from 2013 to 2016, namely, accelerated development of the national police; strengthening of a permanent electoral council once it was created; strengthening of the rule of law and respect for human rights, with a priority on reinforcing basic accountability and oversight mechanisms; and supporting key national and local governance reforms, as well as helping key national stakeholders to achieve consensus on inclusive political processes and institutional reforms to create conditions for socioeconomic development. The consolidation plan also set out a limited number of benchmarks for each of the four areas that could be realistically attained by 2016.<sup>523</sup>

Most speakers emphasized the importance of holding free, fair, inclusive and credible local, municipal and senatorial elections by the end of 2013, which would bolster stability and socioeconomic development, and urged political leaders to avoid further delays. Speakers also highlighted the ongoing need to strengthen the capacity of the national police as one of the priorities for MINUSTAH and called for the continued assistance of the international community for support to create professional police forces. The conditions-based consolidation plan for MINUSTAH was welcomed by the majority of speakers. The representative of the United States considered the consolidation plan as a living document that would evolve in response to developments on the ground and adjustments to the MINUSTAH mandate.<sup>524</sup> The representative of the Russian Federation stated that, while his delegation supported the proposal to focus the mandate of the Mission on a number of attainable objectives, the announced goals and measurement indicators were ambitious and required future discussion among Council members.<sup>525</sup> The representative of Mexico was concerned that the actions that had been successful in the past, such as the

quick-impact projects, had been left out in the consolidation plan.<sup>526</sup>

The representative of Guatemala opined that the mandate of MINUSTAH should determine its budget, not the other way around and argued that there should be no further reductions in the number of uniformed personnel.<sup>527</sup> Similarly, the representative of Brazil maintained that financial consideration must not be the driving force behind the reduction of the United Nations presence in Haiti.<sup>528</sup> The representative of France held that, while a hasty departure should be avoided, the indefinite continuation of a peacekeeping operation of that magnitude was not an option and the prospect of its departure should serve as a catalyst.<sup>529</sup>

On 28 August 2013, the Special Representative of the Secretary-General, in her briefing, stated that the overall security situation in Haiti had remained relatively stable with a decrease in both civil unrest and major crimes, and that further strengthening of the police remained a critical stabilization benchmark. The continued delay in the holding of long-overdue elections was a source of increasing concern, as scepticism regarding the likelihood of holding the elections in 2013 rose, posing a series of risks to the stabilization process. On the consolidation plan of the Mission, the Special Representative reported that the military and police components of MINUSTAH had completed the mandated reduction of their personnel in accordance with resolution 2070 (2012). She further stated that the President, Joseph Martelly, and the Prime Minister had expressed support for a phased withdrawal of the Mission as the capacity of national institutions increased. She concluded that Haiti was at a critical juncture, as progress in security and stabilization and economic development could be jeopardized by the instability resulting from the polarization linked to the election stalemate, and that therefore MINUSTAH continued to work to convince national stakeholders to hold elections as soon as possible and to agree that the continuity of institutions was in their best interest and that of the nation.<sup>530</sup>

Speakers in general recognized the steps that Haiti had taken towards stabilization, such as the

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<sup>522</sup> *Ibid.*, annex.

<sup>523</sup> *S/PV.6936*, pp. 2-4.

<sup>524</sup> *Ibid.*, p. 5.

<sup>525</sup> *Ibid.*, p. 19.

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<sup>526</sup> *Ibid.*, p. 27.

<sup>527</sup> *Ibid.*, p. 12.

<sup>528</sup> *Ibid.*, p. 22.

<sup>529</sup> *Ibid.*, p. 16.

<sup>530</sup> *S/PV.7024*, pp. 2-4.

establishment of the Transitional College of the Permanent Electoral Council and the submission of a draft electoral law to the Parliament, which were important to the holding of long-overdue elections. Many speakers also were aware of the remaining challenges in the process of electoral preparation and reiterated their call to hold the elections as soon as possible, urging the political actors to reach consensus and to create the necessary conditions for elections to be held. They also stressed the need to end the climate of impunity, to support the national police in accordance with the 2012-2016 development plan, and to address the humanitarian situation in the country.

Speakers also supported the recommendations of the Secretary-General to extend the mandate of MINUSTAH for another year and to further reduce the troop strength by 15 per cent, some emphasizing the necessity to do so carefully, in line with the security and political conditions. The representative of the United States agreed with the withdrawal, provided that MINUSTAH maintained a robust, quick-reaction capacity.<sup>531</sup> The representative of the United Kingdom reiterated his delegation's position that the tasks undertaken by the engineering units in supporting quick-impact projects, such as road repair, well-drilling, draining and canal cleaning and water distribution, should be handed over to others, including the local private sector,<sup>532</sup> while others underlined the utility of the quick-impact and community violence reduction programmes,<sup>533</sup> some explicitly calling for the continuation of those programmes by MINUSTAH.<sup>534</sup> The representative of the United Kingdom also welcomed the decision of the Secretary-General to explore the option of a transition to a smaller, more focused assistance mission by 2016, while stressing that the Mission's continuing presence in Haiti remained necessary for now and that any significant change to the configuration should come with credible benchmarks to ensure the capacity of the Government of Haiti to shoulder increasing responsibility.<sup>535</sup> The representative of the Russian Federation also supported the Secretary-General's proposals to consolidate MINUSTAH and its transformation into a smaller mission with a narrower

mandate.<sup>536</sup> The representative of Guatemala held that withdrawal of MINUSTAH must be done in a responsible manner to ensure that the Mission would never have to return.<sup>537</sup> In a similar vein, the representative of Haiti emphasized the importance of considering all possible scenarios for disengagement in order to avoid a repetition of history, while welcoming the fact that the Council had determined that Haiti no longer constituted a threat to international peace and security.<sup>538</sup>

At its 7040th meeting, on 10 October 2013, the Council unanimously adopted resolution [2119 \(2013\)](#) in which it noted with concern that election preparations were still experiencing delays which could affect the holding of elections in 2013. Acting under Chapter VII of the Charter, it extended the mandate of MINUSTAH until 15 October 2014 and reduced further the overall force level to 5,021 troops, while retaining the police at 2,601 personnel. The Council also requested MINUSTAH to continue to implement quick-impact projects that contributed to building a secure and stable environment and enhanced national ownership and the trust of the Haitian population towards MINUSTAH, as well as to pursue its community violence reduction approach. It also took note of the ongoing implementation of the conditions-based consolidation plan of MINUSTAH and welcomed the efforts by the Special Representative of the Secretary-General to support the political process under way in Haiti.

After the adoption of the resolution, the representative of the United Kingdom said that MINUSTAH was the clearest example of a mismatch between the needs on the ground and the tools available to the Council to address them, in view of the fact that over 5,000 military personnel would be in a country where there had been no military conflict in recent times. He added that, after 10 years, the time for quick-impact projects was long past; he supported the drawdown of the Mission and believed there was scope for a more accelerated drawdown, in particular of engineering personnel.<sup>539</sup>

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<sup>531</sup> Ibid., p. 5.

<sup>532</sup> Ibid., p. 12.

<sup>533</sup> Ibid., p. 11 (Rwanda); p. 24 (Brazil); and p. 31 (Chile).

<sup>534</sup> Ibid., p. 5 (United States); and p. 25 (Mexico).

<sup>535</sup> Ibid., p. 12.

<sup>536</sup> Ibid., p. 14.

<sup>537</sup> Ibid., p. 16.

<sup>538</sup> Ibid., p. 21.

<sup>539</sup> [S/PV.7040](#), p. 2.

**Meetings: the question concerning Haiti**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6732</a> 8 March 2012	Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (MINUSTAH) ( <a href="#">S/2012/128</a> )		Brazil, Canada, Chile, Haiti, Japan, Peru, Senegal, Spain, Uruguay	Special Representative of the Secretary-General for Haiti and Head of MINUSTAH, Head of the Delegation of the European Union to the United Nations	All Council members, all invitees <sup>a</sup>	
<a href="#">S/PV.6842</a> 3 October 2012	Report of the Secretary-General on MINUSTAH ( <a href="#">S/2012/678</a> )		Argentina, Brazil, Canada, Chile, Ecuador, Haiti, Japan, Mexico, Peru, Spain, Uruguay	Special Representative of the Secretary-General and Head of MINUSTAH, Head of the Delegation of the European Union	All Council members, <sup>b</sup> all invitees <sup>c</sup>	
<a href="#">S/PV.6845</a> 12 October 2012	Report of the Secretary-General on MINUSTAH ( <a href="#">S/2012/678</a> )	Draft resolution submitted by Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Paraguay, Peru, Spain, United States, Uruguay ( <a href="#">S/2012/743</a> )	Argentina, Brazil, Canada, Chile, Haiti, Paraguay, Peru, Spain, Uruguay			Resolution <a href="#">2070 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6936</a> 20 March 2013	Report of the Secretary-General on MINUSTAH ( <a href="#">S/2013/139</a> )		Brazil, Canada, Chile, Haiti, Japan, Mexico, Peru, Spain, Uruguay	Acting Special Representative of the Secretary-General and Interim Head of MINUSTAH, Head of the Delegation of the European Union	All Council members, <sup>b</sup> all invitees <sup>d</sup>	
<a href="#">S/PV.7024</a> 28 August 2013	Report of the Secretary-General on MINUSTAH ( <a href="#">S/2013/493</a> )		Brazil, Canada, Chile, Colombia, Haiti, Japan, Mexico, Peru, Spain, Trinidad and Tobago, Uruguay	Special Representative of the Secretary-General and Head of MINUSTAH, Deputy Head of the Delegation of the European Union	All Council members, all invitees <sup>d</sup>	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.7040 10 October 2013	Report of the Secretary-General on MINUSTAH (S/2013/493)	Draft resolution submitted by Argentina, Brazil, Canada, Chile, France, Guatemala, Morocco, Peru, Rwanda, Togo, United States, Uruguay (S/2013/597)	Brazil, Canada, Chile, Haiti, Peru, Uruguay		United Kingdom	Resolution 2119 (2013) 15-0-0 (adopted under Chapter VII)

<sup>a</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti, comprising Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the United States and Uruguay. The Head of the Delegation of the European Union to the United Nations spoke on behalf of the States members of the European Union; Albania, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine aligned themselves with his statement.

<sup>b</sup> Guatemala was represented by its Minister for Foreign Affairs.

<sup>c</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti. The Head of the Delegation of the European Union spoke on behalf of the States members of the European Union; Albania, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia aligned themselves with his statement.

<sup>d</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti. The deputy Head of the Delegation of the European Union spoke on behalf of the States members of the European Union; Albania, Armenia, Bosnia and Herzegovina, Croatia, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine aligned themselves with his statement.

<sup>e</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti. The Head of the Delegation of the European Union spoke on behalf of the States members of the European Union; Albania, Armenia, Bosnia and Herzegovina, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine aligned themselves with his statement. The representative of Trinidad and Tobago spoke on behalf of the 14 States members of the Caribbean Community.

## Asia

### 18. The situation in Timor-Leste

#### Overview

During the period under review, the Security Council held five meetings in connection with the situation in Timor-Leste, including one closed meeting with the troop-contributing countries,<sup>540</sup> and adopted one resolution and one presidential statement. The Council received briefings from the Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste (UNMIT), the President of Timor-Leste, and the Acting Special Representative of the Secretary-General and Head of UNMIT. The Council focused on the efforts to transfer the functions of UNMIT to the Timorese authorities in preparation for the Mission's withdrawal at the end of 2012, on the preparations for the presidential and parliamentary elections due in the first half of 2012, on the downsizing process of the police component of the Mission after the elections and on the role of the United Nations in the country following the departure of the Mission. There were no meetings on this item in 2013.

On 23 February 2012, the Council extended the mandate of UNMIT<sup>541</sup> until the end of that year and endorsed the Secretary-General's plan of its phased drawdown.<sup>542</sup> In line with the Secretary-General's recommendation, UNMIT was terminated on 19 December 2012.<sup>543</sup> The Council carried out a mission to Timor-Leste from 3 to 6 November 2012.<sup>544</sup>

#### Briefing on transition planning and final renewal of UNMIT mandate

On 22 February 2012, the Special Representative of the Secretary-General and Head of UNMIT reported that Timor-Leste had made significant strides in

advancing peace and stability and that, in the light of the overall stable situation, the closing of UNMIT continued to be planned for the end of 2012 and the post-2012 engagement of the United Nations in the country was already being discussed. She provided an overview of the preparations for the presidential and parliamentary elections to be held on 17 March and late in June 2012 respectively, and the operational support provided by UNMIT in this context. Regarding the transition of UNMIT, the Special Representative commended the efforts by the Government and the Mission in advancing the implementation of the Joint Transition Plan, noting that the main challenge was to ensure that institutions taking on new responsibilities had sufficient capacity and funding to carry them out effectively.<sup>545</sup>

The President of Timor-Leste informed the Council that, after a number of initiatives had been taken by his Office to address the root causes of the 2006 crisis, peace was palpable in Timor-Leste. While acknowledging that too much remained to be realized, he stated that the country would not have come so far without the generous assistance of the United Nations through UNMIT, specialized agencies and programmes, as well as of their bilateral partners and neighbours. He outlined the main achievements in the 10 years since Timor-Leste had become an independent country, in different areas including human, social and economic development, good governance and human rights. He underscored the contributions of UNMIT since its establishment in 2006, especially in the areas of good offices and public security and policing. He declared that, by the end of 2012, the goal was to see peacekeeping come to a close and to form a new partnership with the United Nations, underpinned by a modest mission tailored to the specific needs and priorities of Timor-Leste, to be decided by the newly elected Government. He said that a High-level Committee on Transition chaired by himself with the support of the Prime Minister and the Special Representative had been established; the emerging consensus was that the United Nations role could include support to further enhance democratic

<sup>540</sup> See [S/PV.6714](#).

<sup>541</sup> For more information on the mandate of UNMIT, see part X, sect. I, "Peacekeeping operations".

<sup>542</sup> See resolution [2037 \(2012\)](#)

<sup>543</sup> See [S/PRST/2012/27](#).

<sup>544</sup> For information on the Security Council mission to Timor-Leste, see part I, sect. 34, "Security Council mission"; and part VI, sect. II, "Investigation of disputes and fact-finding".

<sup>545</sup> [S/PV.6720](#), pp. 2-4.

institutions, capacity-building of the security sector institutions, in particular the Polícia Nacional de Timor-Leste, and continued support in areas such as governance, justice and human rights.<sup>546</sup>

Speakers generally welcomed the continued overall progress and stability attained in Timor-Leste and agreed that a successful electoral process in 2012 would be critical to ensuring a smooth transition from peacekeeping to a post-conflict peacebuilding phase. Several speakers expressed their support for the Joint Transition Plan as a positive example of collaboration between the Government of Timor-Leste and UNMIT, agreeing that the format of the future United Nations engagement in the country must be guided and owned by the newly elected Government of Timor-Leste.<sup>547</sup>

### **Concluding work of UNMIT; transition and post-Mission periods**

On 12 November 2012, the Council heard a briefing by the Acting Special Representative of the Secretary-General, who stated that the end of peacekeeping operations in Timor-Leste was justified by the successful completion of critical benchmarks in the course of that year. Most notably, the full reconstitution of the national police force of Timor-Leste on 31 October had been an acknowledgment that it was fully capable of conducting all police functions throughout the country, and thus had marked the beginning of the drawdown of UNMIT personnel. The other major event had been the holding of presidential and parliamentary elections, on the basis of which a new Government was formed and in which a political opposition had space to operate in line with democratic principles.<sup>548</sup> While stating that the Mission's phased drawdown had been moving apace for the withdrawal on 31 December, the Acting Special Representative acknowledged that work on the investigations into cases relating to crimes against humanity and other serious crimes committed in 1999 would not be completed by the end of the Mission's mandate. He stressed that Timor-Leste still faced many challenges, but stated his opinion that a peacekeeping

mission was no longer best placed to support efforts to meet those challenges. He concluded by saying that the Government had expressed its wish for an innovative working relationship with the United Nations after the closure of UNMIT and that the priorities concerning development and institution-building in Timor-Leste would require the continued commitment of the international community.<sup>549</sup>

The representative of Timor-Leste highlighted the country's developments in different areas such as health, education, multi-party democracy, participation of women and economic development. He noted that the Government had instituted critical reforms in the security and defence sectors, established new institutions, including an independent civil service commission and an anti-corruption commission, and strengthened the justice sector with the aim of promoting good governance and the rule of law. Acknowledging that Timor-Leste's success was also that of the United Nations and of the international community, he stated that, as a Member of the United Nations, Timor-Leste would continue to share its experience and lessons learned, as it was doing through the Group of Seven Plus, and continue to contribute in a modest way to United Nations missions and agencies.<sup>550</sup>

Speakers generally saluted the continuous progress made towards achieving a secure and stable political situation in the country as evidenced by the successful presidential and parliamentary elections, with results accepted and legitimacy endorsed by all parties. Several speakers welcomed the full reconstitution of the national police force, which had proved to be capable of ensuring domestic security.<sup>551</sup> Some speakers acknowledged that the Security Council mission sent to Timor-Leste from 3 to 6 November had been a timely opportunity for first-hand verification of the progress achieved.<sup>552</sup> Regarding the contours of a

<sup>546</sup> Ibid., pp. 5-9.

<sup>547</sup> Ibid., p. 10 (South Africa); p. 11 (India); p. 12 (United Kingdom); p. 13 (Portugal); p. 15 (United States); p. 18 (Azerbaijan, Guatemala); p.20 (China); p. 21 (Germany); p. 22 (Pakistan); p. 25 (Brazil); p. 27 (Australia); and p.31 (New Zealand).

<sup>548</sup> See letter from the President of Timor-Leste to the Secretary-General (S/2012/736, annex).

<sup>549</sup> S/PV.6859, pp. 2-5.

<sup>550</sup> Ibid., pp. 5-7.

<sup>551</sup> Ibid., p. 7 (South Africa); p. 10 (Russian Federation); p. 11 (Azerbaijan); p. 12 (Guatemala); p. 15 (China); p. 19 (United States); p. 20 (France, India); p. 21 (Brazil); p. 25 (New Zealand); and p. 26 (Australia).

<sup>552</sup> Ibid., p. 7 (South Africa); p. 9 (Togo, Morocco); p. 11 (Russian Federation, Azerbaijan); p. 16 (Portugal); p. 18 (Pakistan); p. 20 (India); pp. 23-24 (Mozambique, as Chair of the Community of Portuguese-speaking Countries); and p. 26 (Australia).

United Nations presence in the country following the departure of UNMIT, most speakers expressed their support for the request of the Government of Timor-Leste for a post-UNMIT innovative working relationship of cooperation with the United Nations, focusing on institutional strengthening and development.<sup>553</sup> Some speakers expressed favourable views on the removal of the situation in Timor-Leste from the agenda of the Security Council.<sup>554</sup>

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<sup>553</sup> p. 8 (South Africa); p. 10 (Togo); p. 11 (Azerbaijan); p. 14 (Colombia); p. 16 (Portugal); p. 18 (Pakistan); p. 19 (United States); p. 22 (Brazil); and p. 25 (New Zealand, Australia).

<sup>554</sup> *Ibid.*, p. 8 (South Africa); p. 11 (Russian Federation); p. 18 (Pakistan); p. 20 (France); and p. 21 (India).

### **Presidential statement preceding the departure of UNMIT**

By a presidential statement of 19 December 2012, the Council, in the context of the completion of the Mission's mandate on 31 December 2012, recognized the important contribution of the Mission in promoting peace, stability and development in Timor-Leste, including through its work to strengthen the capacity of the national police. Applauding the Government and all Timorese for their steadfast collaboration and partnership with UNMIT and the United Nations country team since the establishment of the Mission, the Council noted that the Government of Timor-Leste had indicated that the United Nations would continue to be an important partner in the new phase of the development of the nation.<sup>555</sup>

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<sup>555</sup> [S/PRST/2012/27](#).

## Meetings: the situation in Timor-Leste

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6720</a> 22 February 2012	Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (UNMIT) ( <a href="#">S/2012/43</a> )		Angola, <sup>a</sup> Australia, Brazil, Japan, Malaysia, New Zealand, Timor-Leste (President)	Special Representative of the Secretary-General for Timor-Leste and Head of UNMIT, Deputy Head of the European Union Delegation to the United Nations	All Council members, all invitees	
<a href="#">S/PV.6721</a> 23 February 2012	Report of the Secretary-General on UNMIT ( <a href="#">S/2012/43</a> )	Draft resolution submitted by 12 Member States <sup>b</sup> ( <a href="#">S/2012/106</a> )	Australia, Brazil, Japan, Malaysia, New Zealand		United Kingdom	Resolution <a href="#">2037 (2012)</a> 15-0-0
<a href="#">S/PV.6859</a> 12 November 2012	Report of the Secretary-General on UNMIT ( <a href="#">S/2012/765</a> )		Australia, Brazil, Japan, Mozambique, <sup>c</sup> New Zealand, Timor-Leste (Minister of State and Minister for Foreign Affairs and Cooperation)	Acting Special Representative of the Secretary General and Head of UNMIT, Deputy Head of the European Union Delegation	All Council members and all invitees	
<a href="#">S/PV.6892</a> 19 December 2012			Timor-Leste			<a href="#">S/PRST/2012/27</a>

<sup>a</sup> Angola spoke on behalf of the Community of Portuguese-speaking Countries.

<sup>b</sup> Australia, Brazil, France, Germany, Guatemala, Japan, Malaysia, New Zealand, Portugal, South Africa, United Kingdom and United States.

<sup>c</sup> Mozambique spoke on behalf of the Community of Portuguese-speaking Countries.



## 19. The situation in Afghanistan

### Overview

During the period under review, the Security Council held 11 meetings and adopted four resolutions in connection with the situation in Afghanistan.

The Council focused on the gradual transition to Afghan responsibility for providing security for the period after the withdrawal of the United Nations-authorized International Security Assistance Force (ISAF). It considered the framework for socioeconomic development and regional integration. The Council also discussed the reconciliation process, human rights, the preparations for the 2014 elections, and the fight against drug trafficking.

The Council extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) twice for periods of one year.<sup>556</sup> It also twice extended, for periods of one year, the authorization of ISAF,<sup>557</sup> under Chapter VII of the Charter, including authorization for the Member States participating in ISAF to take all necessary measures to fulfil its mandate.

### Security and economic development

During the period under review, the transition of the responsibility for security from ISAF to the Afghan National Security Forces, as well as greater Afghan ownership in the political and socioeconomic sphere were discussed at every meeting held under this item.

In his briefing to the Council on 20 March 2012, the Special Representative of the Secretary-General for Afghanistan and Head of UNAMA reported that the international military presence was gradually transferring full security responsibility in Afghanistan to the Afghan National Security Forces and would finish its current mission by the end of 2014. He underlined that the transition process had thus far been on track and on target, but added that the process also entailed accelerated Afghan leadership, responsibility

and accountability in governance, the rule of law, justice, economic development, and combating corruption and poverty.<sup>558</sup> The representative of Afghanistan called this process a paradigm shift, with the aim of empowering Afghanistan to take charge of its own destiny, and said that transition should be followed by the transformation decade 2015-2024. He welcomed the Istanbul process on regional integration, which he called a visionary step forward to achieving a benevolent regional order, characterized by cooperation, collaboration and shared goals.<sup>559</sup> Speakers in general welcomed the transition of responsibility in security and socioeconomic development, and pointed to the importance of the Chicago Summit of the North Atlantic Treaty Organization (NATO) held in May 2012 and the Tokyo Conference of July 2012 for the future of these processes.<sup>560</sup> The representative of the Russian Federation argued against artificial deadlines for withdrawing international forces from Afghanistan, saying that ISAF troops had received a mandate from the Security Council and should therefore present a final report to the Council before withdrawing.<sup>561</sup>

In his briefing on 27 June 2012 the Under-Secretary-General for Peacekeeping Operations informed Council members on the progress made in the transition, namely at the NATO Summit in Chicago on defining the shape of, and the long-term support to, the Afghan National Security Forces, and at the ministerial conference in Kabul on regional cooperation held in Kabul on 14 June. He expressed the hope that long-term commitments to the socioeconomic development sector would be made later that year at the Tokyo Conference.<sup>562</sup> On the transition in the security sector, the representative of Afghanistan also reported on the Chicago Summit and provided information on the establishment of bilateral partnership agreements with

<sup>556</sup> See resolutions 2041 (2012) and 2096 (2013); for more information on the mandate of UNAMA, see part X, sect. II, "Political and peacebuilding missions".

<sup>557</sup> Resolutions 2069 (2012) and 2120 (2013); for more information on the mandate of ISAF, see part VIII, sect. III, "Peacekeeping operations led by regional arrangements".

<sup>558</sup> S/PV.6735, pp. 2-3.

<sup>559</sup> Ibid., pp. 5-6.

<sup>560</sup> Ibid., p. 7 (Germany); p. 9 (Portugal); p. 11 (South Africa); pp. 13-14 (India); p. 18 (France); p. 20 (Azerbaijan); pp. 22-23 (United States); p. 24 (United Kingdom); p. 26 (European Union); p. 27 (Australia); p. 28 (Japan); pp. 29-30 (Turkey); and pp. 30-31 (Norway).

<sup>561</sup> Ibid., p. 21.

<sup>562</sup> S/PV.6793, pp. 2-3.

various countries.<sup>563</sup> The Assistant Secretary-General for Operations of NATO said that the Chicago Summit had assessed progress on the transition of security to Afghan responsibility. With the third tranche of transition starting in Afghanistan, Afghan soldiers and police would be taking the lead for the security of 75 per cent of the population within the following months. The Afghan security forces were on schedule to take full responsibility for security at the conclusion of the ISAF mission by the end of 2014. He said that in Chicago, NATO, together with ISAF partners, had confirmed that it would begin a new mission after 2014 to train, advise and assist the Afghan security forces, at the invitation of the Government.<sup>564</sup> In general, the Chicago Summit was welcomed by speakers as an expression of support beyond 2014, after the military drawdown and the end of the transition period.<sup>565</sup> The representative of the Russian Federation, however, said that full clarity was necessary in the planning of a new NATO operation in Afghanistan, including its mandate, strength and mission. Such an operation should be sanctioned by the Security Council, however, only after the ISAF mission had reported to the Council on the implementation of its mandate.<sup>566</sup> The representative of the Islamic Republic of Iran cautioned that a long-term international engagement in Afghanistan should not lead to a long-term military presence.<sup>567</sup>

In his briefing to the Council on 20 September 2012, the Special Representative of the Secretary-General reported on the Tokyo Conference of 8 July, at which the Tokyo Mutual Accountability Framework was concluded. Donor pledges for social and economic development were matched by Afghan Government commitments, notably in the areas of good governance, anti-corruption, human rights and

elections.<sup>568</sup> Several speakers emphasized the importance of both sides living up to their pledges.<sup>569</sup>

At the same meeting, the Special Representative of the Secretary-General and the representative of Afghanistan both reported on progress in the transition of security responsibility.<sup>570</sup> In general, participants in the debate welcomed the progress achieved,<sup>571</sup> some speakers also pointing to an increase in killings of ISAF personnel by Afghan security forces<sup>572</sup> as well as an increase in insurgent-initiated attacks.<sup>573</sup> The representative of the Russian Federation reiterated his request for clarity with regard to a residual military presence beyond 2014.<sup>574</sup> The representative of France stated that the aim was to leave in place professional, credible and sustainable Afghan security forces, to be funded entirely by the Afghan State by no later than 2024.<sup>575</sup>

On 19 December 2012 the Special Representative of the Secretary-General welcomed the increased attention to the professionalization of the police with a law enforcement role distinct from the military, in line with Tokyo commitments.<sup>576</sup> The representative of Afghanistan reported that the first three stages of the five-stage security transition process were nearly complete and that the overwhelming majority of the population of Afghanistan resided in areas where Afghan security forces had lead security responsibility. He said that security had improved in those areas.<sup>577</sup> The representative of the United States added that over 75 per cent of the Afghan population was living in

<sup>563</sup> *Ibid.*, p. 6.

<sup>564</sup> *Ibid.*, p. 31.

<sup>565</sup> *Ibid.*, p. 6 (Afghanistan); p. 8 (Germany); p. 11 (United Kingdom); p. 13 (Guatemala); p. 14 (United States); pp. 16-17 (Colombia); p. 21 (Azerbaijan); p. 23 (France); p. 25 (Australia); p. 27 (Japan); p. 28 (European Union); p. 29 (Turkey); and p. 30 (New Zealand).

<sup>566</sup> *Ibid.*, p. 22.

<sup>567</sup> *Ibid.* p. 35.

<sup>568</sup> [S/PV.6840](#), p. 2.

<sup>569</sup> *Ibid.*, p. 6 (Portugal); p. 7 (Guatemala); p. 8 (United Kingdom); p. 9 (Colombia); p. 11 (United States, Morocco); p. 12 (Togo); p. 14 (South Africa); pp. 16-17 (Azerbaijan); p. 17 (France); p. 23 (Germany); p. 24 (Japan); pp. 26-27 (European Union); p. 28 (Australia); p. 29 (Finland); and p. 30 (Canada).

<sup>570</sup> *Ibid.*, pp. 2-4 (Special Representative of the Secretary-General); and pp. 4-6 (Afghanistan).

<sup>571</sup> *Ibid.*, p. 7 (Guatemala); p. 8 (United Kingdom); p. 10 (United States); p. 11 (Morocco); and p. 17 (France).

<sup>572</sup> *Ibid.*, p. 8 (United Kingdom); p. 14 (South Africa); and p. 30 (Canada).

<sup>573</sup> *Ibid.*, p. 21 (Pakistan).

<sup>574</sup> *Ibid.*, p. 15.

<sup>575</sup> *Ibid.*, p. 17.

<sup>576</sup> [S/PV.6896](#), p.3.

<sup>577</sup> *Ibid.*, p. 5.

Afghan-led secured regions, which included every provincial capital.<sup>578</sup>

In his statement to the Council on 19 March 2013 the representative of Afghanistan said that by the end of the ongoing fourth tranche of transition 87 per cent of the Afghan population would be living in areas where Afghan security forces were in charge of security. He also welcomed the discussions held in Brussels on 21 and 22 February, at which NATO took steps towards planning improved capabilities and reinforced its commitment to the NATO post-2014 role of training, advising and assisting the Afghan security forces. He also informed the Council on the progress made by Afghanistan in concluding bilateral security partnerships.<sup>579</sup>

On 20 June 2013 the Special Representative of the Secretary-General said that Afghan security forces had entered the last phase in assuming the lead responsibility for security throughout the country. At the same time, he said that increasingly brutal, complex assaults were being carried out on high-profile targets, aimed at security personnel and terrorizing civilians.<sup>580</sup> The representative of Afghanistan also noted an escalation in acts of violence in recent weeks, affecting all citizens — men, women and children — as well as international personnel. He added that children were increasingly bearing the brunt of the conflict.<sup>581</sup> Both speakers looked forward to an upcoming conference to assess the progress made on the Tokyo Mutual Accountability Framework.<sup>582</sup> In the debate that followed, most speakers deplored the increase in civilian casualties.<sup>583</sup> The representative of the Russian Federation cautioned that the security situation was deteriorating and that mobilization of armed groups could be seen wherever ISAF had transferred responsibilities to the Afghan forces. He therefore saw no justification for an accelerated transfer of security responsibilities from ISAF to the

Afghan army and police.<sup>584</sup> The representative of Australia said that the scale of international donor pledges at the 2012 Tokyo Conference illustrated the commitment of the international community to helping Afghanistan achieve a secure, stable and prosperous future, but that the ability of the international community to sustain support for Afghanistan depended upon the Afghan Government delivering on its commitments under the Framework.<sup>585</sup> Other speakers also made reference to the mutuality of the Framework and urged its full implementation.<sup>586</sup>

In his briefing to the Council on 19 September 2013 the Special Representative of the Secretary-General reported that the Afghan army and police had shown courage and a growing capability in rising to the challenge of the security transition, increasingly trusting themselves and working to earn the trust of the population, despite heavy casualties in their ranks. He cautioned however that the capabilities of the Afghan security forces were not yet fully developed or completely sustainable and quoted the ISAF Commander, who had recently stated that international support would be required for at least another five years in order to enable entirely independent operations. He welcomed the numerous bilateral partnership agreements underlying the multilateral commitments made at the Chicago Summit. He reported a rise in civilian casualties, with the Taliban movement continuing to assert that anyone associated with the Government or seen to support it constituted a target.<sup>587</sup> The representative of Afghanistan said that the final phase of the security transition had begun on 18 June and reported on the progress in concluding bilateral security agreements.<sup>588</sup> The representative of the Russian Federation, while noting the efforts of the Afghan leadership to strengthen the capacity of national security forces, expressed his concern that the conclusion of the transfer of responsibility for security from ISAF to Afghans was taking place against a backdrop of increased subversive extremist activity, including along the northern perimeter of Afghanistan. He called for clear temporal and legal frameworks with

<sup>578</sup> *Ibid.*, p. 10.

<sup>579</sup> *S/PV.6935*, pp. 4-5.

<sup>580</sup> *S/PV.6983*, p. 2.

<sup>581</sup> *Ibid.*, p. 5.

<sup>582</sup> *Ibid.*, p. 3 (Special Representative of the Secretary-General); and p. 6 (Afghanistan).

<sup>583</sup> *Ibid.*, p. 7 (Australia, Republic of Korea); p. 9 (China); p. 10 (Azerbaijan); p. 11 (Luxembourg); p. 12 (Morocco); p. 14 (France); p. 15 (Argentina); p. 16 (Rwanda); p. 17 (Guatemala, Togo); p. 18 (Russian Federation); p. 20 (United Kingdom); p. 22 (Turkey); p. 24 (Japan); and p. 26 (Islamic Republic of Iran).

<sup>584</sup> *Ibid.*, pp. 18-19.

<sup>585</sup> *Ibid.*, p. 7.

<sup>586</sup> *Ibid.*, p. 10 (Azerbaijan); p. 16 (Rwanda); p. 20 (United Kingdom); p. 22 (Turkey); p. 24 (Japan); and p. 25 (Italy).

<sup>587</sup> *S/PV.7035*, pp. 2-4.

<sup>588</sup> *Ibid.*, pp. 4-5.

regard to the format, objectives and legal basis of the remaining military presence in Afghanistan.<sup>589</sup> On the Tokyo Mutual Accountability Framework, the Special Representative of the Secretary-General cautioned that a focus on election preparations must not draw attention away from such issues as combating corruption, the rule of law and economic growth.<sup>590</sup> The representative of Afghanistan said that the senior officials' meeting, held in Kabul in July in follow-up to the Framework, had looked critically into those obligations;<sup>591</sup> that meeting was also welcomed by other speakers.<sup>592</sup>

In his statement to the Council on 17 December 2013 the representative of Afghanistan informed the Council that the Afghan security forces had assumed full responsibility for security nationwide since June. He also reported that the Loya Jirga had endorsed the bilateral security agreement with the United States, and said that the agreement should be accompanied by assurances for measures to end the military raids on Afghan homes and the launching of negotiations between the High Peace Council and the Taliban. He expressed certainty that the bilateral security agreement would be signed in a timely manner.<sup>593</sup> At the same meeting, in his briefing to the Council, the Special Representative of the Secretary-General said that the development agenda would require continuity and progress throughout the transition and reported on preparations for a meeting on the Tokyo Mutual Accountability Framework in January 2014.<sup>594</sup> Several speakers underlined the importance of the various commitments under the Framework.<sup>595</sup>

### Renewal of the mandate of UNAMA

In his briefing to the Council on 20 March 2012 the Special Representative of the Secretary-General said that during his first meetings with Afghan partners he had perceived a great desire for the continued

presence of UNAMA. He then elaborated on the work of UNAMA in electoral assistance, the promotion of human rights, including the rights of women, peace and reconciliation, and on ensuring a greater coherence of United Nations efforts in all areas.<sup>596</sup> The representative of Afghanistan expressed his appreciation for the comprehensive review of the Mission's mandated activities, agreeing with the findings in the report of the Secretary-General<sup>597</sup> on the support of UNAMA to Afghan-led political processes, human rights and aid coherence.<sup>598</sup>

On 22 March 2012, by resolution [2041 \(2012\)](#), the Council extended the mandate of UNAMA until 23 March 2013, in recognition that the renewed mandate took full account of the transition process and was in support of the full assumption by Afghanistan of leadership and ownership in the security, governance and development areas.

In his briefing to the Council on 20 September 2012, the Special Representative of the Secretary-General stated that good offices, regional cooperation and support for elections, peace and reconciliation, advocacy on human rights, including the rights of women and children, development coherence and humanitarian aid were at the very core of the mandate of UNAMA. He added that in the face of budget reductions for 2013 UNAMA would focus on support for the Afghan authorities in the priority areas of its mandate.<sup>599</sup> Several representatives expressed their concern about the decline in resources allocated to UNAMA.<sup>600</sup>

By resolution [2096 \(2013\)](#), adopted on 19 March 2013, the Council extended the mandate of UNAMA until 19 March 2014, emphasizing the importance of adequate resourcing and laying a focus on coordination and coherence. The mandate included support of the organization of future Afghan elections. In his briefing before the adoption of the resolution, the Secretary-General said that after the significant budget reductions in 2013 no additional reductions for 2014 were envisaged.<sup>601</sup> The representative of Afghanistan welcomed the mandate as reflecting and

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<sup>589</sup> Ibid., p. 7.

<sup>590</sup> Ibid., p. 4.

<sup>591</sup> Ibid., p. 5.

<sup>592</sup> Ibid., p. 6 (Azerbaijan); and p. 27 (Japan, Germany).

<sup>593</sup> [S/PV.7085](#), p. 4.

<sup>594</sup> Ibid., p. 3.

<sup>595</sup> Ibid., p. 5 (Afghanistan); p. 6 (Australia); p. 7 (Rwanda); p. 10 (Guatemala); pp. 16-17 (Luxembourg); pp. 17-18 (United Kingdom); p. 23 (Japan); p. 24 (European Union); p. 25 (Canada); and p. 28 (Germany).

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<sup>596</sup> [S/PV.6735](#), pp. 2-4.

<sup>597</sup> [S/2012/133](#).

<sup>598</sup> [S/PV.6735](#), p. 6.

<sup>599</sup> [S/PV.6840](#), pp. 3-4.

<sup>600</sup> Ibid., p. 7 (Guatemala); p. 14 (South Africa);

p. 18 (France); p. 19 (India); and p. 20 (Pakistan).

<sup>601</sup> [S/PV.6935](#), p. 3.

reinforcing the principles of Afghan ownership and leadership.<sup>602</sup>

On 17 December 2013 the Special Representative of the Secretary-General said that, with regard to the role of UNAMA and more broadly of the United Nations in Afghanistan, he foresaw the continued need for an integrated mission streamlined around core areas, namely, good offices in support of Afghan-led processes, leading development coherence among international stakeholders, and human rights monitoring and advocacy, including a particular focus on the rights of women and children, as well as humanitarian assistance.<sup>603</sup>

### Reconciliation and peace process

In his statement to the Council on 20 March 2012 the representative of Afghanistan stated that the dynamics of the peace talks had shifted with the announcement of the opening of the Taliban office in Qatar, which would provide fresh impetus to peace efforts.<sup>604</sup> Together with the representative of Guatemala, he welcomed measures taken by the Security Council Committee established pursuant to resolution 1988 (2011), which would help reconciliation efforts.<sup>605</sup>

In the debate on 27 June 2012 several speakers welcomed the appointment of Salahuddin Rabbani to lead the High Peace Council.<sup>606</sup> The representative of France said that the United Nations sanctions regime must continue to be used as a confidence-building measure in intra-Afghan reconciliation, rewarding those who had made the choice of peace and punishing those who wanted to pursue the path of violence.<sup>607</sup>

During a debate on 20 September 2012, several speakers referred to resolution 1988 (2011) as a tool in the peace process.<sup>608</sup>

On 19 December 2012 the Special Representative of the Secretary-General and the representative of Afghanistan both reported on the successful visit of the High Peace Council to Pakistan, which had given new momentum to the peace process.<sup>609</sup> The representative of Afghanistan also looked to the Council to help expedite efforts by meeting Afghan delisting and travel-ban exemption requests for concerned individuals and, in this respect, welcomed relevant provisions of resolution 2082 (2012).<sup>610</sup>

At a meeting held on 20 June 2013, several speakers made reference to the recent opening of a Taliban office in Doha, expressing their hope that it would serve to promote peace.<sup>611</sup> The representative of Afghanistan said that the opening had been agreed with the United States, under assurances that the sole purpose of the office would be to serve as a venue for direct negotiations between the Taliban and the High Peace Council. The office would not serve as an official representation of the Taliban and would not engage in or support any activity related to terrorism and acts of violence. In his view these conditions had not been met in the recent opening, nor in recent Taliban statements.<sup>612</sup> The representative of the United States recalled that her country supported the opening of the political office in Doha only for the purposes of negotiations between the High Peace Council and the authorized representatives of the Taliban. She was pleased that Qatar had clarified that the name of the office was the “Political Office of the Afghan Taliban” and had had the sign with the incorrect name “Islamic Emirate of Afghanistan” in front of the door taken down. She stressed that the office must not be treated or represent itself as an embassy or other office representing the Afghan Taliban as an emirate, Government or sovereign entity.<sup>613</sup> While supporting the approach of the Government of Afghanistan to the establishment and functioning of the Taliban office in Doha, the representative of the Russian Federation called for strict compliance with the sanctions regime of the Security Council, in particular the prohibition of

<sup>602</sup> Ibid., p. 6.

<sup>603</sup> S/PV.7085, p. 3.

<sup>604</sup> S/PV.6735, p. 6.

<sup>605</sup> Ibid., p. 6 (Afghanistan); and p. 10 (Guatemala).

<sup>606</sup> S/PV.6793, p. 4 (Under-Secretary-General for Peacekeeping Operations); p. 13 (Guatemala); p. 18 (South Africa); p. 19 (Morocco); p. 21 (Azerbaijan); p. 24 (China); p. 26 (Japan); and p. 29 (Turkey).

<sup>607</sup> Ibid., p. 24.

<sup>608</sup> S/PV.6840, p. 3 (Special Representative of the Secretary-General); p. 5 (Afghanistan); p. 7 (Guatemala); p. 9 (Colombia); and p. 13 (South Africa).

<sup>609</sup> S/PV.6896, p. 3 (Special Representative of the Secretary-General); and p. 5 (Afghanistan).

<sup>610</sup> Ibid., p. 5.

<sup>611</sup> S/PV.6983, p. 8 (Republic of Korea); p. 11 (Luxembourg); p. 13 (Pakistan); p. 14 (France); p. 17 (Guatemala); p. 18 (Togo); p. 20 (United Kingdom); and p. 30 (Germany).

<sup>612</sup> Ibid., p. 4.

<sup>613</sup> Ibid., pp. 8-9.

international visits for those who figured on the sanctions list.<sup>614</sup>

In the debate on 19 September 2013 many speakers underlined that the peace process had to be Afghan-led.<sup>615</sup> Some speakers also acknowledged the contribution of Pakistan and other countries in the region to the process.<sup>616</sup>

In his statement to the Council on 17 December 2013 the representative of Afghanistan said that his Government was working to renew momentum in the peace process and, in that regard, was involved at the regional level in launching a new phase of dialogue between the leadership in Afghanistan and Pakistan through bilateral and trilateral meetings in London, Kabul and Islamabad.<sup>617</sup> The representative of Pakistan informed the Council of the release of Taliban prisoners, including Mullah Abdullah Ghani Baradar, to facilitate his dialogue with the High Peace Council.<sup>618</sup>

#### Human rights and humanitarian issues

At the meeting on 20 March 2012 the Special Representative of the Secretary-General pointed to the fact that 2011 was the fifth year in a row in which the number of civilian deaths had risen and that, in spite of legal and constitutional protections for women, violence against women and girls remained pervasive in Afghanistan.<sup>619</sup> Several speakers shared this concern and underlined the importance of the promotion and protection of human rights in the transition to Afghan leadership.<sup>620</sup>

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<sup>614</sup> *Ibid.*, p. 19.

<sup>615</sup> *S/PV.7035*, p. 3 (Special Representative of the Secretary-General); p. 6 (Azerbaijan); p. 9 (Luxembourg); p. 10 (Argentina); p. 14 (France); p. 15 (China); p. 16 (Rwanda); p. 18 (United Kingdom); p. 22 (Italy); p. 26 (European Union); p. 27 (Japan); p. 28 (Germany, Turkey); and p. 29 (Slovakia).

<sup>616</sup> *Ibid.*, p. 3 (Special Representative of the Secretary-General); pp. 11-13 (Pakistan); p. 15 (China); p. 18 (United Kingdom); pp. 22-23 (Italy); p. 27 (Japan); and p. 29 (Slovakia).

<sup>617</sup> *S/PV.7085*, p. 5.

<sup>618</sup> *Ibid.*, p. 13.

<sup>619</sup> *S/PV.6735*, p. 4.

<sup>620</sup> *Ibid.*, p. 6 (Afghanistan); p. 8 (Portugal); p. 10 (South Africa); p. 14 (India); p. 19 (Morocco); p. 27 (European Union); pp. 30-31 (Norway); and p. 31 (Finland).

In his briefing to the Council on 27 June 2012 the Under-Secretary-General for Peacekeeping Operations made reference to the civilian deaths resulting from an air strike six days prior to the decision taken by ISAF on 12 June to increase restrictions on the use of aerial munitions against civilian dwellings, which he welcomed.<sup>621</sup> He also recalled that more than 3 million Afghan refugees were registered in Pakistan and the Islamic Republic of Iran and welcomed, in this respect, the solutions strategy for Afghan refugees as it addressed the return and reintegration of Afghan refugees in a comprehensive and sustainable manner.<sup>622</sup>

In the debate on 20 September 2012 several speakers underlined the importance of women's rights.<sup>623</sup> Others pointed to the fact that the humanitarian situation was particularly worrisome for women.<sup>624</sup> The representative of Portugal called on national authorities and international partners to support implementation of the law on the elimination of violence against women and the national action plan for women in Afghanistan.<sup>625</sup> The representative of the United Kingdom said that the Mutual Accountability Framework adopted at Tokyo committed the Government of Afghanistan, inter alia, to promote human rights, especially those of women.<sup>626</sup>

In his briefing on 20 June 2013 the Special Representative of the Secretary-General expressed concern about whether the recent appointment of new human rights commissioners to the Afghan Independent Human Rights Commission complied with international principles and standards and met Afghan legal requirements of transparency, broad consultations and selection of independent, qualified individuals. He also cautioned that an erosion of the commitments undertaken by Afghanistan on women's rights, including the law on the elimination of violence against women and its implementation, would have a direct negative impact on future international

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<sup>621</sup> *S/PV.6793*, p. 3.

<sup>622</sup> *Ibid.*, p. 2.

<sup>623</sup> *S/PV.6840*, pp. 6-7 (Portugal); p. 7 (Guatemala); p. 11 (United States); p. 17 (France); p. 24 (Germany); p. 27 (European Union); p. 28 (Australia); p. 29 (Finland); and p. 30 (Canada).

<sup>624</sup> *Ibid.*, p. 12 (Morocco); p. 14 (South Africa); and p. 20 (China).

<sup>625</sup> *Ibid.*, p. 7.

<sup>626</sup> *Ibid.*, p. 8.

assistance by key international donors.<sup>627</sup> In response, the representative of Afghanistan said that the empowerment of women was among his country's proudest achievements, and that Afghanistan was working to protect and promote the human rights of all Afghans, and those of women in particular.<sup>628</sup>

On 19 September 2013 the Special Representative of the Secretary-General briefed the Council on the meetings of the United Nations High Commissioner for Human Rights with the President of Afghanistan, Hamid Karzai, and senior officials, as well as with civil society representatives and human rights activists in Kabul earlier that week. He reported that the High Commissioner had noted commendable progress in some areas of human rights and the commitment of President Karzai and other key officials. However, the High Commissioner had also stated her concern that the momentum of improvements in human rights might be waning. She had urged additional efforts on the part of the President and the Government to ensure that justice and human rights — in particular women's rights — were preserved and consolidated.<sup>629</sup> Similarly, several speakers urged the Government of Afghanistan to step up its efforts in the protection of human rights.<sup>630</sup>

In the debate on 17 December 2013 the representative of Australia urged Afghanistan to fully implement the law on the elimination of violence against women;<sup>631</sup> the representative of Luxembourg added that, with regard to that law, impunity seemed to be the rule rather than the exception.<sup>632</sup> Several other speakers expressed their concern about the human rights situation in the country.<sup>633</sup>

<sup>627</sup> S/PV.6983, p. 3.

<sup>628</sup> Ibid., p. 6.

<sup>629</sup> S/PV.7035, pp. 3-4.

<sup>630</sup> Ibid., p. 9 (Luxembourg); p. 11 (Guatemala); p. 15 (Republic of Korea); p. 17 (United States); p. 20 (Togo); p. 21 (Australia); pp. 24-25 (Estonia); p. 26 (European Union); p. 28 (Germany); and p. 30 (Canada).

<sup>631</sup> S/PV.7085, p. 6.

<sup>632</sup> Ibid., p. 16.

<sup>633</sup> Ibid., p. 13 (United States); p. 15 (Togo); p. 18 (Argentina); p. 20 (France); p. 24 (European Union); p. 25 (Canada); and p. 28 (Germany).

### The fight against drugs

In his briefing to the Council on 20 March 2012 the Special Representative of the Secretary-General said that stronger efforts in combating drug production and trafficking were critically important, given the increase in poppy cultivation and opium production and the consequent increased threat to security, stability, development and governance in Afghanistan and the region.<sup>634</sup> Other speakers acknowledged the drug problem and its interconnectedness with the security situation and called for efforts to counter it.<sup>635</sup> The representative of the Russian Federation called for the eradication of the fields of drug crops and the infrastructure for producing drugs to become a priority for international security forces; he said that the report of the Secretary-General conveyed the impression that there was no problem.<sup>636</sup>

In his briefing to the Council on 27 June 2012 the Executive Director of the United Nations Office on Drugs and Crime (UNODC) reported on increased opium production in Afghanistan and stated that drug trafficking also undermined the stability of the region. He informed the Council about various initiatives and partnerships that UNODC was supporting. He encouraged Member States to communicate the message that illicit drugs and crime were capable of undermining attempts to promote economic and social development in the country.<sup>637</sup> The representative of Afghanistan said that over the past five years poppy cultivation had been significantly reduced and reported an increasing number of successes in eradicating cultivation and bringing drug traffickers to justice. However, cooperation and coordination in preventing the flow of chemical precursors into Afghanistan and providing Afghan farmers with alternative livelihoods was urgent.<sup>638</sup> The representative of Germany stated that without progress in governance, development and law enforcement, progress in counter-narcotics efforts would also be limited.<sup>639</sup> The representative of the Russian Federation called on the Government of Afghanistan, but also on ISAF, to make the destruction

<sup>634</sup> S/PV.6735, p. 3.

<sup>635</sup> Ibid., p. 10 (Guatemala); p. 13 (Pakistan); p. 14 (India); p. 17 (Togo); p. 23 (United States); and p. 27 (European Union).

<sup>636</sup> Ibid., pp. 21-22.

<sup>637</sup> S/PV.6793, pp. 5-6.

<sup>638</sup> Ibid., p. 7.

<sup>639</sup> Ibid., p. 8.

of poppy fields and infrastructure for the production of drugs a top priority. He also called for making full use of the experience of the Collective Security Treaty Organization (CSTO) in intercepting drug-trafficking and the related financing sources and proposed to forge counter-drug interaction between CSTO and ISAF.<sup>640</sup> In the debate on 20 June 2013 he reiterated his suggestion for dialogue with CSTO and called for the implementation of the decisions of the Third Ministerial Conference of the Paris Pact Partners on preventing the spread of Afghan narcotics. In his view, an important measure in that regard would be the agreed inclusion of drug traffickers in the sanctions lists of the Security Council.<sup>641</sup>

On 19 September 2013 the Special Representative of the Secretary-General conveyed to the Council his concern about assessments that the current year would see a significant rise in opium cultivation and a continuing drop in poppy-free provinces.<sup>642</sup> The representative of the Russian Federation said that the few successful operations conducted by ISAF to destroy heroin laboratories on the basis of information from their Russian colleagues showed that combined operations could achieve much more; he therefore called for improving bilateral cooperation on Afghanistan between NATO and CSTO, particularly in the area of the fight against drugs.<sup>643</sup>

In his briefing to the Council on 17 December 2013 the Special Representative of the Secretary-General expressed his concern about a record-setting year of poppy cultivation and production in Afghanistan resulting in some 5,500 tons of opium. He said that this menace threatened the health, security and economic well-being not just of Afghanistan but also of the region and the wider international community.<sup>644</sup>

### Preparation of elections

In his briefing to the Council on 20 March 2012 the Special Representative of the Secretary-General said that the majority of his Afghan partners expressed the view that there was a need to strengthen and improve the electoral process in Afghanistan, including through

electoral reform.<sup>645</sup> Various delegations agreed on the importance of solid electoral institutions and welcomed the engagement of the United Nations in this regard.<sup>646</sup>

In the debate on 20 September 2012 the Special Representative of the Secretary-General said that the conduct of credible presidential elections in 2014 was essential to national unity and legitimacy. He mentioned inclusiveness, a strong and credible Independent Election Commission, as well as clear agreement on a final dispute resolution mechanism as important aspects of electoral preparations.<sup>647</sup> The representative of Guatemala emphasized the importance of an electoral law and a law on the duties and structure of the Independent Election Commission being adopted in the first quarter of 2013, one year before the elections.<sup>648</sup>

On 19 December 2012 the Special Representative of the Secretary-General reported that the Independent Election Commission had decided to hold the presidential elections on 5 April 2014, while the electoral system, appointments to the management bodies, and a dispute resolution mechanism were being debated. He also informed the Council on the first visit of a United Nations needs assessment mission to realign future electoral assistance.<sup>649</sup> The representative of Afghanistan added that the draft electoral law was currently under consideration by Parliament.<sup>650</sup> Several speakers welcomed the announcement of elections and underlined the importance of electoral support by UNAMA.<sup>651</sup>

In his briefing to the Council on 19 March 2013 the Secretary-General welcomed the active and responsible participation of all stakeholders in building a widely accepted electoral framework. He also cautioned that agreement on an impartial, credible and independent mechanism, as well as the appointment of

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<sup>640</sup> Ibid., pp. 22-23.

<sup>641</sup> S/PV.6983, p. 19.

<sup>642</sup> S/PV.7035, p. 3.

<sup>643</sup> Ibid., p. 8.

<sup>644</sup> S/PV.7085, p. 3.

<sup>645</sup> S/PV.6735, p. 4.

<sup>646</sup> Ibid., p. 8 (Germany); p. 9 (Portugal); p. 10 (Guatemala); p. 17 (Togo); p. 26 (European Union); p. 27 (Australia); and p. 30 (Norway).

<sup>647</sup> S/PV.6840, p. 3.

<sup>648</sup> Ibid., p. 7.

<sup>649</sup> S/PV.6896, p. 2.

<sup>650</sup> Ibid., p. 6.

<sup>651</sup> Ibid., p. 7 (Germany); p. 10 (United States); p. 13 (Colombia); p. 14 (United Kingdom); p. 15 (Russian Federation); p. 16 (China); p. 18 (Togo); p. 21 (South Africa); pp. 22-23 (France); pp. 25-26 (European Union); p. 28 (Australia); and p. 29 (Turkey).



a respected, widely accepted chairperson to the Independent Election Commission for electoral dispute resolution would be critical.<sup>652</sup> Other speakers also emphasized the importance of credible, inclusive and transparent elections.<sup>653</sup>

On 20 June 2013 the Special Representative of the Secretary-General, together with other speakers, urged the adoption of the two major pieces of electoral legislation, namely the electoral law and draft Independent Election Commission law.<sup>654</sup> The representative of Afghanistan said that both had been adopted by the lower house of Parliament and were currently under consideration by the upper house.<sup>655</sup>

On 19 September 2013 the Special Representative of the Secretary-General noted that the 2014 elections remained at the forefront of political life in Afghanistan, stressing that a stable leadership transition through timely elections was central to achieving all other objectives.<sup>656</sup> The representative of Afghanistan informed the Council of the election of a chairman of the Independent Election Commission and the appointment of new members of that Commission and the Independent Election Complaints Commission, the arrangement of a national security strategy for elections, and the signing into law of electoral legislation.<sup>657</sup> These steps were generally welcomed by

several speakers.<sup>658</sup> However, concern about the security context for the elections was also expressed, against the background of the assassination of the head of the Independent Election Commission office in Kunduz Province.<sup>659</sup> The representative of the Russian Federation said that the drawdown of the international military presence in Afghanistan bore the risk of further negative developments and could complicate the holding of the presidential elections.<sup>660</sup>

In his statement on 17 December 2013 the representative of Afghanistan informed the Council on progress in the preparations for the presidential and provincial elections: the Independent Election Commission had announced the final list of 11 presidential candidates and their running mates, more than 3 million new voters had registered for the elections, and Afghan national security institutions had put in place a comprehensive strategy to ensure security on election day.<sup>661</sup>

#### Extension of the authorization of ISAF

During the reporting period the Council twice decided to extend the authorization of ISAF, for a period of one year in resolution 2069 (2012) of 9 October 2012, and until 31 December 2014 in resolution 2120 (2013) of 10 October 2013, noting that any new mission should have a sound legal basis as stated in paragraph 14 of the joint Chicago Summit Declaration on Afghanistan.

<sup>652</sup> S/PV.6935, p. 2.

<sup>653</sup> Ibid., p. 8 (United States); p. 14 (Republic of Korea); p. 16 (France); pp. 16-17 (Morocco); p. 19 (Luxembourg); p. 20 (United Kingdom); p. 21 (Guatemala); p. 25 (Denmark); p. 28 (European Union); pp. 28-29 (Canada); and p. 30 (Italy); and S/PV.6935 (Resumption 1), p. 3 (Spain, Germany); p. 4 (Slovakia); p. 6 (Estonia); p. 7 (Turkey); p. 10 (Lithuania); and p. 11 (Kyrgyzstan);

<sup>654</sup> S/PV.6983, p. 2 (Special Representative of the Secretary-General); p. 6 (Australia); p. 8 (United States); p. 11 (Luxembourg); p. 14 (France); p. 16 (Guatemala); p. 20 (United Kingdom); p. 23 (European Union); p. 29 (Canada); and p. 30 (Germany).

<sup>655</sup> Ibid., p. 5.

<sup>656</sup> S/PV.7035, p. 2.

<sup>657</sup> Ibid, p. 5.

<sup>658</sup> Ibid., p. 6 (Azerbaijan); p. 9 (Luxembourg); p. 11 (Guatemala); p. 13 (France); p. 14 (Republic of Korea); p. 15 (China); p. 16 (Rwanda); p. 17 (United States); p. 18 (United Kingdom); p. 19 (Morocco); p. 20 (Togo); p. 21 (Australia); p. 22 (Italy); p. 24 (Estonia); p. 25 (European Union); p. 26 (Japan); pp. 27-28 (Germany); and p. 30 (Canada).

<sup>659</sup> Ibid., p. 5 (Afghanistan); p. 9 (Luxembourg); p. 14 (Republic of Korea); p. 16 (Rwanda); p. 20 (Togo); p. 27 (Japan); and p. 28 (Germany).

<sup>660</sup> Ibid., p. 7.

<sup>661</sup> S/PV.7085, pp. 4-5.

## Meetings: the situation in Afghanistan

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6735</a> 20 March 2012	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2012/133</a> )		Afghanistan, Australia, Canada, Finland, Japan, Norway, Turkey	Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan (UNAMA), Head of the Delegation of the European Union to the United Nations	All Council members, all invitees	
<a href="#">S/PV.6738</a> 22 March 2012	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2012/133</a> )	Draft resolution submitted by Germany ( <a href="#">S/2012/170</a> )	Afghanistan			Resolution <a href="#">2041 (2012)</a> (15-0-0)
<a href="#">S/PV.6793</a> 27 June 2012	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2012/462</a> )		Afghanistan, Australia, Canada, Iran (Islamic Republic of), Japan, Latvia, New Zealand, Turkey	Under-Secretary-General for Peacekeeping Operations, Executive Director of the United Nations Office on Drugs and Crime, Head of the Delegation of the European Union, Assistant Secretary-General for Operations of the North Atlantic Treaty Organization	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6840</a> 20 September 2012	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2012/703</a> )		Afghanistan, Australia, Canada, Finland, Japan, Turkey	Special Representative of the Secretary-General and Head of UNAMA, Head of the Delegation of the European Union	All Council members, all invitees <sup>a</sup>	
<a href="#">S/PV.6843</a> 9 October 2012		Draft resolution submitted by Germany ( <a href="#">S/2012/742</a> ),  Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2012/703</a> )			Togo	Resolution <a href="#">2069 (2012)</a> (15-0-0)
<a href="#">S/PV.6896</a> 19 December 2012	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2012/907</a> )		Afghanistan, Australia, Iran (Islamic Republic of), Japan, Turkey	Special Representative of the Secretary-General and Head of UNAMA, Head of the Delegation of the European Union	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6935</a> and <a href="#">S/PV.6935 (Resumption 1)</a> 19 March 2013	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2013/133</a> )	Draft resolution submitted by Australia ( <a href="#">S/2013/164</a> )	Afghanistan, Canada, Denmark, Estonia, Finland, Georgia, Germany, India, Italy, Japan, Kazakhstan, Kyrgyzstan, Lithuania, Slovakia, Spain, Turkey, Ukraine	Special Representative of the Secretary-General and Head of UNAMA, Special Representative of the European Union for Afghanistan	Secretary-General, all Council members, <sup>b</sup> Special Representative of the European Union for Afghanistan	Resolution <a href="#">2096 (2013)</a> (15-0-0)
<a href="#">S/PV.6983</a> 20 June 2013	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2013/350</a> )		Afghanistan, Canada, Germany, India, Iran (Islamic Republic of), Italy, Japan, Latvia, Spain, Turkey	Special Representative of the Secretary-General and Head of UNAMA, Deputy Head of the Delegation of the European Union	All Council members, all invitees	
<a href="#">S/PV.7035</a> 19 September 2013	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2013/535</a> )		Afghanistan, Canada, Estonia, Germany, India, Iran (Islamic Republic of), Italy, Japan, Slovakia, Turkey	Special Representative of the Secretary-General and Head of UNAMA, Special Representative of the European Union for Afghanistan	All Council members, all invitees	
<a href="#">S/PV.7041</a> 10 October 2013		Draft resolution submitted by Australia ( <a href="#">S/2013/599</a> )  Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2013/535</a> )	Afghanistan			Resolution <a href="#">2120 (2013)</a> (15-0-0)

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.7085 17 December 2013	Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2013/721)		Afghanistan, Canada, Germany, India, Iran (Islamic Republic of), Japan, Turkey	Special Representative of the Secretary-General and Head of UNAMA, Head of the Delegation of the European Union	All Council members, all invitees	

<sup>a</sup> Afghanistan was represented by its Minister for Foreign Affairs.

<sup>b</sup> Australia, Denmark and Finland were represented at the ministerial level.

## Europe

### 20. The situation in Cyprus

#### Overview

During the period under review, the Security Council held six meetings, including three closed meetings with the troop-contributing countries,<sup>662</sup> and adopted three resolutions on the situation in Cyprus. The Council in its deliberations focused on the various political developments in Cyprus, including the relevant role and mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP).<sup>663</sup> In addition, the Council continued to support the good offices mission of the Secretary-General and his efforts to assist the parties in the negotiation process, and encouraged both sides to continue to work with UNFICYP to reach a comprehensive settlement.

The Council further extended the mandate of UNFICYP three times,<sup>664</sup> in accordance with the recommendations contained in the reports of the Secretary-General.<sup>665</sup>

#### Extension of the mandate of UNFICYP

On 19 July 2012, the Council adopted resolution 2058 (2012), in which it noted that the progress made so far in negotiations was not sufficient, urged the sides to continue their discussions to reach decisive progress on the core issues, expressed its full support for UNFICYP and extended its mandate for a further period until 31 January 2013.

After the vote, the representative of Azerbaijan noted that his country had abstained from voting on the resolution, because in his view the resolution did not place the required emphasis on the necessity to agree

on a results-oriented process.<sup>666</sup> The representative of Pakistan expressed his dissatisfaction over the lack of inclusiveness in engaging all Council members to achieve consensus, and also pointed out that the text was not fully reflective of the recommendations of the Secretary-General.<sup>667</sup>

On 24 January 2013, the Council, in resolution 2089 (2013), extended the mandate of UNFICYP for a further period ending 31 July 2013. After the vote, the representative of Azerbaijan noted that his country had abstained from voting because the resolution contained a number of elements that were “outdated”, as well as “factual inaccuracies”. Furthermore, he expressed concern that a number of issues raised in the report of the Secretary-General<sup>668</sup> were not reflected in the resolution.<sup>669</sup>

On 30 July 2013, the Council adopted resolution 2114 (2013), in which it extended the mandate of UNFICYP for a further period ending 31 January 2014. After the vote, the representative of Pakistan stated that the deletion of a reference to joint statements, including those of 23 May and July 2008, had constrained his country to abstain in the voting on the draft resolution.<sup>670</sup> The representative of Azerbaijan also stated the reasons for his country’s abstention in voting. He said that the resolution did not provide a full and proper update of the situation and had not placed the required emphasis on the necessity to agree on a results-oriented process. He maintained that certain provisions in the resolution did not accurately describe some of the developments on the ground.<sup>671</sup>

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<sup>662</sup> See [S/PV.6801](#), [S/PV.6901](#) and [S/PV.6997](#).

<sup>663</sup> For more information on the mandate of UNFICYP, see part X, sect. I, “Peacekeeping operations”.

<sup>664</sup> See resolutions [2058 \(2012\)](#), [2089 \(2013\)](#) and [2114 \(2013\)](#).

<sup>665</sup> [S/2012/507](#), [S/2013/7](#) and [S/2013/392](#).

<sup>666</sup> [S/PV.6809](#), p. 2.

<sup>667</sup> *Ibid.*, pp. 2-3.

<sup>668</sup> [S/2013/7](#).

<sup>669</sup> [S/PV.6908](#), p. 2.

<sup>670</sup> [S/PV.7014](#), p. 2.

<sup>671</sup> *Ibid.*, p. 3.

## Meetings: the situation in Cyprus

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6809</a> 19 July 2012	Report of the Secretary-General on the United Nations operation in Cyprus ( <a href="#">S/2012/507</a> )	Draft resolution submitted by United Kingdom ( <a href="#">S/2012/555</a> )			Azerbaijan, Pakistan	Resolution <a href="#">2058 (2012)</a> 13-0-2 <sup>a</sup>
<a href="#">S/PV.6908</a> 24 January 2013	Report of the Secretary-General on the United Nations operation in Cyprus ( <a href="#">S/2013/7</a> )	Draft resolution submitted by France, United Kingdom, United States ( <a href="#">S/2013/48</a> )			Azerbaijan	Resolution <a href="#">2089 (2013)</a> 14-0-1 <sup>b</sup>
<a href="#">S/PV.7014</a> 30 July 2013	Report of the Secretary-General on the United Nations operation in Cyprus ( <a href="#">S/2013/392</a> )	Draft resolution submitted by United Kingdom, United States ( <a href="#">S/2013/441</a> )  Assessment report on the status of the negotiations in Cyprus ( <a href="#">S/2012/149</a> )			Azerbaijan, Pakistan	Resolution <a href="#">2114 (2013)</a> 13-0-2 <sup>c</sup>

<sup>a</sup> *For:* China, Colombia, France, Germany, Guatemala, India, Morocco, Portugal, Russian Federation, South Africa, Togo, United Kingdom, United States;  
*Abstaining:* Azerbaijan, Pakistan.

<sup>b</sup> *For:* Argentina, Australia, China, France, Guatemala, Luxembourg, Morocco, Pakistan, Republic of Korea, Russian Federation, Rwanda, Togo, United Kingdom, United States;  
*Abstaining:* Azerbaijan.

<sup>c</sup> *For:* Argentina, Australia, China, France, Guatemala, Luxembourg, Morocco, Republic of Korea, Russian Federation, Rwanda, Togo, United Kingdom, United States;  
*Abstaining:* Azerbaijan, Pakistan.

## 21. Items relating to the situation in the former Yugoslavia

### A. The situation in Bosnia and Herzegovina

#### Overview

During 2012 and 2013, the Security Council held six meetings on the situation in Bosnia and Herzegovina and adopted two resolutions. The High Representative for Bosnia and Herzegovina briefed the Council four times during the period under review on the evolving political and security situation, as well as the current and future challenges facing the country. During those meetings, the Council discussed the progress achieved and the remaining challenges in the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Agreement),<sup>672</sup> as well as the activities of the Office of the High Representative and the relationship of Bosnia and Herzegovina with the European Union.

The Council twice extended the authorization of the European Union Force (EUFOR)-Althea and the North Atlantic Treaty Organization (NATO) presence, for periods of 12 months, including authorization for the participating Member States to take all necessary measures to assist both organizations in carrying out their missions <sup>673</sup>

#### Briefings by the High Representative on progress achieved on the implementation of the Dayton Peace Agreement and subsequent setbacks

On 15 May 2012, the Council was briefed by the High Representative for Bosnia and Herzegovina on recent developments presented also in his latest report.<sup>674</sup> He outlined the progress recently achieved in the implementation of the Dayton Peace Agreement, most notably the appointment of a Bosnian Croat Prime Minister which followed the principle of rotation of ethnicity, and the agreement reached by the six main parties on the ownership of defence and State property, two of the issues identified as preconditions for the closure of the Office of the High Representative. As the political process was based on dialogue, 2012 in his view could indeed be a breakthrough year on the path towards full Euro-Atlantic integration. Several

challenges remained, however, including the continuity of divisive political agendas challenging the Dayton Peace Agreement and the territorial integrity of Bosnia and Herzegovina, as well as the considerable delays in adopting the State budget.<sup>675</sup>

Council members generally welcomed the significant progress achieved by Bosnia and Herzegovina during the reporting period, particularly in forming a national Government, advancing towards Euro-Atlantic integration and accession to the NATO membership action plan, as well as in meeting the criteria of the Peace Implementation Council for closing the Office of the High Representative. Nonetheless, speakers also called on all parties to address the wide range of remaining political and economic challenges to establish a new, multi-ethnic society and shared the concerns raised by the High Representative with regard to the continuing nationalistic rhetoric used by senior officials challenging Bosnian sovereignty and the authority of the High Representative, and attempting to roll back past reforms. The representative of the Russian Federation, stating that the analysis of the High Representative was still tainted by a biased criticism of the leadership of the Bosnian Serbs, affirmed that despite the ongoing differences inter-Bosnian dialogue was moving forward, and underlined his opposition to interference by the international community in the internal Bosnian negotiation process. He stated that the Russian Federation was categorically opposed to the arbitrary use by the High Representative of his Bonn powers, emphasizing that the use of emergency measures could be justified only in exceptional circumstances by gross violations of the Dayton Peace Agreement that were likely to destabilize the situation in Bosnia and Herzegovina. He also said, with regard to the possible strengthening of the European Union military operation in Bosnia and Herzegovina as a step towards closing down the Office of the High Representative, that a precondition of the successful work of the offices of the High Representative and the European Union Special Representative should be strict respect of their mandates.<sup>676</sup>

<sup>672</sup> S/1995/999.

<sup>673</sup> See resolutions 2074 (2012) and 2123 (2013). For more information on EUFOR-Althea, see part VIII, sect. III, "Peacekeeping operations led by regional arrangements".

<sup>674</sup> S/2012/307.

<sup>675</sup> S/PV.6771, pp. 2-4.

<sup>676</sup> Ibid., pp. 15-16.



On 13 November 2012, the High Representative for Bosnia and Herzegovina presented his latest report to the Council covering developments from April to October of that year.<sup>677</sup> Stating that Bosnia and Herzegovina was irreversibly on track towards integration into the European Union and NATO, the High Representative noted that it had been a full year since the transition and reconfiguration of the international presence in that country, with the decoupling of the office of the European Union Special Representative from the Office of the High Representative and its incorporation into the stand-alone European Union delegation. He regretted nonetheless that gains made earlier in the year, including the appointment of a central Government and the adoption of the State budget, had not brought progress; rather, a dispute concerning the reconfiguration of the governing coalition, which had diverted attention from pressing challenges, had led to administrative and legislative gridlock. Another issue of concern had been the intensification of secessionist rhetoric emanating from the Republika Srpska leadership. At the same time he noted the positive developments, including the closing of the Office of the High Representative in the Brcko district on 31 August 2012, with the local authorities taking full responsibility for the local affairs, and the landmark ruling by the Constitutional Court of Bosnia and Herzegovina affirming the primacy of the State's ownership of public property, which was the second of the five objectives for the closing of his Office. The High Representative stated that the municipal elections on 7 October had passed largely without incident and noted that in Srebrenica, despite some controversy surrounding the registration and counting, they had resulted in the election of a Bosniak Mayor and an equal distribution of seats between Serbs and Bosniaks in the Municipal Assembly. He further noted that the still heavily divided city of Mostar had been the only community in the country that did not hold local elections.<sup>678</sup>

Speakers generally welcomed the fact that the overall security situation in the country remained stable and praised the successful local elections organized and conducted solely by Bosnians as a significant political achievement for the country. Many speakers however expressed their general

disappointment at the stagnation and setbacks in the past six months, condemned the intensification of divisive and nationalistic rhetoric that could undermine the sovereignty and territorial integrity of Bosnia and Herzegovina, and affirmed that the situation required the full attention of the Council. While agreeing that the situation in Bosnia and Herzegovina had deteriorated somewhat over the past six months, the representative of the Russian Federation stated that the main task of the international community in the current phase of the Bosnian settlement process was to transfer responsibility to the Bosnians themselves. He reiterated his position in favour of abolishing the Office of the High Representative and welcomed the suspension of the Office of the Brcko Supervisor as a first step in that direction.<sup>679</sup> The representative of Pakistan, on the other hand, stated that, due to the lack of progress on the implementation of the "5 plus 2" agenda, the time was not right for considering the closure of the Office of the High Representative and that, in the present circumstances, there were in fact compelling reasons for the continuity of that mission.<sup>680</sup> Several speakers, stressing that Bosnia and Herzegovina was a State of all its citizens, regardless of ethnicity or faith, called for the implementation of the verdict of the European Court of Human Rights in the *Sejdić-Finci* case of 22 December 2009.

#### **Extension of the authorization of European Union Force-Althea**

On 14 November 2012, the Council unanimously adopted resolution [2074 \(2012\)](#), by which it, inter alia, welcomed the reconfiguration of EUFOR-Althea, completed in September 2012, with a reduced number of forces, as well as the readiness of the European Union to continue an executive military role to support the efforts of Bosnia and Herzegovina to maintain a safe and secure environment, under a renewed United Nations mandate. Acting under Chapter VII of the Charter, the Council authorized the re-establishment of EUFOR-Althea for a further period of 12 months, as well as the continuation of a NATO Headquarters, and also authorized Member States to take all measures necessary to effect implementation of and to ensure compliance with the Peace Agreement.

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<sup>677</sup> [S/2012/813](#).

<sup>678</sup> [S/PV.6860](#), pp. 2-4.

<sup>679</sup> *Ibid.*, pp. 8-9.

<sup>680</sup> *Ibid.*, p. 7.

### **Briefing by the High Representative on the deterioration of the political and economic situation in Bosnia and Herzegovina**

On 14 May 2013, the High Representative for Bosnia and Herzegovina stated that in the previous six months the political leaders had again failed to reach the compromises necessary to meet the requirements of Euro-Atlantic integration and to tackle serious economic and social challenges facing the country. He further noted that recent developments had been dominated by the deepening political and constitutional crisis in the Federation, where the newly elected parliamentary majority had not been able to remove the existing Government, and which had culminated in the arrest of the President of the Federation on 26 April. On the other hand, there had been some positive aspects, namely, the smooth reshuffling of the Republika Srpska Government in March, the regular meetings of the Council of Ministers and the adoption of the budget on time for the first time in two years. The High Representative also said that the presence of the European Union and NATO military missions had continued to assure a stable security situation on the ground.<sup>681</sup>

Many speakers regretted the further deterioration of the political and economic situation in Bosnia and Herzegovina, where personal and political interests were taking priority over the most pressing needs of the country. While welcoming the recent developments outlined by the High Representative, speakers reaffirmed the need for the parties to engage in a constructive dialogue and work together to meet the criteria of the “5 plus 2” agenda, which would pave the way towards European Union and NATO membership as well as the eventual closure of the Office of the High Representative. The representative of the Russian Federation agreed that the situation in Bosnia and Herzegovina continued to worsen, arguing that the exacerbation of antagonism between the two primary Bosnian parties had undermined the effectiveness of the intra-Bosnian dialogue, creating complications for the central Bosnian institutions.<sup>682</sup>

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<sup>681</sup> S/PV.6966, pp. 2-4.

<sup>682</sup> Ibid., pp. 8-9.

### **Extension of the authorization of European Union Force-Althea and briefing by the High Representative**

On 12 November 2013, the Council unanimously adopted resolution 2123 (2013), in which it, acting under Chapter VII of the Charter, reminded the parties that, in accordance with the Peace Agreement, they had committed themselves to cooperate fully with all entities involved in the implementation of that peace settlement. The Council also authorized the re-establishment of EUFOR-Althea for a further period of 12 months, as well as the maintenance of a NATO Headquarters, stressing that the parties should continue to be held equally responsible for compliance with the Peace Agreement and should be equally subject to enforcement action by EUFOR-Althea and the NATO presence as necessary.

On the same day, at another meeting, the High Representative stated that, less than a year before the next general elections, the political leaders of Bosnia and Herzegovina were still failing to make a serious effort towards progress on Euro-Atlantic integration. There had been demonstrations throughout the country by which the public had expressed its dissatisfaction with the inertia of elected leaders. Although the general trend of the previous six months had been negative, the High Representative affirmed that there had been some exceptions, such as the first successful population census conducted in 20 years and the diminished intensity of political crisis in the Federation.<sup>683</sup>

Reiterating that the security situation in Bosnia had remained stable over the reporting period, speakers welcomed the significant developments described by the High Representative, as well as his work in implementing the Dayton Peace Agreement. Most speakers highlighted their concern regarding the lack of significant and tangible progress to implement the pending prerequisites of the “5 plus 2” agenda. They also reiterated their appeal to the political leadership of Bosnia and Herzegovina to implement the decision of the European Court of Human Rights in the *Sejdić-Finci* judgement to ensure the protection of rights of ethnic minority groups, a prerequisite for European integration. The representative of the Russian Federation maintained that decisions on key issues of the Bosnian settlement process should be made in agreed-on international forums such as the Security

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<sup>683</sup> S/PV.7057, pp. 2-3.

Council and the Steering Board of the Peace Implementation Council, whose consensus-based work was crucial.<sup>684</sup>

While asserting that the security situation in her country remained calm and stable, and regretting that the obvious improvement in regional cooperation had not been clearly emphasized in the report of the High

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<sup>684</sup> Ibid., pp. 8-9.

Representative,<sup>685</sup> the representative of Bosnia and Herzegovina recognized the current standoff in the political process and the necessity to develop a positive atmosphere that would foster constructive political dialogue and lead to a resolution of the outstanding issues.<sup>686</sup>

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<sup>685</sup> [S/2013/646](#).

<sup>686</sup> [S/PV.7057](#), pp. 18-19.

## Meetings: the situation in Bosnia and Herzegovina

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6771</a> 15 May 2012	Letter dated 9 May 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/307</a> )		Bosnia and Herzegovina, Croatia, Serbia	High Representative for Bosnia and Herzegovina, Head of the Delegation of the European Union to the United Nations	All Council members, Croatia, Serbia, all invitees under rule 39	
<a href="#">S/PV.6860</a> 13 November 2012	Letter dated 6 November 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/813</a> )		Bosnia and Herzegovina, Croatia, Serbia	High Representative for Bosnia and Herzegovina, Head of the Delegation of the European Union	All Council members, Croatia, Serbia, all invitees under rule 39 <sup>a</sup>	
<a href="#">S/PV.6861</a> 14 November 2012	Letter dated 6 November 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/813</a> )	Draft resolution submitted by Azerbaijan, France, Germany, Italy, Portugal, Russian Federation, United Kingdom, United States ( <a href="#">S/2012/830</a> )	Bosnia and Herzegovina, Italy			Resolution <a href="#">2074 (2012)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.6966</a> 14 May 2013	Letter dated 3 May 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/263</a> )		Bosnia and Herzegovina, Croatia, Serbia	High Representative for Bosnia and Herzegovina, Head of the Delegation of the European Union	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7055</a> 12 November 2013	Letter dated 5 November 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/646</a> )	Draft resolution submitted by Azerbaijan, France, Germany, Italy, Luxembourg, Russian Federation, United Kingdom, United States ( <a href="#">S/2013/652</a> )	Bosnia and Herzegovina, Germany, Italy			<a href="#">Resolution 2123 (2013)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.7057</a> 12 November 2013	Letter dated 5 November 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/646</a> )		Bosnia and Herzegovina, Croatia, Serbia	High Representative for Bosnia and Herzegovina, Head of the Delegation of the European Union	All Council members and all invitees	

<sup>a</sup> The Deputy Head of the Delegation of the European Union to the United Nations made the statement.

## B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

### Overview

During the period under review, the Security Council held eight meetings in connection with the item entitled “Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)”. At those meetings, the Council discussed the political developments in Kosovo, focusing on the need for Belgrade and Pristina to resume the European Union-facilitated bilateral dialogue, as well as implementation of the first agreement on principles governing the normalization of relations between Pristina and Belgrade. The Council also focused on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK),<sup>687</sup> as well as the role of the European Union Rule of Law Mission in Kosovo (EULEX), the Kosovo Force (KFOR), and the Organization for Security and Cooperation in Europe (OSCE).

### Briefing on the situation in Kosovo and activities of UNMIK

On 8 February 2012, the Council was briefed by the Assistant Secretary-General for Peacekeeping Operations, who noted that while the situation in Kosovo had calmed down it was still fragile. He urged the Council to renew its attention in order to resolve long-standing differences between the parties and to consolidate long-term peace and stability in the region. Regarding northern Kosovo, he referred to the efforts of UNMIK, EULEX and KFOR to stabilize the situation. He also reported on considerable progress in the European Union-facilitated dialogue between Pristina and Belgrade. Furthermore, he urged both sides to maintain their commitment to engaging in a constructive dialogue.<sup>688</sup>

The representative of Serbia appealed to the new members of the Council to continue to refrain from recognizing any solution to the “Kosovo problem” that was not the product of an agreement between the parties. Commenting on the Secretary-General’s

report,<sup>689</sup> he concurred with the call to support the role of UNMIK, especially in facilitating engagement between all stakeholders. He further expressed the view that pursuing outcomes outside the framework of negotiations, including through seeking new recognitions of the unilateral declaration of independence, as well as attempts to “force one’s way into international organizations”, were both futile and counterproductive.<sup>690</sup>

On the other hand, Mr. Enver Hoxhaj, while highlighting the progress achieved, as well as current challenges in Kosovo, stated that full recognition of the country’s independence remained an important goal for the Government of Kosovo. He expressed the view that Serbia should implement its obligations under the agreements with Kosovo, stating that “agreements are not worth anything if they were not implemented in practice”. He maintained that the implementation of the Ahtisaari plan was the best framework for political and democratic participation of all Kosovo Serbs.<sup>691</sup>

In their comments, Council members stressed the need for both sides to remain committed to the European Union-facilitated dialogue in order to reach a lasting peace and stability in the region. Many speakers expressed appreciation for the efforts of UNMIK in collaborating with EULEX and KFOR to calm tensions in the north of Kosovo, as well as in facilitating stability in the region.<sup>692</sup> A number of speakers supported the work of the EULEX Special Investigative Task Force mandated to investigate all allegations of human organ trafficking,<sup>693</sup> while others expressed the view that such an investigation should proceed under the auspices of the Security Council and United Nations.<sup>694</sup>

<sup>689</sup> S/2012/72.

<sup>690</sup> S/PV.6713, pp. 4-6.

<sup>691</sup> Ibid., pp. 6-11.

<sup>692</sup> Ibid., p. 4 (Serbia); p. 12 (Russian Federation); p. 13 (China); p. 14 (Germany); p. 16 (Azerbaijan); and p. 21 (Pakistan)..

<sup>693</sup> Ibid., p. 7 (Mr. Hoxhaj); p. 15 (Germany); p. 17 (India); p. 18 (United Kingdom); p. 19 (France); pp. 20-21 (Portugal); p. 23 (Colombia); and p.25 (United States).

<sup>694</sup> Ibid., p. 6 (Serbia); p. 12 (Russian Federation); p. 13 (China); and p. 16 (Azerbaijan).

<sup>687</sup> For more information on the mandate of UNMIK, see part X, sect. I, “Peacekeeping operations”.

<sup>688</sup> S/PV.6713, pp. 2-4.

### Serbian general and presidential elections

On 14 May 2012, the Special Representative of the Secretary-General and Head of UNMIK reported that voting in the Serbian general and presidential elections was facilitated safely and calmly in Kosovo on 6 May 2012. He stated that a highly professional facilitation operation was organized and carried out by OSCE, assisted by the contributions of KFOR, EULEX and the Kosovo authorities, in line with the provisions of resolution 1244 (1999). He said, however, that two municipalities in northern Kosovo had proceeded with plans to conduct their own local elections outside the framework of resolution 1244 (1999) and noted that both Belgrade and the international community had taken unambiguous positions on the legitimacy of that matter. He reported that ties between the Western Balkans and the European Union had taken significant steps forward with the decision to grant candidate status to Serbia and also to launch a feasibility study in Kosovo. He expressed concern that the absence of unity of purpose among key international actors sometimes undermined the power of the European perspective for the region. He requested Council members to assume a proactive approach to the continuing challenges in Kosovo and urged them to use their authority and influence with the parties to encourage them to engage in good faith in order to reach substantial and sustainable solutions.<sup>695</sup>

The representative of Serbia maintained that his country's long-standing position on the European Union's engagement in Kosovo remained unchanged and urged the European Union to sustain its status-neutral efforts in order to build the missing institutional environment and improve the "dismal" societal conditions in the province. He also expressed the view that Pristina continued to engage in a campaign of intimidation against Serbs in Kosovo. Acknowledging the efforts of UNMIK and OSCE, among others, in facilitating the elections, he underlined that Serbia remained fully committed to the dialogue process.<sup>696</sup>

Mr. Enver Hoxhaj recounted efforts relating to Kosovo's consolidation of statehood, the integration of the Serb community at the central and local levels of government in the north, the technical dialogue between Kosovo and Serbia, as well as on Kosovo-

European Union relations. Referring to the Serbian presidential and parliamentary elections, he noted that Serbs living in Kosovo had been able to vote during the elections. He also referred to the fact that Serbia had not organized local elections in the three municipalities in the north of Kosovo, which showed that Serbia had begun to accept the "reality of an independent Kosovo".<sup>697</sup>

Council members welcomed the calm and peaceful holding of the Serbian general elections and commented on the challenges encountered, as well as other positive developments, including the role of UNMIK, OSCE, EULEX and KFOR in facilitating the elections. They welcomed the progress made thus far in European integration and urged both parties to continue engagement and remain committed to the European Union-facilitated dialogue. Most speakers indicated that conditions should be created for safe voluntary return of displaced persons, as well as the preservation of cultural and religious sites. A number of speakers expressed concern regarding the protection of minority communities.<sup>698</sup> Some speakers underlined that all international organizations operating in Kosovo should maintain a status-neutral position in the execution of their mandates.<sup>699</sup>

On 21 August 2012, in his briefing to the Council, the Special Representative of the Secretary-General said that, according to his assessment, a more active and deliberate political international engagement with the parties was urgently needed. He reported that sessions of the European Union-led Belgrade-Pristina dialogue had remained suspended owing to the May general elections in Serbia and the political process leading to the formation of a new Government on 27 July 2012, and expressed hope that the European Union-facilitated dialogue would soon resume. He reported that coordination between UNMIK and the internationally mandated presences in Kosovo was aimed at supporting a much-needed progress in human rights protection, the return of internally displaced persons and refugees, and determining the fate of missing persons.<sup>700</sup>

<sup>697</sup> Ibid., pp. 8-11.

<sup>698</sup> Ibid., p. 16 (United Kingdom); p. 18 (India); and p. 23 (Guatemala).

<sup>699</sup> Ibid., p. 4 (Serbia); p. 12 (Russian Federation); p. 13 (Pakistan); p. 14 (South Africa); and p. 19 (India).

<sup>700</sup> S/PV.6822, pp. 2-3.

<sup>695</sup> S/PV.6769, pp. 2-4.

<sup>696</sup> Ibid., pp. 4-8.

The representative of Serbia emphasized that resolving the final status of Kosovo and Metohija through a process of negotiations and dialogue that took into account the legitimate interests of ethnic Albanians, Serbs and all others living in Kosovo was among the most important priorities of his newly elected Government, while underlining his country's position, which was not to recognize Kosovo's unilateral declaration of independence. Referring to the reforms by the authorities in Pristina expected to remove the executive authority of international organizations in Kosovo as described in the Secretary-General's report, he expressed the view that the Security Council was the only legitimate institution that had the authority to make such changes. He also expressed concern over the security threats faced by the Serbian community in both northern and southern Kosovo, which in his view were all part of an orchestrated campaign of intimidation directed at Kosovo Serbs.<sup>701</sup>

In his statement, Mr. Hashim Thaçi outlined developments regarding the end of the internationally supervised independence of Kosovo, the situation in the northern municipalities, and the country's prospects for European integration. With regard to the recent Serbian elections, he said that the Government of Kosovo had reached an agreement with OSCE which enabled Kosovo Serbs with dual citizenship to vote. Concerning the technical dialogue between Kosovo and Serbia, he noted that true progress in the dialogue could be achieved only if the agreements were fully implemented, and therefore called on Serbia to deliver on what was agreed during the dialogue process. He further reiterated that normalization of relations with Serbia was a priority for Kosovo.<sup>702</sup>

Council members welcomed the newly formed Government in Serbia and stressed the importance of resuming the European Union-facilitated dialogue, as well as implementation of technical agreements previously reached in that dialogue in cooperation with UNMIK, EULEX and KFOR. Some members welcomed Kosovo's creation of an administrative office in northern Mitrovica aimed at providing services to citizens of that part of Kosovo,<sup>703</sup> while

others expressed concern that funds intended for UNMIK would be diverted to finance that office.<sup>704</sup>

#### **Resumption of the European Union-facilitated dialogue between Belgrade and Pristina**

On 27 November 2012, the Special Representative of the Secretary-General detailed key events and activities in Kosovo and reported on the significant progress made during new sessions of the European Union-facilitated high-level dialogue on 19 October and 7 November 2012. He said that the two leaders, the Prime Minister of Serbia, Ivica Dačić, and the Prime Minister of Kosovo, Hashim Thaçi, had assumed direct leadership within this process, met on those occasions for the first time as leaders of their respective delegations and were able to agree on concrete steps to move forward in the dialogue in a more profound and far-reaching manner. He commended both on demonstrating the political will and courage to embark on the process of working together to recast relations between Belgrade and Pristina. He hoped that Council members would not simply commend the initiative of the two leaders to tackle the issues in a higher-level dialogue, but also provide appropriate resources and political backing to encourage and endorse sustainable agreements. However, given the complexity of the issues that had continued to inhibit progress on both sides, he noted that it would be unreasonable to expect solutions to emerge easily or quickly. The situation in the north of Kosovo remained fragile. Regarding the coordination of the international presence, he was pleased to inform the Council that UNMIK was fulfilling its mandate as part of a genuine team that encompassed KFOR, EULEX, OSCE and the European Union Special Representative in Kosovo.<sup>705</sup>

The representative of Serbia, while opposing unilateral actions by any party, stated that Serbia continued to promote and pursue a policy of finding peaceful solutions in a constructive dialogue with Pristina. He expressed the belief that UNMIK should continue to have an important role to complement the dialogue, so that an effective exchange of information and reporting to the Security Council could be ensured. He further stressed that the executive role of EULEX

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<sup>701</sup> Ibid., pp. 4-7.

<sup>702</sup> Ibid., pp. 7-11.

<sup>703</sup> Ibid., p.12 (United Kingdom); p. 15 (Germany); and p. 19 (United States).

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<sup>704</sup> Ibid., p.15 (Russian Federation); and p. 22 (Guatemala).

<sup>705</sup> S/PV.6872, pp. 2-4.



must not be changed since it was also crucial for the implementation of the agreements reached.<sup>706</sup>

Mr. Enver Hoxhaj commented on the establishment of contractual relations with the European Union and the new phase of bilateral relations between Kosovo and Serbia. Referring to the decision of the International Steering Group to end the supervised independence of Kosovo, he underlined that it was the result of exercising the full extent of their sovereignty. However, he pledged that Kosovo would remain committed to working closely with international technical missions to further enhance the progress made in the country.<sup>707</sup>

Council members noted the relatively calm security situation in Kosovo as indicated in the report of the Secretary-General.<sup>708</sup> However, they expressed concern regarding the fragile situation in the north of Kosovo. They supported the activities of UNMIK and welcomed the resumption of the European Union-facilitated high-level dialogue between the two parties. Some members supported efforts towards the integration of Kosovo into the international community,<sup>709</sup> while others reiterated their support for the sovereignty and territorial integrity of Serbia.<sup>710</sup> A number of speakers expressed the belief that UNMIK should maintain its key role in coordinating all international efforts in Kosovo under its status-neutral framework as envisaged in resolution 1244 (1999).<sup>711</sup>

On 22 March 2013, the Special Representative of the Secretary-General informed the Council that the direct Belgrade-Pristina engagement in the high-level political dialogue facilitated by the European Union had yielded some important positive developments. Reporting that both leaders had met for a total of seven rounds of dialogue in Brussels, he indicated that the meetings had marked an essential and historic new chapter in the collective effort to overcome the legacy

of the past conflict. However, significant challenges on the ground remained, including adverse security incidents and frequent instances of inflammatory rhetoric and posturing from various quarters. There had also been episodes of increased tension in northern Kosovo, such as a series of incidents involving the use of explosive devices, and a wave of vandalism against several Serbian Orthodox cemeteries, including the destruction of a Second World War monument. He was gratified that appropriate actions had been taken by the Kosovo authorities, including the allocation of public funds for the repair and reconstruction of the graves and monuments. He further underlined that the ending of budget allocations to the UNMIK administrative office in Mitrovica had undermined the most functional channel available to address problems in the north through consensus.<sup>712</sup>

The representative of Serbia reiterated his Government's principled position on the unilaterally declared independence of Kosovo, but at the same time confirmed its commitment to the success of the political dialogue facilitated by the European Union.<sup>713</sup>

In his statement, Mr. Hashim Thaçi detailed the progress made in Kosovo and underlined that its commitment to the dialogue with Serbia was in accordance with General Assembly resolution 64/298, as well as the relevant resolution of the Assembly of Kosovo, and in full compliance with the Constitution and laws of Kosovo, and that there could be no negotiation on the sovereignty, political status or territorial integrity of Kosovo.<sup>714</sup>

Members of the Council welcomed the progress made in several rounds of the high-level European Union-facilitated political dialogue and commended the ongoing efforts of the two parties towards normalization of their relations. They expressed concern regarding the fragile security situation especially in the north, including the recent attacks against Orthodox religious and cultural sites. Furthermore, they commented on the EULEX Special Investigative Task Force and the important role of UNMIK and its contribution in stabilizing the region, as well as its collaboration with the other international presence and local authorities in Kosovo.

<sup>706</sup> Ibid., pp. 4-6.

<sup>707</sup> Ibid., pp. 6-9.

<sup>708</sup> S/2012/818.

<sup>709</sup> S/PV.6872, p. 10 (Germany); p. 13 (France); p. 17 (Togo); p. 18 (United Kingdom); and p. 22 (United States).

<sup>710</sup> Ibid., p. 11 (Russian Federation); p. 16 (Azerbaijan); and p. 19 (China).

<sup>711</sup> Ibid., p. 5 (Serbia); p. 11 (Pakistan); p.12 (Russian Federation); p. 13 (France); p. 16 (Azerbaijan); p. 19 (China); p. 20 (South Africa); p. 21 (Guatemala); and p. 23 (India).

<sup>712</sup> S/PV.6939, pp. 2-4.

<sup>713</sup> Ibid., pp. 4-8.

<sup>714</sup> Ibid., pp. 8-15.

**First agreement on principles governing the normalization of relations between Belgrade and Pristina**

On 14 June 2013, the Special Representative of the Secretary-General reported that on 19 April 2013, following difficult political negotiations facilitated by the High Representative for Foreign Affairs and Security Policy of the European Union, a historic first agreement on principles governing the normalization of relations between Belgrade and Pristina was initialled. He noted that the agreement consisted of 15 points which provided for the establishment of an association/community of Serb municipalities that would encompass a range of competences related to the people's day-to-day life, and envisaged the holding of local elections in 2013 in northern Kosovo municipalities with the facilitation of OSCE. Both parties had undertaken not to block the other side's progress in their respective European Union integration paths. He reported that on 22 May 2013, as a sign of their commitment, the parties had agreed on an implementation plan for the provisions contained in the agreement of 19 April. Nonetheless he underlined that the threat of instability remained present in sensitive areas, both in the north and south of the Ibar River. While expressing the view that the agreement was a major achievement and a decisive step forward for both Belgrade and Pristina, he stressed that the implementation of the agreements reached would require hard work by the parties and the active support of the international community, and underlined that UNMIK was making efforts in this regard.<sup>715</sup>

The representative of Serbia stated that his country had invested considerable efforts and demonstrated great flexibility during the dialogue, and noted that, in furthering the process, Serbia would continue to be guided by the firm belief that the negotiations might lead to a solution acceptable to all. Referring to the six-month political dialogue which had resulted in the "First agreement on principles governing normalization of relations", he noted that Serbia was determined to implement the agreement. At the same time, he expressed concern over the fragile security situation and underlined that the role of UNMIK in stabilizing the situation in the region was irreplaceable. He said he expected the international

community to give an impetus to the implementation of the agreement and the building of regional stability.<sup>716</sup>

Mr. Hashim Thaçi, while highlighting the various aspects of the agreement, commended the efforts of the Prime Minister of Serbia in reaching the agreement on principles. He pledged Kosovo's commitment to engage in political dialogue with Serbia, as well as to ensure the timely and constructive implementation of all aspects of the agreement. He said that the agreement represented an opportunity for the Council to consider adopting a resolution to end the mandate of UNMIK. He requested the Council to provide support for the European Union in monitoring the implementation of the agreement.<sup>717</sup>

Council members welcomed the historic European Union-facilitated agreement and congratulated both sides for reaching this significant milestone, while encouraging them to continue to compromise towards a timely and full implementation of the agreement in close coordination with UNMIK, EULEX and KFOR. Many speakers expressed concern over the security situation especially in northern Kosovo and supported the continued efforts of UNMIK to implement its mandate. Some speakers underlined that UNMIK had a role to play in the implementation of the agreement of 19 April.<sup>718</sup> Other speakers underlined that resolution 1244 (1999) was the legal basis for resolving the question of Kosovo and that efforts to resolve the issue should be carried out within the framework of that resolution.<sup>719</sup>

On 29 August 2013, the Special Representative of the Secretary-General reported on the progress made towards the implementation of the agreement reached between Belgrade and Pristina on 19 April. He noted the commitment of the leaders to work towards the implementation of the agreement in a timely and constructive manner, notwithstanding some complications in the process. Referring to the preparations for holding local elections in Kosovo on 3 November 2013, he brought attention to the swift response of OSCE in facilitating voting in the northern territories, as well as voting by eligible internally displaced persons, and stated that the registration of

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<sup>716</sup> Ibid., pp. 4-8.

<sup>717</sup> Ibid., pp. 8-11.

<sup>718</sup> Ibid., p. 6 (Serbia); p. 17 (Pakistan); and p. 18 (Russian Federation).

<sup>719</sup> Ibid., p. 12 (China); p. 14 (Azerbaijan); and p. 18 (Russian Federation).

<sup>715</sup> S/PV.6979, pp. 2-4.

political entities in the short time window for the elections was a challenge. He underscored the importance of full participation by voters, particularly in the northern municipalities, and called on both sides to show steadfastness and flexibility, particularly to address the concerns of the local population effectively and overcome the uncertainty prevailing in the north. He reaffirmed the commitment of UNMIK to actively adapt its activities in the field to most effectively support the political process and related work on the ground.<sup>720</sup>

The representative of Serbia reaffirmed his country's commitment to the political dialogue facilitated by the European Union. He, however, noted with regret that only little had been achieved in terms of concrete results in solving people's problems, particularly those besetting minority ethnic groups. He therefore noted that the continued presence of the United Nations in Kosovo and Metohija was of paramount importance for future developments, and emphasized that the implementation of the agreements might not be possible without the active participation of the United Nations.<sup>721</sup>

In his statement, Mr. Enver Hoxhaj, while informing the Council that Kosovo had engaged proactively in implementing its obligations arising from the normalization agreement between Kosovo and Serbia, noted the progress made by Kosovo towards European Union integration, as well as its stability and achievements on a number of domestic issues. He further expressed the view that the Council should consider removing Kosovo from its agenda and requested that a resolution be adopted recognizing the progress that had been made on the ground by Kosovo. He also held the view that the Council should consider transforming UNMIK into a United Nations political office for coordinating all United Nations agencies, funds and programmes.<sup>722</sup>

Council members welcomed progress made thus far and the efforts of both sides to implement the dialogue agreement in cooperation with the international presence in Kosovo, while urging them to work together to overcome obstacles to the implementation process. Some Council members took note of the further agreement reached on 22 May 2013

on an implementation plan of the agreement of 19 April.<sup>723</sup> Most Council members commended the relative calm and at the same time reiterated concern about the fragile security situation in Kosovo.

#### **Situation in Kosovo following municipal elections**

On 19 November 2013, the Special Representative of the Secretary-General stated that the successful conduct of Kosovo-wide municipal elections on 3 November was an important milestone in the implementation of the agreement of 19 April between Pristina and Belgrade. He reported on the problems that had occurred in northern Mitrovica on election day and said that a repeat vote at the three affected polling stations was subsequently ordered by the Central Election Commission, which proceeded peacefully without significant incidents. He noted that UNMIK continued to focus its efforts and resources in support of the European Union-led political process and towards the fulfilment of its mandate. He emphasized that the period ahead would be essential in consolidating the positive outcomes of the Kosovo elections and important progress achieved in the Belgrade-Pristina dialogue.<sup>724</sup>

The representative of Serbia commented on and expressed several concerns regarding the conduct of the elections, as well as the implementation of the European Union-facilitated agreement. He said that Pristina had not yet taken the necessary steps in key areas of this agreement.<sup>725</sup>

Mr. Hashim Thaçi briefed the Council on the progress made in Kosovo, particularly the holding of the local elections and the process of European Union integration, as well as the dialogue on the normalization of relations between Kosovo and Serbia. He said that in most of Kosovo the elections had proceeded peacefully and calmly, and that only at three polling stations in northern Mitrovica were there isolated incidents involving Serb extremist groups. He called those incidents orchestrated and organized attacks on the fundamental right of citizens. He underscored Kosovo's commitment to continue the dialogue with Serbia including talks on new issues that

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<sup>720</sup> S/PV.7026, pp. 2-4.

<sup>721</sup> Ibid., pp. 4-8.

<sup>722</sup> Ibid., pp. 8-11.

<sup>723</sup> Ibid., p. 13 (Morocco); p. 16 (Togo); and p. 19 (Azerbaijan).

<sup>724</sup> S/PV.7064, pp. 2-4.

<sup>725</sup> Ibid., pp. 4-8.

were important to good-neighbourly relations and the quality of life of their citizens.<sup>726</sup>

Many Council members commented on the elections facilitated by OSCE, and commended the Governments of Serbia and Kosovo for encouraging

their citizens to take part in the elections, while noting the increased participation of the Kosovo Serbian population. They condemned the violent incidents that had occurred in a number of polling stations in northern Mitrovica during the elections on 3 November 2013 and welcomed the peaceful conduct of the rerun elections on 17 November 2013.

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<sup>726</sup> Ibid., pp. 8-12.

**Meetings: Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6713</a> 8 February 2012	Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) ( <a href="#">S/2012/72</a> )		Serbia (Minister for Foreign Affairs)	Assistant Secretary-General for Peacekeeping Operations, Special Representative of the Secretary-General and Head of UNMIK, and Enver Hoxhaj	All Council members, Serbia, Assistant Secretary-General for Peacekeeping Operations, Enver Hoxhaj <sup>a</sup>	
<a href="#">S/PV.6769</a> 14 May 2012	Report of the Secretary-General on UNMIK ( <a href="#">S/2012/275</a> )		Serbia (Minister for Foreign Affairs)	Special Representative of the Secretary-General and Head of UNMIK, Enver Hoxhaj	All Council members, all invitees	
<a href="#">S/PV.6822</a> 21 August 2012	Report of the Secretary-General on UNMIK ( <a href="#">S/2012/603</a> )		Serbia (Prime Minister)	Special Representative of the Secretary-General and Head of UNMIK, Hashim Thaçi	All Council members, all invitees	
<a href="#">S/PV.6872</a> 27 November 2012	Report of the Secretary-General on UNMIK ( <a href="#">S/2012/818</a> )		Serbia (Minister for Foreign Affairs)	Special Representative of the Secretary-General and Head of UNMIK, Enver Hoxhaj	All Council members, all invitees	
<a href="#">S/PV.6939</a> 22 March 2013	Report of the Secretary-General on UNMIK ( <a href="#">S/2013/72</a> )		Serbia (Prime Minister, Minister for Foreign Affairs)	Special Representative of the Secretary-General and Head of UNMIK, Hashim Thaçi	All Council members, all invitees	
<a href="#">S/PV.6979</a> 14 June 2013	Report of the Secretary-General on UNMIK ( <a href="#">S/2013/254</a> )		Serbia (Prime Minister, Minister for Foreign Affairs)	Special Representative of the Secretary-General and Head of UNMIK, Hashim Thaçi	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7026</a> 29 August 2013	Report of the Secretary-General on UNMIK ( <a href="#">S/2013/444</a> )		Serbia (Minister for Foreign Affairs)	Special Representative of the Secretary-General and Head of UNMIK, Enver Hoxhaj	All Council members, all invitees	
<a href="#">S/PV.7064</a> 19 November 2013	Report of the Secretary-General on UNMIK ( <a href="#">S/2013/631</a> )		Serbia (Prime Minister)	Special Representative of the Secretary-General and Head of UNMIK, Hashim Thaçi	All Council members, all invitees	

<sup>a</sup> The Special Representative of the Secretary-General did not make a statement.

## Middle East

### 22. The situation in the Middle East, including the Palestinian question

#### Overview

During the period under review, the Security Council held 26 meetings, including one closed meeting,<sup>727</sup> in connection with the item entitled “The situation in the Middle East, including the Palestinian question” but adopted no resolutions or presidential statements. Meetings during 2012 focused mainly on the efforts by the international community to restart talks between Israel and Palestine that could lead to a resumption of peace negotiations; the Palestinians’ bid for upgrading their status to that of non-member observer State in the United Nations; and the deteriorating humanitarian situation in Gaza. During 2013, the Council considered the escalation of activities that undermined a two-State solution following the General Assembly decision to grant Palestine non-member observer State status; the situation of Palestinian prisoners in Israel; and the resumption of direct negotiations between Israelis and Palestinians in July for a nine-month period. Developments in Lebanon, the Syrian Arab Republic, Yemen and the overall political situation in the Middle East were also discussed during the period.<sup>728</sup>

#### Middle East peace process and the situation in the occupied Palestinian territories

On 24 January 2012, the Assistant Secretary-General for Political Affairs reported that meetings between Israel and Palestine had started in Amman on 3 January, after having remained suspended since late September 2010. He hoped that those preparatory meetings would lead to serious negotiations but he expressed concern over actions on the ground, including settlement activity in the West Bank and related violence. He also reported that the Palestinian Authority had continued to build its institutions, despite concern over its financial situation due to shortfalls in funding and a slowdown in economic growth. With regard to the situation in Gaza, he condemned any indiscriminate firing towards civilian

areas and called for the lifting of the closure in the framework of resolution 1860 (2009).<sup>729</sup>

The Permanent Observer of Palestine reaffirmed that recognizing the State of Palestine would constitute a genuine investment in the two-State solution for peace. He added that Palestine had fully cooperated with the efforts of the Quartet to advance the two-State solution on the basis of the pre-1967 borders while Israel was acting to entrench the occupation by continuing its settlement activities. He stated that the humanitarian situation in Gaza remained critical owing to the Israeli blockade by land, air and sea, and that Israel had been using excessive force against peaceful protesters.<sup>730</sup>

The representative of Israel indicated that resolving the Israeli-Palestinian conflict was important but that, in the context of the Arab Spring, the misallocation of the time and resources of the Council was eroding its credibility. He said that the primary obstacle to peace was not settlements but the so-called claim of return, which would mean the destruction of Israel. He also expressed concern about the situation in the Gaza Strip and the rocket attacks by Hamas targeting Israeli cities and civilians.<sup>731</sup>

Many speakers expressed support to the efforts of Jordan and the Quartet for a resumption of negotiations. They also condemned Israeli settlement activities and rocket attacks against Israel launched from Gaza, and urged the Council to step up its efforts in support of a two-State solution. Concern regarding the situation in Gaza was also raised. A number of speakers expressed support for the application of Palestine for admission to membership in the United Nations submitted on 23 September 2011 to the General Assembly.<sup>732</sup>

On 28 February 2012, the Under-Secretary-General for Political Affairs reported that the talks

<sup>727</sup> See [S/PV.6863](#).

<sup>728</sup> For information on these questions, see part I, sect. 23, “The situation in the Middle East”.

<sup>729</sup> [S/PV.6706](#), pp. 2-5.

<sup>730</sup> *Ibid.*, pp. 6-9.

<sup>731</sup> *Ibid.*, pp. 9-11.

<sup>732</sup> *Ibid.*, p. 6 (Palestine); p. 24 (Azerbaijan); and p. 31 (Egypt).

between the parties which had started on 3 January 2012 in Amman had stalled. While the Palestinians had reiterated that direct talks should not resume unless all settlement activity had been halted, the Prime Minister of Israel continued to insist that Israel wanted to continue the talks but without preconditions. He also noted that on 5 February 2012 President Mahmoud Abbas and the leader of Hamas, Khaled Meshaal had agreed to form a transitional Government of technocrats with Mr. Abbas as Prime Minister. Regarding Gaza and the West Bank, he stated that the situation in both remained dangerous and unsustainable, and noted increased tensions and violence between Palestinian and Israeli security forces around holy sites during the reporting period.<sup>733</sup>

On 27 March 2012, the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority informed the Council that the parties had not yet found sufficient common ground to resume direct negotiations and that the prospects remained slim. He regretted the fact that the agreements to strengthen revenue collection by Israel on behalf of the Palestinian Authority, which provided about 70 per cent of the net revenue of the Palestinian Authority, had not been finalized. Concerning the situation in the West Bank and Gaza, he reported on continuing and extensive escalation of violence, particularly in Gaza, but welcomed the approval by Israel of key United Nations projects, while calling for the unrestricted import through legal crossings of aggregate iron bar and cement. He also expressed concern over the situation of the approximately 4,400 Palestinian prisoners in Israeli detention centres and reported on continued settlement activity during the reporting period. He called on the Quartet to direct efforts towards overcoming gaps in trust and substance, in order to achieve the goal of a two-State solution.<sup>734</sup>

On 23 April 2012, the Under-Secretary-General for Political Affairs reported on the Quartet meeting held in Washington, D.C., on 11 April, at which the Quartet had underlined the need for continued international support for the Palestinian Authority's institution-building efforts and had reiterated its call to avoid actions that undermined trust. He also hoped that the exchange of letters between the Prime Minister of

Israel and the President of Palestine could provide an opening for future dialogue. However, he reported that clashes between the parties had continued to occur and that the Government of Israel had announced tenders for more than 1,000 housing units in the occupied Palestinian territories. He said that the Quartet had indicated that the situation in Gaza would remain unsustainable until Gaza was reunited with the West Bank under the legitimate Palestinian Authority, adhering to the commitments of the Palestine Liberation Organization, and he noted the lack of progress in the reconciliation process.<sup>735</sup>

The observer of Palestine stated that the Palestinian people remained committed to peace, as confirmed in the letter dated 17 April 2012 from the President of Palestine to the Prime Minister of Israel, but added that belief in the two-State solution was diminishing as illegal Israeli settlement activity, the main obstacle to the peace process, continued all over the occupied Palestinian territories. He urged the Council to find the political will to act, as well as to make a positive decision regarding the proposed Council mission to the occupied Palestinian territories, including East Jerusalem.<sup>736</sup>

The representative of Israel reiterated that the primary obstacle to peace was the refusal by the Palestinians to recognize the right of Israel to exist. He urged the international community to stand up and to state that the claim of return was a non-starter and asked the Council to plant the seeds for a truly open debate on the Middle East.<sup>737</sup>

Many speakers expressed concern over the approval of new Israeli settlements, the incidence of violent clashes and provocative actions between the parties, and the economic, political and humanitarian situation in Gaza. They called for further efforts by the international community to help the parties to resume negotiations towards a two-State solution, especially by the Quartet and the Security Council. A number of speakers welcomed the initiative of President Abbas for the exchange of letters with the Prime Minister of Israel and urged the latter to respond.

On 29 May 2012, the Special Coordinator for the Middle East Peace Process reported that the parties had exchanged letters outlining their respective

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<sup>733</sup> S/PV.6725, pp. 2-5.

<sup>734</sup> S/PV.6742, pp. 2-5.

<sup>735</sup> S/PV.6757, pp. 2-5.

<sup>736</sup> Ibid, pp. 5-7.

<sup>737</sup> Ibid, pp. 8-11.



requirements for direct talks to continue and that the Quartet envoys would further encourage both sides to take mutually reinforcing confidence-building measures. He underlined the developments threatening to increase tensions, such as the Palestinian prisoner hunger strike that had started on 17 April and ended on 15 May with a prisoner agreement, and the clashes between Palestinian protesters and Israeli forces in East Jerusalem on 20 May. He also reported on significant internal political changes: in Israel a new governing coalition had been formed, and on the Palestinian side the Cabinet had been reshuffled and Palestinian leaders had announced a new formula for progress on reconciliation achieved with the assistance of Egyptian mediation. He also reported on the continuation of settlement activity and clashes between Israeli settlers and Palestinians in the West Bank. Regarding Gaza, relative calm had prevailed during the reporting period, and the total value of approved United Nations work in the Gaza Strip had exceeded \$365 million, which meant that United Nations agencies were enabled to play a major role in international efforts for priority recovery and reconstruction in Gaza.<sup>738</sup>

On 19 June 2012, the Assistant Secretary-General for Political Affairs reported on the Quartet meeting held in Brussels on 15 June to intensify efforts to avoid a renewed deadlock, given the fragility of the situation and the announcement by Israel of the construction of approximately 850 settlement units in the West Bank. He further reported the continuation of clashes between Israeli settlers and Palestinians in the West Bank and that two prisoners had not ended their hunger strikes after the prisoner agreement of May. On Palestinian reconciliation, efforts continued — a reconciliation agreement reached on 20 May had been followed by meetings between Fatah and Hamas to discuss candidates for a transitional technocratic Government to be headed by President Abbas. He reported that the relative calm in Gaza since April had been disrupted on 1 June, following the attack by an Islamic Jihad-affiliated militant against a group of Israeli soldiers.<sup>739</sup>

On 25 July 2012, the Special Coordinator for the Middle East Peace Process reported that in June efforts to restart talks had continued amid worrying developments on the ground. As the Palestinian Authority was facing an acute challenge in maintaining

solvency, he called on donors to make a timely donation and stressed the need for an improved mechanism for the transfer of the value added tax revenues Israel collected on behalf of the Palestinian Authority. He noted that Israel had approved 5,000 permits for Palestinian workers but that settlement announcements as well as violent clashes between the parties had continued. He reported that efforts to advance Palestinian reconciliation had been delayed due to a decision by the de facto authorities in Gaza to suspend the voter registration process that the Central Elections Commission had planned to conduct from 3 to 14 July 2012. Hamas had also rejected the call by the Palestinian Authority to hold municipal elections on 20 October 2012 throughout the occupied territory. Regarding the situation in Gaza, the Special Coordinator condemned indiscriminate rocket attacks from Gaza into Israel and urged Israel to show maximum restraint.<sup>740</sup>

The observer of Palestine said that Palestine hoped to compel the international community to take serious and practical action to stop Israel from destroying the viability of the two-State solution based on the pre-1967 borders and to revive the prospects for achieving a peaceful settlement, and he called for the condemnation and rejection of all illegal Israeli settlement activities.<sup>741</sup> The representative of Israel stated that there was a crisis in Gaza, for Israelis and Palestinians alike, and it was called “Hamas”.<sup>742</sup>

Speakers in general called for a resumption of direct negotiations as the only way to achieve a solution to the Middle East peace process and expressed support for an enhanced role of the international community, especially the Quartet and the Security Council, to promote talks for the realization of a two-State solution. Many speakers expressed their opposition to the Israeli settlement activities, arguing that they undermined a two-State solution. A number of speakers also expressed concern over the financial crisis in the Palestinian Authority and articulated their support for Palestinian reconciliation. Several speakers encouraged the Council to visit the occupied Palestinian territories.

On 22 August 2012, the Under-Secretary-General for Political Affairs reported to the Council that there

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<sup>738</sup> S/PV.6775, pp. 2-5.

<sup>739</sup> S/PV.6788, pp. 2-5.

<sup>740</sup> S/PV.6816, pp. 2-7.

<sup>741</sup> Ibid., p. 7-10

<sup>742</sup> Ibid., p.11.

had not been enough progress for sustained negotiations, but that the parties had been meeting to identify ways to enhance Palestinian Authority revenue capture by reducing illegal trade and tax evasion. He stated that the fiscal crisis of the Palestinian Authority was due in part to a decrease in foreign aid, compounded by a decrease in economic activity and an increase in unemployment. He added that Palestinian factions remained deadlocked on the way forward towards reconciliation. He further noted continuing Israeli settlement construction as well as the projected demolition of Palestinian housing units to be replaced by Israeli settlements. He indicated that violence persisted among the parties to the conflict, including a terrorist attack on 5 August on an Egyptian security post near Kerem Shalom in which 16 Egyptian border guards had been killed.<sup>743</sup>

On 17 September 2012, the Special Coordinator for the Middle East Peace Process reported that the parties had not yet engaged in meaningful dialogue and that President Abbas had expressed his intention to pursue an upgrade in the status of Palestine at the United Nations through the General Assembly. He also called on donors to urgently increase their contributions to the Palestinian Authority to ensure its fiscal viability in the short term. On Palestinian reconciliation, he noted that the Palestinian Central Elections Commission had continued preparations for local elections scheduled in the West Bank on 20 October 2012, while Hamas had reiterated that there should be no polling prior to reconciliation. The Special Coordinator stressed that a unified Palestinian polity was central to realizing a two-State solution, and transmitted the hope of the Secretary-General that Quartet partners would look for a new credible political way ahead.<sup>744</sup>

On 15 October 2012, the Under-Secretary-General for Political Affairs reported that the rhetorical commitment of both the Israeli and the Palestinian sides was not translating into meaningful steps to renewed dialogue on the core issues. He also reported that President Abbas, citing the absence of a political process, had announced his intention to seek an upgrade of the status of Palestine to non-member observer State in the United Nations, a move that Israel rejected as an impediment to resuming negotiations. He expressed concern over security in the West Bank

involving settler violence. He urged the Government of Israel to curtail such acts and rejected the continuation of settlement activity, while urging all sides to exercise restraint and, more specifically, to safeguard the sanctity of religious sites. He noted that Palestinian local elections, on schedule for 20 October 2012 would be held only in the West Bank, as the de facto authorities in Gaza had not allowed the Central Elections Commission to proceed with voter registration and electoral preparations. Regarding Gaza, he welcomed the approval by the Government of Israel of an additional \$38 million worth of project work.<sup>745</sup>

The observer of Palestine stated that the political process had remained deadlocked and the situation on the ground had deteriorated. He drew the attention of the Council to the rising instability and pressure in East Jerusalem following an escalation of attacks on Muslim and Christian holy places by Israeli settlers and other extremist Jewish groups. On the Palestinian application for non-member observer State status, he stressed that the initiative was neither an alternative nor contradictory to the peace process, and that the Palestinian leadership would be ready to proceed with peace negotiations with the Government of Israel immediately after the adoption of a General Assembly resolution.<sup>746</sup>

The representative of Israel stated that the Palestinians had never responded to Israel's serious proposal in Amman in April. He also stated that the unilateral actions by the Palestinians were a clear breach of every agreement that they had signed with Israel, and stressed that a General Assembly resolution would not pave the road to peace. He noted that the Palestinians were a very long way from meeting the basic criteria for statehood as the Palestinian Authority had no authority in the Gaza Strip, and criticized the unrestricted flood of international aid to the Palestinian Authority by saying it would not bring the parties any closer to peace as long as the aid was being used to sponsor terrorists.<sup>747</sup>

Many speakers again condemned the continuation of Israeli settlement activity, rejected the acts of violence between the parties and called for the Council and the Quartet to step up efforts towards a resumption

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<sup>743</sup> S/PV.6824, pp. 2-6.

<sup>744</sup> S/PV.6835, pp. 2-6.

<sup>745</sup> S/PV.6847, pp. 2-6.

<sup>746</sup> Ibid., pp. 7-9.

<sup>747</sup> Ibid., pp. 9-12.

of negotiations. Several speakers also condemned the desecration of Christian and Islamic religious sites. Several speakers endorsed the aspirations of the Palestinian Authority to be granted non-member observer State status in the General Assembly as an interim step. Many speakers stressed their support for a two-State solution as a result of direct negotiations without preconditions between the parties,<sup>748</sup> while the representative of the United States underlined that unilateral actions, including initiatives to grant the Palestinian Authority non-member observer State status in the United Nations, would only jeopardize the peace process and complicate efforts to return the parties to direct negotiations.<sup>749</sup>

On 21 November 2012, the Secretary-General briefed the Council on his three-day visit to Egypt, Israel, the occupied Palestinian territories and Jordan, undertaken to strengthen the efforts, led by Egypt, to reach a ceasefire. He welcomed the ceasefire announced that day, after a week of devastating violence, and stressed that the focus must now be on ensuring that the ceasefire held and on providing humanitarian assistance for those in need in Gaza. The Secretary-General also stressed that the ceasefire should be followed immediately by negotiations on the underlying issues.<sup>750</sup>

On 27 November 2012, the Special Coordinator for the Middle East Peace Process reported on the cycle of violence in Gaza and Israel that had concluded with the Egyptian-brokered ceasefire agreement of 21 November, in which the parties had agreed to stop “all hostilities” and begin discussions on long-standing issues for a durable ceasefire over the long term. He stated that there would be no progress if the legitimate security concerns of Israel were not addressed, while stressing that lifting the closure on Gaza would give Palestinians a strong stake in a durable calm. He further stated that, although the ceasefire understanding had provided a framework to address the opening of the crossing and facilitate the movement of

people and goods, its implementation was not sufficient. Concerning the Palestinian intention to present to the General Assembly a draft resolution on the status of Palestine on 29 November, he stressed that regardless of the outcome it was important to protect the achievements of the Palestinian Authority in building State institutions. He also reiterated that meaningful negotiations should remain the collective priority to achieve the vision of a two-State solution and the viability of the Palestinian Authority.<sup>751</sup>

On 19 December 2012, the Under-Secretary-General for Political Affairs reported that following the adoption of resolution 67/19, by which the General Assembly had accorded to Palestine non-member observer State status in the United Nations, the Government of Israel had announced plans for the construction of 3,000 housing units in the West Bank, including East Jerusalem, and the decision to expedite the construction of 6,500 previously approved housing units. He stated that the plans would represent an almost fatal blow to the remaining chances of securing a two-State solution. He called on Israel to reconsider its decision to withhold Palestinian revenues and resume the transfer of revenues without delay. He also reported on the Quartet meeting in Brussels on 12 December 2012 to discuss ways to help the parties to avoid escalation diplomatically. He reported on the announcement by the Palestinian Cabinet of a second round of local elections, previously postponed owing to the outbreak of violence in Gaza, to be held on 22 December. He reported that the period of calm in Gaza brokered by Egypt on 21 November had largely held, and called on the parties to abide by the understanding of the ceasefire.<sup>752</sup>

On 23 January 2013, the Special Coordinator for the Middle East Peace Process reported that regional and international partners were increasingly alarmed that the only way to resolve the Arab-Israeli conflict in accordance with resolutions and international law was slipping away and had questioned the effectiveness of international efforts. He expressed concern that, despite the Quartet meeting on 10 January 2013 in Amman, a clear and realistic path ahead was still lacking. He stressed that no international effort was sufficient without the requisite will of the parties themselves and that this was no time for actions that would further undermine mutual trust. After the

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<sup>748</sup> *Ibid.*, p. 20 (India); p. 22 (South Africa); p. 25 (Pakistan); p. 33 (Lebanon); p. 34 (Egypt on behalf of the Group of Arab States); and p. 35 (Brazil); S/PV.6847 (Resumption 1), p. 7 (Indonesia); p. 13 (Ecuador); p. 14 (Saudi Arabia); p. 15 (Bangladesh); p. 17 (Iceland); p. 18 (Qatar); p. 20 (Kyrgyzstan); p. 25 (Tunisia); and p. 26 (Turkey).

<sup>749</sup> S/PV.6847, p. 13.

<sup>750</sup> S/PV.6869, pp. 2-3.

<sup>751</sup> S/PV.6871, pp. 2-4.

<sup>752</sup> S/PV.6894, pp. 2-6.

General Assembly decision of 29 November 2012 to accord Palestine non-member observer State status in the United Nations, there had been a dramatic increase in Israeli settlement announcements. He called on Israel to restore the transfers of tax and customs revenues without further delay, highlighting that the current budget deficit of the Palestinian Authority was beyond \$1 billion. Regarding Gaza, he reported that the calm brokered by Egypt in November had held but remained tenuous, and that no rockets or mortar shells had landed in Israel during the reporting period. As part of its commitment under the ceasefire, Israel had begun to allow gravel for commercial use through the Kerem Shalom crossing, while a further extension of the fishing limit to at least nine nautical miles was necessary to increase the catch of the fishermen. With regard to Palestinian reconciliation, he informed the Council of the meeting between President Abbas and Khaled Meshaal on 10 January and the meeting between members of Fatah and Hamas on 17 January.<sup>753</sup>

The Minister for Foreign Affairs of the State of Palestine stated that the support of Member States to General Assembly resolution 67/19 represented a long-overdue recognition by the Assembly of Palestine's statehood. However, he regretted that the period following the decision of the General Assembly had been characterized by an escalation of Israeli settlements, including in sensitive areas to the east and south of East Jerusalem, which were illegal and a main obstacle to a two-State solution. He added that a halt to settlement construction was not a precondition, but a legal obligation. He called on the Council to compel Israel to stop its breaches of the law.<sup>754</sup>

The representative of Israel stated that Israel had not seen a single gesture, statement or indication that Palestinians wanted to return to negotiations, and stressed that any efforts to alter the Palestinian status outside the agreed negotiating framework directly violated the agreements between the parties.<sup>755</sup>

Most speakers called for the parties to show the political will to restart substantive direct negotiations towards a two-State solution and stressed the need to refrain from counterproductive unilateral provocative actions. Many speakers condemned the escalation of

Israeli settlements, and called on Israel to reinstate the transfer of tax revenues to the Palestinian Authority. The representative of the United States noted that the adoption of General Assembly resolution 67/19 had not brought the Palestinians any closer to statehood and reiterated that the only way to establish a real Palestinian State was through direct negotiations on final status issues between the parties without preconditions.<sup>756</sup> Regarding Gaza, several speakers welcomed the ceasefire mediation efforts brokered by Egypt on 21 November 2012 and said that those efforts should be followed by the lifting of the restrictions on Gaza.<sup>757</sup> Several speakers condemned rocket fire and terrorist attacks on Israeli territories and called for the rejection of violence by all actors. Several speakers also expressed support for Palestinian reconciliation.

On 26 February 2013, the Under-Secretary-General for Political Affairs informed the Council that a rocket fired from Gaza into Israel on that same day was evidence that the temperature between Israelis and Palestinians was again rising, and stressed the need for a revitalized and relevant Quartet. On the fiscal situation of the Palestinian Authority, he reported that Israel had decided to release Palestinian revenue clearances for January and reminded Israeli authorities that the full transfer of Palestinian tax and customs revenues in a timely and predictable manner was an obligation that Israel had accepted as part of the Paris Protocol on Economic Relations. Regarding the issue of Palestinian prisoners in Israeli custody, he reported on the death in detention of a Palestinian man and the deteriorating health of four prisoners due to an extended hunger strike. He further reported that settlement activities and demolition of Palestinian-owned structures had continued over the reporting period. With regard to Gaza, he continued to condemn rocket attacks into Israel and called for a further extension of the fishing limit from 6 to 12 nautical

<sup>753</sup> S/PV.6906, pp. 2-6.

<sup>754</sup> Ibid., pp. 6-9.

<sup>755</sup> Ibid., pp. 10-11.

<sup>756</sup> Ibid., pp. 10-11.

<sup>757</sup> Ibid., p.14 (Russian Federation); p. 15 (France); p.19 (United Kingdom);p.23 (Australia); pp. 24-25 (Morocco); p.30 (Pakistan); S/PV.6906 (Resumption 1), pp. 2-3 (Egypt); p.5 (Brazil); p. 8 (Malaysia); p.11 (Japan); p.15 (European Union); p. 16 (Committee on the Exercise of the Inalienable Rights of the Palestinian People); p.20 (India); pp. 21-22 (South Africa); p.24 (Democratic People's Republic of Korea); p.25 (Islamic Republic of Iran, on behalf of the Non-Aligned Movement); p.26 (Indonesia); p. 28 (Turkey); 30 (Sri Lanka);and p.37 (Nigeria).

miles and for the unrestricted entry of all construction materials. On Palestinian reconciliation, the Under-Secretary-General reported that the Palestinian Central Elections Commission had conducted voter registration in February in both the West Bank and Gaza, for the first time since 2007, and stressed that reconciliation under the leadership of President Abbas and adherence to Palestine Liberation Organization principles were essential for achieving a two-State solution.<sup>758</sup>

On 25 March 2013, the Special Coordinator for the Middle East Peace Process reported that the visit by the President of the United States to the region the previous week had marked an important opportunity to reinvigorate efforts towards a two-State solution. He also stated that the United Nations and the international community were mandated to bridge the differences between the parties concerning the terms of the two-State solution and the way to attain it. He reported that there had been no new settlement announcements, fewer incursions by Israeli security forces in the West Bank, and fewer demolitions of Palestinian structures during the reporting period. However, violence levels had remained high, with continued settler violence, clashes and stone-throwing between the Israelis and Palestinians. He also expressed concern over the situation of Palestinian prisoners in Israeli custody. The Special Coordinator reported that on 21 March 2013 rockets had been fired from Gaza into Israel for the second time since the ceasefire, after which Israel had rescinded the extension of the fishing limit back to three nautical miles, placed restrictions on Palestinian travel in and out of Gaza, and closed the Kerem Shalom crossing. He also reported no progress on Palestinian reconciliation efforts during the reporting period.<sup>759</sup>

On 24 April 2013, the Under-Secretary-General for Political Affairs said that the fragile hope triggered by the renewed United States engagement, including the visit of the President of the United States and the subsequent trips of the United States Secretary of State over the previous month, must be sustained and translated into serious efforts on the part of the parties. He reported on the resignation of the Prime Minister of Palestine on 13 April, which put the State-building agenda at serious risk, in the absence of a credible political horizon. He expressed concern over the financial viability of the Palestinian Authority and said

that during the reporting period there had been a considerable increase in Palestinian casualties, resulting mostly from clashes between Palestinian demonstrators and Israeli security forces. On the issue of Palestinian prisoners, he reported that the Secretary-General had urged for a solution to be reached without delay. He was also concerned over the continued settlement activity and reported on the occurrence of clashes between Israeli settlers and Palestinians as well as continuing demolitions and displacements. He stated that the situation in Gaza had become increasingly fragile and condemned the firing of rockets into Israel. He also reported on the continuation of efforts to achieve Palestinian reconciliation with the resumption of informal working-level meetings between Hamas and Fatah, but said there had been no advance in the discussions.<sup>760</sup>

The observer of the State of Palestine reiterated the position concerning the Israeli settlement activities and stressed that a number of actions by Israel were imperative for facilitating a meaningful and successful political process, including the cessation of Israeli settlement activities and withdrawal from the lands forcibly seized in 1967; the acceptance that only by negotiation could the borders of 4 June 1967 be adjusted between the two sides; the release of Palestinian political prisoners and detainees; and the lifting of the blockade of the Gaza Strip. He also reported that efforts on the internal Palestinian front to end the political division and achieve reconciliation were ongoing and hoped that elections could soon be held.<sup>761</sup>

The representative of Israel stated that lasting peace in the region must stand upon three pillars, namely, a foundation of education for tolerance and coexistence; a clear recognition of Israel as the nation-State of the Jewish people; and security. He said that President Abbas continued to publicly embrace Hamas, but that Hamas and its extremist ideology were the enemies of peace.<sup>762</sup>

Many speakers expressed support for direct negotiations between the parties towards a two-State solution and called for greater support of the international community, in particular the Security Council, the League of Arab States (LAS) and the

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<sup>758</sup> S/PV.6926, pp. 2-6.

<sup>759</sup> S/PV.6940, pp. 2-4.

<sup>760</sup> S/PV.6950, pp. 2-6.

<sup>761</sup> Ibid., pp. 7-9.

<sup>762</sup> Ibid., pp. 9-10.

Quartet, in advancing the peace process. They also expressed concern over the situation of Palestinian prisoners and detainees, and stressed the need to address the economic situation and political stability of the Palestinian Authority. Many speakers condemned the continuation of Israeli settlements, called for the lifting of the blockade of Gaza and condemned rocket fire from Gaza targeting Israeli territory. On Palestinian reconciliation, many speakers expressed support for Palestinian unity on the basis of the platform of the Palestine Liberation Organization.

On 22 May 2013, the Special Coordinator for the Middle East Peace Process said that it was crucial for both sides to reverse negative trends on the ground and restore confidence in each other. He noted that there had been no new approvals or tenders issued for settlements in the West Bank or in East Jerusalem since March. He expressed concern over restrictions of access to holy sites in Jerusalem, but noted that despite the increased tensions events on the ground had been relatively contained. He reported that the United Nations continued to monitor with concern the condition of Palestinian prisoners, and that clashes between Palestinians and settlers in the occupied West Bank had intensified. He stressed that the six-month-old ceasefire understanding in Gaza continued to represent the best opportunity to start changing the negative dynamics and called on Israel to allow the unrestricted entry of construction materials. On Palestinian reconciliation, he reported on the meeting between Fatah and Hamas in Cairo on 14 May 2013, where the factions had reportedly recommitted to consultations on the formation of a national consensus Government headed by President Abbas. This was followed by a meeting between President Abbas and the President of Egypt in Cairo on 16 May to discuss the Middle East peace process and Palestinian reconciliation.<sup>763</sup>

On 25 June 2013, the Assistant Secretary-General for Political Affairs reported to the Council that there were too few encouraging signs on the prospects of breaking the deadlock on an Israeli-Palestinian peace and emphasized a need for broader regional and international engagement, including a substantive framework and a credible timeline in support of any peace effort, while the United States engagement was central as well. He added that progress needed serious

political commitments by leaders of both Israel and Palestine. He also reiterated the concern of the Secretary-General over reports of a large increase in the construction of new housing units in the West Bank compared to the same period in 2012. He said that a new Palestinian Cabinet had been sworn in on 6 June under the leadership of Rami Hamdallah, as an interim measure until a national consensus Government was formed. Mr. Hamdallah had tendered his resignation on 20 June, but stayed as caretaker until a successor would be named, creating renewed uncertainty for a Government that relied considerably on international support. He also noted mounting tensions including continued violence between Palestinians and settlers in the West Bank. On the situation in Gaza, he reported there had been relative calm until 23 June, when six rockets had been fired from Gaza into Israel, reportedly by Islamic Jihad. He expressed concern over human rights and freedoms in Gaza, including four death sentences passed by military courts in Gaza, and two executions carried out on 22 June outside of the Palestinian legal framework.<sup>764</sup>

On 23 July 2013, the Special Coordinator for the Middle East Peace Process reported that the Secretary-General welcomed the recent intense diplomatic efforts of the United States Secretary of State and his announcement that a basis had been established for the resumption of direct final status negotiations between the Israelis and Palestinians. He stressed that progress could be expected only if a credible political horizon for a negotiated two-State solution emerged and called on both parties to promote conditions conducive to the resumption of the political process. He expressed concern over the situation of Palestinian prisoners and the detention of children and regretted the renewal of Israeli settlement planning in the West Bank and East Jerusalem. He described the situation in Gaza as relatively quiet, but affected by political developments in Egypt, where authorities had taken measures against the tunnels into Gaza, resulting in shortages of fuel and basic building materials. Concerned about further deterioration of the economic and humanitarian situation in Gaza, he called on Israel to liberalize the entry of key construction materials.<sup>765</sup>

The observer of the State of Palestine stated that the Palestinian leadership had never placed conditions on the peace process but called for the respect of

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<sup>763</sup> S/PV.6969, pp. 2-4.

<sup>764</sup> S/PV.6986, pp. 2-4.

<sup>765</sup> S/PV.7007, pp. 2-5.

international law and the United Nations resolutions that constituted the foundation of the process. He stressed that the two-State solution and the Israeli settlement campaign were completely irreconcilable, expressed the readiness of Palestinians to seriously engage in direct negotiations in good faith, and called on the Council to fulfil its duties.<sup>766</sup>

The representative of Israel welcomed the opportunity to resume direct negotiations with the Palestinian Authority to realize two States for two peoples — one Arab and one Jewish — living side by side in peace and security. He said however that the reports on the situation provided at the beginning of the monthly debate, including the current meeting, failed to address Israeli security concerns and were one-sided and short-sighted.<sup>767</sup> The Special Coordinator expressed his determination to provide fair, balanced and factual briefings on a complex situation in the Middle East.<sup>768</sup>

Most speakers expressed appreciation for the efforts of the United States Secretary of State and LAS, and welcomed the agreement reached by the Israelis and the Palestinians which had established the basis for the resumption of direct final status negotiations. Most speakers called for the lifting of the blockade of Gaza and condemned the continuing Israeli settlement activity, some welcoming the European Commission guidelines concerning grants to and relations with the settlements. The issues of the situation of Palestinian prisoners and detainees, Palestinian unity and reconciliation and rocket attacks from Gaza into Israel were also addressed at the meeting.

On 20 August 2013, the Assistant Secretary-General for Political Affairs reported that, as a result of the United States-brokered agreement, on 29 and 30 July, the Israelis and the Palestinians had resumed negotiations with the objective of achieving a peaceful and comprehensive settlement on all permanent status issues within a nine-month period. He reported on the visit by the Secretary-General to the region, on 15 and 16 August, to lend his support to the leaders on both sides, and stressed that, moving forward, both sides needed to sustain an environment conducive to the peace process and refrain from actions that would risk undermining prospects during the negotiations. He said

that the Secretary-General was encouraged by additional measures planned by the Israeli authorities to further ease restrictions on Palestinian movement and access, but remained deeply troubled by the continuing settlement activity in the West Bank, including East Jerusalem. On the situation in Gaza, he reported tentative calm, while condemning six projectiles shot at Israel, and called on Israel to show maximum restraint. He also hoped that the Hamas de facto authorities would not hamper efforts to achieve the two-State solution. He further reported that access through Rafah had been restricted as a result of political developments in Egypt, limiting access to health care and causing shortages in key medical supplies, highlighted and said that access through legal crossings had become even more critical.<sup>769</sup>

On 17 September 2013, the Special Coordinator for the Middle East Peace Process reported that the Quartet had fully supported the resumption of direct negotiations and that the negotiating teams had been engaged in several rounds of talks. He encouraged both sides to accelerate and intensify their discussions and called on them to refrain from actions that would undermine the prospects of negotiations. He encouraged further steps to increase Palestinian and Israeli economic cooperation, ease restrictions on access and movement of Palestinians and lead to tangible improvements on the ground in the West Bank and Gaza, such as the decision by the Government of Israel on 8 September to increase the number of work permits for West Bank Palestinians. The Special Coordinator deplored the recent losses of life resulting from clashes in the West Bank, including that of an employee of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. He reported on the continuing settlement activity in the West Bank and East Jerusalem as well as continued clashes between Palestinians and settlers, and expressed concern over increased tensions in the Old City of Jerusalem, stressing that settlement construction was counterproductive and against international law. He stated that the calm in Gaza had mostly been sustained but expressed concern over the potential humanitarian impact on Gaza of the measures taken by Egypt to counter illegal activities in the Sinai and around Gaza. On the other hand, he welcomed the

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<sup>766</sup> Ibid., pp. 7-9.

<sup>767</sup> Ibid., pp. 9-12.

<sup>768</sup> Ibid., p. 57.

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<sup>769</sup> S/PV.7020, pp. 2-4.

approval of another package of United Nations construction works.<sup>770</sup>

On 22 October 2013, the Under-Secretary-General for Political Affairs reported that on 27 September, for the first time in 17 months, Quartet principals had met in New York with the Israeli and Palestinian chief negotiators, who had reiterated their commitment to reaching a comprehensive permanent status agreement. Referring to violent developments on the ground, he called all sides to refrain from violence and incitement. He further stated that the calm in the Gaza Strip had been showing worrying signs of erosion, with three tunnels discovered in a year, continued rocket fire by Palestinians and Israeli incursions. He reported that, following the discovery of the third tunnel on 13 October 2013, Israel had temporarily suspended the transfer of construction materials through the Kerem Shalom crossing into Gaza.<sup>771</sup>

The observer of the State of Palestine stated that support for peace negotiations required meaningful action to help the parties to overcome the persistent obstacles, including by ensuring respect for the parameters of the solution. He further stated that illegal and provocative Israeli actions, such as the approval of 3,000 additional settlement units, were undermining the spirit and intent of the negotiations, and drew the attention of the Council to the dangers arising from settler-related violence, including around holy sites in East Jerusalem. Regarding the situation in Gaza, he noted that the Israeli blockade had been in place for over six years and called on the international community to protect the Palestinian civilian population and for the lifting of the blockade, including the opening of the Gaza Strip crossings.<sup>772</sup> The representative of Israel welcomed the resumption of the negotiations and called on the Palestinian leadership to condemn violence and terrorism. He said that Israel was not creating a humanitarian crisis in Gaza but that Hamas was using those resources from Israel to build smuggling tunnels into Israel instead of schools and housing, adding that the leadership in Gaza was committed to destroying the State of Israel.<sup>773</sup>

Many speakers welcomed the resumption of negotiations and expressed support for the efforts of the international community in that regard, including the Quartet, the initiative of the United States, and LAS, some urging the Security Council to play a more active role in ensuring a successful negotiation process. Most speakers also called on Israelis and Palestinians to adopt confidence-building measures and to avoid unilateral actions that could undermine the progress of the negotiations. Many speakers expressed concern over the continued Israeli settlement activity, tensions around holy sites of Jerusalem, the situation of Palestinian prisoners and violence and rocket attacks against Israeli civilians. Many speakers expressed concern over the humanitarian situation in Gaza, and called for the lifting of the blockade.

On 19 November 2013, the Under-Secretary-General for Political Affairs reported that international engagement in the Middle East peace process remained strong. However, he stated that the process had suffered significant setbacks due to a series of announcements of settlement plans in the West Bank, including East Jerusalem, which could not be reconciled with a negotiated two-State solution. Despite the submission of resignations by Palestinian negotiators in protest over the new plans, President Abbas had made it clear that that did not constitute a Palestinian departure from talks. He also reported on continued violence between settlers and Palestinians throughout the West Bank, and expressed concern over the continued demolition of unlicensed Palestinian infrastructures. He said that the situation in Gaza was deteriorating, with renewed violence and worsening economic and humanitarian conditions, owing to a combined energy and construction crisis.<sup>774</sup>

On 16 December 2013, the Special Coordinator for the Middle East Peace Process reported that Quartet envoys had continued consultations with each other and engaged with the parties and with Arab partners. He informed the Council that another important timeline in the negotiations, the third release of prisoners scheduled for 29 December, was approaching and urged both sides to refrain from taking any steps that could undermine the prospect for progress at that time. He stressed that the situation on the ground was fragile and reiterated that the continued settlement activity could not be reconciled with the goal of a two-

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<sup>770</sup> S/PV.7032, pp. 2-4.

<sup>771</sup> S/PV.7047, pp. 2-4.

<sup>772</sup> Ibid., pp. 6-8.

<sup>773</sup> Ibid., pp. 11-12.

<sup>774</sup> S/PV.7063, pp. 2-3.



State solution. He reported that violence between Palestinians and settlers had continued, and that demolitions of unlicensed Palestinian structures had been increasing. He also stated that Palestinians in administrative detention should be either charged or released. He highlighted the critical energy situation in Gaza since the power plant had ceased operations on

1 November 2013, while welcoming the decision of the Government of Israel to resume the transfer of construction materials for United Nations projects in Gaza and calling on Israel to begin allowing imports of such materials for the private sector.<sup>775</sup>

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<sup>775</sup> [S/PV.7084](#), pp. 2-3.

## Meetings: the situation in the Middle East, including the Palestinian question

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6706</a> and <a href="#">S/PV.6706</a> (Resumption 1) 24 January 2012			27 Member States <sup>a</sup>	Permanent Observer of Palestine, Assistant Secretary-General for Political Affairs, Head of the Delegation of the European Union to the United Nations, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People	All Council members, all invitees	
<a href="#">S/PV.6725</a> 28 February 2012				Under-Secretary-General for Political Affairs	Under-Secretary-General for Political Affairs	
<a href="#">S/PV.6742</a> 27 March 2012				Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority	All invitees	
<a href="#">S/PV.6757</a> and <a href="#">S/PV.6757</a> (Resumption 1) 23 April 2012		Letter dated 19 April 2012 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council <a href="#">S/2012/247</a>	27 Member States <sup>b</sup>	Permanent Observer of Palestine, Under-Secretary-General for Political Affairs, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Head of the Delegation of the European Union	All Council members, all invitees	
<a href="#">S/PV.6775</a> 29 May 2012				Special Coordinator for the Middle East Peace Process	Special Coordinator for the Middle East Peace Process	
<a href="#">S/PV.6788</a> 19 June 2012				Assistant Secretary-General for Political Affairs	Assistant Secretary-General for Political Affairs	
<a href="#">S/PV.6816</a> and <a href="#">S/PV.6816</a> (Resumption 1) 25 July 2012			23 Member States <sup>c</sup>	Permanent Observer of Palestine, Special Coordinator for the Middle East Peace Process, Head of the Delegation of the European Union, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People	All Council members, all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6824</a> 22 August 2012				Under-Secretary-General for Political Affairs	Under-Secretary-General for Political Affairs	
<a href="#">S/PV.6835</a> 17 September 2012				Special Coordinator for the Middle East Peace Process	Special Coordinator for the Middle East Peace Process	
<a href="#">S/PV.6847</a> and <a href="#">S/PV.6847</a> (Resumption 1) 15 October 2012		Letter dated 12 October 2012 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council ( <a href="#">S/2012/762</a> )	28 Member States <sup>d</sup>	Permanent Observer of Palestine, Under-Secretary-General for Political Affairs, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Head of the Delegation of the European Union	All Council members, all invitees	
<a href="#">S/PV.6869</a> 21 November 2012					Secretary-General	
<a href="#">S/PV.6871</a> 27 November 2012				Special Coordinator for the Middle East Peace Process	Special Coordinator for the Middle East Peace Process	
<a href="#">S/PV.6894</a> 19 December 2012				Under-Secretary-General for Political Affairs	Under-Secretary-General for Political Affairs	
<a href="#">S/PV.6906</a> and <a href="#">S/PV.6906</a> (Resumption 1) 23 January 2013			28 Member States <sup>e</sup>	Permanent Observer of the State of Palestine (Minister for Foreign Affairs), Special Coordinator for the Middle East Peace Process, Holy See, Deputy Head of the Delegation of the European Union, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People	All Council members and all invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6926</a> 26 February 2013				Under-Secretary-General for Political Affairs	Under-Secretary-General for Political Affairs	
<a href="#">S/PV.6940</a> 25 March 2013				Special Coordinator for the Middle East Peace Process	Special Coordinator for the Middle East Peace Process	
<a href="#">S/PV.6950 and S/PV.6950 (Resumption 1)</a> 24 April 2013			27 Member States <sup>f</sup>	Permanent Observer of the State of Palestine, Under-Secretary-General for Political Affairs, Permanent Observer of the League of Arab States, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Head of the Delegation of the European Union	All Council members, all invitees	
<a href="#">S/PV.6969</a> 22 May 2013				Special Coordinator for the Middle East Peace Process	Special Coordinator for the Middle East Peace Process	
<a href="#">S/PV.6986</a> 25 June 2013				Assistant Secretary-General for Political Affairs	Assistant Secretary-General for Political Affairs	
<a href="#">S/PV.7007</a> 23 July 2013			23 Member States <sup>g</sup>	Permanent Observer of the State of Palestine, Special Coordinator for the Middle East Peace Process, Holy See, member of the delegation of the European Union, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People	All Council members, all invitees	
<a href="#">S/PV.7020</a> 20 August 2013				Assistant Secretary-General for Political Affairs	Assistant Secretary-General for Political Affairs	
<a href="#">S/PV.7032</a> 17 September 2013				Special Coordinator for the Middle East Peace Process	Special Coordinator for the Middle East Peace Process	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7047</a> 22 October 2013			29 Member States <sup>h</sup>	Permanent Observer of the State of Palestine, Under-Secretary-General for Political Affairs, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, member of the delegation of the European Union, Holy See	All Council members, all invitees	
<a href="#">S/PV.7063</a> 19 November 2013				Under-Secretary-General for Political Affairs	Under-Secretary-General for Political Affairs	
<a href="#">S/PV.7084</a> 16 December 2013				Special Coordinator for the Middle East Peace Process	Special Coordinator for the Middle East Peace Process	

(Footnotes on following page)

(Footnotes to Meetings: the situation in the Middle East, including the Palestinian question)

- <sup>a</sup> Australia, Bahrain, Bangladesh, Benin, Brazil, Cuba, Democratic People's Republic of Korea, Egypt (on behalf of the Non-Aligned Movement (NAM)), Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Kazakhstan (on behalf of the Organization of Islamic Cooperation (OIC)), Kuwait, Lebanon, Libya (on behalf of the Group of Arab States), Malaysia, Norway, Qatar, Saudi Arabia, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey and Venezuela (Bolivarian Republic of).
- <sup>b</sup> Australia, Bangladesh, Brazil, Canada, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt (on behalf of NAM), Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Kazakhstan (on behalf of OIC), Lebanon, Malaysia, Nicaragua, Norway, Qatar, Saudi Arabia, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates (on behalf of the Group of Arab States) and Venezuela (Bolivarian Republic of).
- <sup>c</sup> Australia, Brazil, Canada, Cuba, Egypt (on behalf of NAM), Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Kazakhstan (on behalf of OIC), Lebanon, Malaysia, Maldives, Norway, Qatar, Saudi Arabia (on behalf of the Group of Arab States), Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Turkey and Venezuela (Bolivarian Republic of).
- <sup>d</sup> Australia, Bahrain, Bangladesh, Brazil, Canada, Ecuador, Egypt (on behalf of the Group of Arab States), Iceland, Indonesia, Iran (Islamic Republic of, on behalf of NAM), Israel, Japan, Jordan, Kazakhstan (on behalf of OIC), Kyrgyzstan, Lebanon, Malaysia, Maldives, Norway, Qatar, Saudi Arabia, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of) and Viet Nam.
- <sup>e</sup> Bangladesh, Botswana, Brazil, Canada, Cuba, Democratic People's Republic of Korea, Djibouti (on behalf of OIC), Egypt, Iceland, India, Indonesia, Iraq (on behalf of the Group of Arab States), Iran (Islamic Republic of, on behalf of NAM), Israel, Japan, Jordan, Lebanon, Malaysia, Namibia, Nigeria, Qatar, Saudi Arabia, South Africa, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey and Venezuela (Bolivarian Republic of).
- <sup>f</sup> Bahrain, Botswana, Brazil, Cuba, Djibouti (on behalf of OIC), Ecuador, Egypt, Iceland, India, Indonesia, Iran (Islamic Republic of, on behalf of NAM), Israel, Japan, Lebanon, Malaysia, Nicaragua, Norway, Qatar, Saudi Arabia, South Africa, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey, Ukraine, United Arab Emirates and Venezuela (Bolivarian Republic of).
- <sup>g</sup> Bangladesh, Brazil, Costa Rica, Cuba, Djibouti (on behalf of OIC), Ecuador, Egypt, Iceland, India, Indonesia, Iran (Islamic Republic of, on behalf of NAM), Israel, Japan, Lebanon, Malaysia, Peru, Qatar, Saudi Arabia, South Africa, Sri Lanka, Syrian Arab Republic, Turkey and Venezuela (Bolivarian Republic of).
- <sup>h</sup> Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, Cuba, Djibouti (on behalf of OIC), Ecuador, Egypt, Iceland, India, Indonesia, Iran (Islamic Republic of, on behalf of NAM), Israel, Japan, Jordan, Kyrgyzstan, Lebanon, Malaysia, Namibia, Nicaragua, Norway, Qatar, Saudi Arabia, South Africa, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey and Venezuela (Bolivarian Republic of).

## 23. The situation in the Middle East

### Overview

During the period under review, the Security Council held thirty-nine meetings, including nine private, or closed, meetings,<sup>776</sup> in connection with the

item entitled "The situation in the Middle East", adopting 11 resolutions and seven presidential statements. During the meetings, the Council considered: (a) the Syrian Arab Republic; (b) Yemen; (c) the renewal of the mandate of the United Nations Disengagement Observer Force (UNDOF); (d) the renewal of the mandate of the United Nations Interim Force in Lebanon (UNIFIL); and (e) peace and security in the Middle East.

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<sup>776</sup> See [S/PV.6957](#), in relation to the situation in the Middle East. For private meetings with troop- and police-contributing countries: in relation to UNDOF, see [S/PV.6787](#), [S/PV.6883](#), [S/PV.6978](#) and [S/PV.7079](#); in relation to UNIFIL, see [S/PV.6823](#) and [S/PV.7018](#); and in relation to UNSMIS, see [S/PV.6803](#) and [S/PV.6821](#).

The Council renewed the mandate of UNDOF<sup>777</sup> four times for a period of six months each time<sup>778</sup> and renewed the mandate of UNIFIL<sup>779</sup> twice for a period of one year each time.<sup>780</sup> In April 2012, the Council also established, for an initial period of 90 days, the United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS),<sup>781</sup> and renewed its mandate once for a final period of 30 days.<sup>782</sup> In addition, on 27 January 2013, the Council conducted a mission to Yemen to reaffirm the continued support of the Council for the ongoing political transition process in the country.<sup>783</sup>

### **High-level meeting on peace and security in the Middle East**

On 26 September 2012, the Council held a high-level meeting on peace and security in the Middle East. The Secretary-General stated that the peace process between Israelis and Palestinians remained stalemated, as the window for a two-State solution narrowed dangerously. In respect of the Syrian Arab Republic, he indicated that the conflict had become a threat to regional and international peace and security, and appealed to all with influence to persuade the parties that there was no military solution to the crisis. The Secretary-General highlighted the joint role of the United Nations and the League of Arab States in the region, and pointed out areas that merited special attention, including the exchange of information and conflict prevention.<sup>784</sup>

The Secretary-General of the League of Arab States noted that Security Council resolutions on ending Israeli occupation of occupied Arab lands had not been implemented. Regarding the Syrian Arab Republic, he expressed regret that the Council had failed to achieve its objectives to resolve the crisis

because of a disagreement among its permanent members and said that the resolutions had remained “dead letters”. In regard to Yemen, he stated that efforts must be intensified to support the Government in overcoming the consequences of the political crisis in order to move forward towards the reconstruction and rebuilding of the State. He enumerated four proposals for cooperation between the League and the United Nations: (a) an update to the agreement on cooperation signed in 1989; (b) regular meetings between the two bodies; (c) enhancement of the status of cooperation meetings; and (d) attachment of greater importance to cooperation between the two organizations relating to humanitarian assistance.<sup>785</sup>

Council members welcomed the cooperation between the two bodies and the appointment of the Joint Special Representative of the United Nations and the League of Arab States for Syria, Lakhdar Brahimi. Council members reiterated their concern over the situation in the Syrian Arab Republic and their call for a political solution. Many Council members also highlighted the need to work towards tangible results in the Middle East peace process.

In the presidential statement adopted at the meeting, the Council, *inter alia*, recognized and further encouraged efforts by the League of Arab States to contribute to collective endeavours to settle conflicts in the Middle East peacefully as well as to promote international responses to the transformations experienced in the region, while reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of countries in the region and to the purposes and principles of the Charter. In the same statement, the Council expressed its determination to take effective steps to further enhance cooperation between the United Nations and the League, in accordance with Chapter VIII of the Charter.<sup>786</sup>

### **Renewal of the mandate of UNDOF**

From June 2012 to December 2013, the Council adopted four resolutions by which it renewed the mandate of UNDOF, for a period of six months each time.<sup>787</sup> The Council, in resolution 2084 (2012) of 19 December 2012, called upon all parties to cooperate

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<sup>777</sup> For more information on UNDOF, see part X, sect. I, “Peacekeeping operations”.

<sup>778</sup> Resolutions 2052 (2012), 2084 (2012), 2108 (2013) and 2131 (2013).

<sup>779</sup> For more information on UNIFIL, see part X, sect. I, “Peacekeeping operations”.

<sup>780</sup> Resolutions 2064 (2012) and 2115 (2013).

<sup>781</sup> For more information on UNSMIS, see part X, sect. I, “Peacekeeping operations”.

<sup>782</sup> Resolution 2059 (2012).

<sup>783</sup> For more information on the Security Council mission to Yemen, see part I, sect. 34, “Security Council mission”, and part VI, sect. II.A, “Security Council missions”.

<sup>784</sup> S/PV.6841, pp. 3-4.

<sup>785</sup> *Ibid.*, pp. 4-6.

<sup>786</sup> S/PRST/2012/20.

<sup>787</sup> Resolutions 2052 (2012), para. 6; 2084 (2012), para. 5; 2108 (2013), para. 7; and 2131 (2013), para. 6.

fully with the operations of UNDOF, to respect its privileges and immunities and to ensure its freedom of movement; stressed the need to enhance the safety and security of UNDOF personnel; and underscored that there should be no military activity of any kind in the area of separation, including military operations by the Syrian Arab Armed Forces. In resolution [2108 \(2013\)](#) of 27 June 2013, the Council strongly condemned the incidents threatening the safety and security of United Nations personnel in recent months, including the detention of UNDOF peacekeepers by armed elements of the Syrian opposition, and of United Nations Truce Supervision Organization (UNTSO) observers by a group of anti-government armed elements between March and May 2013; urged Member States to convey strongly to the Syrian armed opposition groups in the UNDOF area of operation to halt all activities that endangered United Nations peacekeepers on the ground and accord the United Nations personnel on the ground the freedom to carry out their mandate safely and securely; stressed the need to enhance the safety and security of the personnel of UNDOF; and endorsed the recommendation of the Secretary-General to implement additional mitigation measures to enhance the self-defence capabilities of the Force.

#### **Renewal of the mandate of UNIFIL**

By resolutions [2064 \(2012\)](#) of 30 August 2012 and [2115 \(2013\)](#) of 29 August 2013, the Council renewed the mandate of UNIFIL for a period of one year each time. In resolution [2064 \(2012\)](#), the Council also condemned in the strongest terms all terrorist attacks against UNIFIL, urged all parties to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, and welcomed the commitment of the Lebanese authorities to bring to justice the perpetrators of the attacks of 27 May, 26 July and 9 December 2011 and to protect the movements of UNIFIL.

In addition, in its presidential statement of 10 July 2013, as the impact of the Syrian crisis on the stability and security of Lebanon became more and more apparent, the Council underscored its growing concern at the marked increase of cross-border fire from the Syrian Arab Republic into Lebanon, which had caused death and injury among the Lebanese population, as well as incursions, abductions and arms trafficking across the Lebanese-Syrian border. The Council further noted with deep concern new

developments with regard to the involvement of Lebanese parties in the fighting in the Syrian Arab Republic. It called upon all Lebanese parties to recommit to Lebanon's policy of disassociation and to step back from any involvement in the Syrian crisis, consistent with their commitment in the Baabda Declaration of 11 June 2012. The Council echoed President Michel Sleiman's call upon the parties in the Syrian Arab Republic to avoid military action near the Lebanese border.<sup>788</sup>

#### **Syrian Arab Republic**

On 31 January 2012, the representative of Qatar, speaking in his capacity as the Chairman of the Arab Ministerial Committee on Syria of the Council of Ministers of the League of Arab States, requested that the Council adopt a resolution in support of the latest Arab initiative on an integrated plan for a peaceful settlement of the Syrian crisis,<sup>789</sup> agreed in Cairo on 22 January 2012, which constituted a road map consistent with the Charter and provided for the formation of a national unity Government, among other measures. He called upon the Council to address the humanitarian tragedy unfolding in the Syrian Arab Republic and to take all measures based on the League's resolutions, specifically economic resolutions and bans on travel to the Syrian Arab Republic, and emphasized that the League was not calling for military intervention since a regime change was a matter the Syrian people should decide.<sup>790</sup>

The Secretary-General of the League of Arab States expressed the view that the first priority for the Security Council was to adopt a resolution demanding all parties to immediately cease firing, protect Syrians and support the Arab plan of action for a peaceful political settlement of the crisis. He cited Article 52 (3) of the Charter and noted that the League had come to the Council in the very context of that Article. He stressed that the League's objective was for the Council to support its initiative, not take its place. He explained the two pillars of the League's approach to the Syrian crisis: immediate action for an immediate cessation of violence against and killing of the Syrian

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<sup>788</sup> [S/PRST/2013/9](#).

<sup>789</sup> [S/2012/71](#), annex, enclosure 1.

<sup>790</sup> [S/PV.6710](#), pp. 2-6.



people; and a road map leading to a peaceful political settlement through an inclusive national dialogue.<sup>791</sup>

The representative of the Syrian Arab Republic stated that his country rejected any decision outside the agreed Arab plan of action and protocol signed with the League of Arab States and considered the latest resolution adopted by the Council of the League as a violation of its national sovereignty.<sup>792</sup>

Most members of the Council expressed their support for the efforts of the League of Arab States and for its call for an inclusive, Syrian-led political process. The representative of France added that the Council was the body with the legitimacy conferred on it by the Charter to express authoritatively the will of the international community, and noted that the draft resolution introduced by Morocco supported the League's proposal.<sup>793</sup> Several Council members called on the Council to adopt the draft resolution submitted by Morocco in support of the Arab initiative.<sup>794</sup> The representative of the Russian Federation, however, criticized the League's decision to suspend the membership of the Syrian Arab Republic and to impose sanctions on that country as counterproductive. He, as well as the representative of China, rejected the use of sanctions and any attempts to employ the Council's instruments to fuel conflict or to justify any eventual foreign military interference in Council decisions. He stated that a consensus position among Council members on the Syrian Arab Republic was not only possible but necessary,<sup>795</sup> and referred to two draft resolutions submitted by Morocco and the Russian Federation, respectively.<sup>796</sup> The representatives of Pakistan and Azerbaijan stressed that only measures within the framework of Chapter VI of the Charter should be considered.<sup>797</sup>

On 4 February 2012, the Council had before it a draft resolution,<sup>798</sup> by which it would have demanded, *inter alia*, that the Government of the Syrian Arab Republic, in accordance with the Action Plan of the

League of Arab States of 2 November 2011, including its decision of 22 January 2012, cease all violence and protect its population and withdraw all Syrian military and armed forces from cities and towns; fully supported the League's 22 January 2012 decision to facilitate a Syrian-led political transition to a democratic, plural political system; and decided to review implementation of the resolution within 21 days and, in the event of non-compliance, to consider further measures. The draft resolution was not adopted owing to the negative votes of two permanent members of the Council.<sup>799</sup>

Most Council members regretted that the Council did not reach consensus on the draft resolution in support of the efforts by the League of Arab States to facilitate a Syrian-led political transition,<sup>800</sup> with some emphasizing the fact that the draft did not impose targeted sanctions or authorize a military intervention.<sup>801</sup> The representative of the Russian Federation stated, however, that the draft resolution did not adequately reflect the true state of affairs in the Syrian Arab Republic and sent a biased signal to the Syrian sides. He further regretted that the draft resolution had not taken into account the amendments proposed by his delegation, including the requirement that the Syrian opposition distance itself from extremist groups; that, along with the withdrawal of the Syrian armed forces from the cities, armed groups end their attacks on State institutions and neighbourhoods; and that more flexibility should be shown for the intermediary efforts of the League.<sup>802</sup> The representative of China supported the amendments proposed by the Russian Federation and added that to put the draft through a vote when parties were still seriously divided over the issue did not help in maintaining the unity and authority of the Council nor help to properly resolve the issue.<sup>803</sup> The representative of the Syrian Arab Republic, expressing concern over the rush by some parties to invite international intervention, stated that his country had

<sup>791</sup> *Ibid.*, pp. 6-9.

<sup>792</sup> *Ibid.*, p. 12.

<sup>793</sup> *Ibid.*, p. 15.

<sup>794</sup> *S/PV.6710*, p. 14 (France); p. 16 (United Kingdom); p. 20 (Portugal); p. 21 (Morocco); p. 22 (Germany); and p. 29 (Colombia).

<sup>795</sup> *Ibid.*, pp. 24-25 (Russian Federation); and p. 25 (China).

<sup>796</sup> Not circulated as documents of the Security Council.

<sup>797</sup> *Ibid.*, p. 23 (Pakistan); and p. 26 (Azerbaijan).

<sup>798</sup> *S/2012/77*.

<sup>799</sup> Russian Federation and China.

<sup>800</sup> *S/PV.6711*, pp. 2-3 (Morocco); p. 3 (France); p. 5 (Germany); p. 5 (United States); p. 6 (Portugal); p. 7 (United Kingdom); p. 7 (Colombia); p. 8 (Guatemala); p. 8 (India); p. 11 (South Africa); and p. 11 (Azerbaijan).

<sup>801</sup> *Ibid.*, p. 4 (France); p. 5 (Germany); p. 7 (United Kingdom); and p. 8 (India).

<sup>802</sup> *Ibid.*, p. 9.

<sup>803</sup> *Ibid.*, p. 10.

been targeted for punishment by some Powers because of its commitment to international legal norms, and said that Syria was being sacrificed by parties that did not want the best for Syria and its people, which was evident from their support for armed terrorist groups. He stated that certain Arab Gulf States had dragged the League to the Council with a view to leveraging the Council's power against Syria and to internationalizing a purely Arab issue, contrary to the Charter of the League and affirmed that his Government was in favour of a dialogue, as emphasized in the draft resolution.<sup>804</sup>

At a high-level meeting on 12 March 2012, the Secretary-General informed the Council that the Joint Special Envoy of the United Nations and League of Arab States on the Syrian Crisis had put concrete proposals to President Bashar Al-Assad and urged the President take immediate steps to bring an end to violence and abuses, address the humanitarian crisis and embark on a peaceful, inclusive, Syrian-led political process, with facilitation by the Joint Special Envoy. Speaking broadly about the region, he stressed that leaders must choose the path of meaningful reform, or make way for those who would; that the rights of minorities must be protected; that women had a right to sit at the table, with real influence in decision-making; that opportunities for young people must be created; and that there must be regional peace, which could not be complete without a resolution of the Israeli-Palestinian conflict.<sup>805</sup>

While discussions ranged from developments in the region over the previous year related to the Arab Spring to the Israeli-Palestinian conflict, the debate focused mainly on the crisis in the Syrian Arab Republic. Most Council members expressed support for the work of the Joint Special Envoy.

In a presidential statement of 21 March 2012, the Council expressed its gravest concern at the deteriorating situation in the Syrian Arab Republic, fully supported the initial six-point proposal submitted to the Syrian authorities, and called upon the Government of the Syrian Arab Republic and the Syrian opposition to work in good faith with the Joint Special Envoy towards a peaceful settlement of the

Syrian crisis and to implement fully and immediately his initial six-point proposal.<sup>806</sup>

On 5 April 2012, the Council adopted a statement by the President in which it noted that the Government of the Syrian Arab Republic had committed on 25 March 2012 to implement the Joint Special Envoy's six-point proposal, called upon the Government to implement urgently and visibly its commitments to: (a) cease troop movements towards population centres; (b) cease all use of heavy weapons in such centres; and (c) begin pullback of military concentrations in and around population centres, and to fulfil these in their entirety by no later than 10 April 2012. In the same statement, the Council called upon all parties, including the opposition, to cease armed violence in all its forms within 48 hours of the implementation in their entirety by the Government of the above-mentioned measures.<sup>807</sup>

On 14 April 2012, the Council adopted resolution 2042 (2012), in which it, inter alia, called upon all parties in the Syrian Arab Republic, including the opposition, to immediately cease armed violence in all its forms, expressed its intention to establish a United Nations supervision mission in the Syrian Arab Republic to monitor a cessation of armed violence in all its forms by all parties and relevant aspects of the Joint Special Envoy's six-point proposal, and decided to authorize an advance team of up to 30 unarmed military observers to liaise with the parties and to begin to report on the implementation of a full cessation of armed violence in all its forms by all parties.

Following the adoption of the resolution, several Council members called upon the Government of the Syrian Arab Republic to ensure that the advance team could implement its mandate.<sup>808</sup> Some Council members also stressed the need for the advance team to respect the sovereignty and territorial integrity of the Syrian Arab Republic in conducting its work.<sup>809</sup> The representative of the Russian Federation noted that the initial draft resolution had undergone substantive changes to make it more balanced in terms of

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<sup>804</sup> *Ibid.*, pp. 12-14.

<sup>805</sup> [S/PV.6734](#), pp. 2-3.

<sup>806</sup> [S/PRST/2012/6](#).

<sup>807</sup> [S/PRST/2012/10](#).

<sup>808</sup> [S/PV.6751](#), p. 3 (Germany); p. 6 (France); p. 8 (Portugal); and p. 10 (United States).

<sup>809</sup> *Ibid.*, p. 4 (China); p. 7 (India); and p. 8 (Azerbaijan).

addressing requirements for both the Government of the Syrian Arab Republic and for opposition groups.<sup>810</sup>

The representative of the Syrian Arab Republic reiterated the commitment of his country to fulfilling its obligations under the six-point plan and to cooperate with the Joint Special Envoy, in order to bring an end to the crisis in the Syrian Arab Republic, while expressing the hope that the Joint Special Envoy would deal with the crisis in a comprehensive manner. He also expressed concern over the lack of accountability for the crimes by armed groups against Syrian civilians and military personnel and called on some regional and international parties to freeze and halt the support, funding, arming and training of armed groups.<sup>811</sup>

On 21 April 2012, the Council adopted resolution [2043 \(2012\)](#), in which it, inter alia, established for an initial period of 90 days a United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS), with a mandate to monitor a cessation of armed violence in all its forms by all parties, and to monitor and support the full implementation of the Joint Special Envoy's six-point proposal.

Following the adoption of the resolution, the representative of the Russian Federation stated that it established clear parameters of responsibility for all parties to the conflict on the cessation of violence.<sup>812</sup> Some Council members warned that failure to comply with the provisions of the resolution would lead the Council to consider other options, including sanctions.<sup>813</sup> The representative of the Syrian Arab Republic noted that his Government had implemented the part of the six-point plan relating to its responsibilities and had recently signed the preliminary agreement that governed the work of UNSMIS in the framework of respecting Syrian sovereignty and guaranteeing the commitment of all parties. He stated that his country had a vested interest in the success of the work of UNSMIS, which should carry out its work on the basis of objectivity, impartiality and professionalism, and emphasized that his country rejected interference in its internal affairs.<sup>814</sup>

On 19 July 2012, the Council had before it a draft resolution,<sup>815</sup> by which, acting under Chapter VII of the Charter, it would have, inter alia, endorsed in full the final communiqué of the Action Group for Syria, agreed in Geneva on 30 June 2012 (Geneva communiqué);<sup>816</sup> demanded the urgent, comprehensive and immediate implementation of all elements of the six-point plan; decided to renew the mandate of UNSMIS for 45 days; and decided that, if the Syrian authorities had not fully complied with their commitments as agreed in the preliminary understanding<sup>817</sup> and as stipulated in resolutions [2042 \(2012\)](#) and [2043 \(2012\)](#) within 10 days, the Council should impose immediately measures under Article 41 of the Charter. The draft resolution was not adopted owing to the negative votes of two permanent members of the Council.<sup>818</sup>

Many Council members regretted that the draft resolution had not been adopted. Several pointed out that the invocation of Chapter VII would make the commitments of the parties binding, but would not constitute a precursor to military intervention as the draft had restricted coercive action to measures under Article 41 of the Charter.<sup>819</sup> Explaining that his country had chosen to abstain because a constructive spirit of flexibility had not been upheld in the run-up to the voting, the representative of Pakistan said that linking the mandate extension of UNSMIS to Chapter VII and coercive measures had not been the right course of action.<sup>820</sup> The representative of South Africa stated that the draft resolution threatened sanctions against the Government of the Syrian Arab Republic without realistically allowing any action to be taken against the opposition.<sup>821</sup> The representative of the Russian Federation explained that his country could not accept a document under Chapter VII of the Charter, which would open the way for the pressure of sanctions and later for external military involvement in Syrian domestic affairs. He added that the Russian Federation had submitted a draft resolution that other

<sup>810</sup> Ibid., p.3.

<sup>811</sup> Ibid., pp. 10-12.

<sup>812</sup> [S/PV.6756](#), p. 2.

<sup>813</sup> Ibid., p. 3(France); p. 6 (United Kingdom); and p. 10 (United States).

<sup>814</sup> Ibid., pp. 11-12.

<sup>815</sup> [S/2012/538](#).

<sup>816</sup> [A/66/865-S/2012/522](#), annex.

<sup>817</sup> [S/2012/250](#).

<sup>818</sup> China and Russian Federation.

<sup>819</sup> [S/PV.6810](#), pp. 2-3 (United Kingdom); p. 5 (Germany); p. 8 (Portugal); p. 9 (Guatemala); p. 10 (United States); and p. 12 (Morocco).

<sup>820</sup> Ibid., p. 6.

<sup>821</sup> Ibid., p. 12.

Council members had refused to work on.<sup>822</sup> The representative of China expressed the view that the draft resolution just voted upon was seriously flawed and unbalanced, with its content seeking to put pressure on only one party, and had undermined the consensus reached at the Geneva meeting and disrupted the new round of mediation efforts by the Joint Special Envoy.<sup>823</sup> In addition, several Council members supported the proposal to adopt a technical rollover of the UNSMIS mandate.<sup>824</sup> The President (Colombia) informed the Council that upon the request of the sponsor, it would not take action on another draft resolution.<sup>825</sup>

The representative of the Syrian Arab Republic stated that his country had officially welcomed the Geneva communiqué and wondered why the Council could not agree on the extension of the mandate of UNSMIS in keeping with the basic principles agreed to in the Geneva meeting.<sup>826</sup>

On 20 July 2012, the Council adopted resolution [2059 \(2012\)](#), by which it decided to renew the mandate of UNSMIS for a final period of 30 days, taking into consideration the operational implications of the increasingly dangerous security situation in the Syrian Arab Republic, and expressed its willingness to renew the mandate of UNSMIS thereafter only in the event that the Secretary-General reported on and the Council confirmed the cessation of the use of heavy weapons and a reduction in the level of violence by all sides sufficient to allow UNSMIS to implement its mandate.

On 30 August 2012, the Deputy Secretary-General noted that more than 2.5 million people were in grave need of assistance and protection inside the Syrian Arab Republic and over 220,000 Syrian refugees were now in Iraq, Jordan, Lebanon and Turkey, risking serious destabilizing effects to those countries. He highlighted the need to address two main issues, humanitarian access and funding.<sup>827</sup>

The United Nations High Commissioner for Refugees appealed to all parties to the conflict to grant unrestricted humanitarian access inside the Syrian Arab

Republic and to continue to respect and provide protection to Iraqi, Palestinian and other refugees inside the country. He also called for enhanced international support to all victims of the conflict and asked all States in the region and beyond to extend protection to the Syrians fleeing their country.<sup>828</sup>

The representatives of Iraq, Jordan, Lebanon and Turkey updated the Council on how their respective countries had been managing the influx of Syrian refugees into their territories and expressed concern over issues of capacity, general security and resources needed to sustain their efforts.<sup>829</sup>

Council members welcomed the appointment of the Joint Special Representative for the Syrian Arab Republic and the League of Arab States, stressed the need for a political solution to the conflict in the Syrian Arab Republic and highlighted the need to secure additional funds to face the humanitarian crisis. Some Council members also expressed concern over the existing stockpiles of chemical and biological weapons inside the Syrian Arab Republic. The representative of the Syrian Arab Republic said that the six-point plan was stillborn, as Arab and United Nations observers offered no other solution than providing weapons to the opposition.<sup>830</sup>

On 18 April 2013, in her briefing to the Council, the Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator stated that the situation in the Syrian Arab Republic was a humanitarian catastrophe, with 6.8 million people in need, 4.25 million people internally displaced and 1.3 million refugees in neighbouring countries. She explained that bureaucratic obstacles had grown and were inhibiting a humanitarian response.<sup>831</sup>

The United Nations High Commissioner for Refugees said that the refugee crisis had worsened, and appealed to the international community to provide massive support, especially to Jordan and Lebanon. In the case of Lebanon, the Syrian crisis had become an existential threat, as its population had grown by more than 10 per cent, if only the registered Syrian refugees

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<sup>822</sup> *Ibid.*, pp. 8-9.

<sup>823</sup> *Ibid.*, p. 13.

<sup>824</sup> *Ibid.*, p. 6 (Pakistan); p. 9 (Russian Federation); p. 12 (South Africa); and p. 14 (China).

<sup>825</sup> *Ibid.*, p. 15 (Colombia).

<sup>826</sup> *Ibid.*, p. 15.

<sup>827</sup> [S/PV.6826](#), pp. 2-3.

<sup>828</sup> *Ibid.*, p. 5.

<sup>829</sup> *Ibid.*, pp. 5-7 (Jordan); pp. 7-10 (Turkey); pp. 10-11 (Lebanon); and pp. 11-13 (Iraq).

<sup>830</sup> *Ibid.*, pp. 33-34.

<sup>831</sup> [S/PV.6949](#), pp. 2-4.

were counted, and it had not received any direct international support in many months.<sup>832</sup>

The Special Representative of the Secretary-General on Sexual Violence in Conflict reported on women and girls displaced by the conflict, stating that sexual violence, including rape, was one of the main reasons why they had fled their homes and left the country. She urged the leadership of the Free Syrian Army and other armed groups to halt human rights violations and to issue clear directives to commanders to prevent sexual violence and hold accountable those who committed, commanded or condoned such crimes. At the same time, she urged the President of the Syrian Arab Republic to ensure that all persons in Government custody were treated humanely, and called for the Syrian authorities to investigate all allegations of sexual violence and hold every perpetrator accountable. She also pleaded with Council members and Governments with influence over the parties to the conflict to translate their will into results by protecting the Syrian people, especially women and children.<sup>833</sup>

The Special Representative of the Secretary-General for Children and Armed Conflict reported that her office had been gathering information on the use of children in various capacities by opposition groups, and as human shields by Government forces, and called on all parties to halt any association of children.<sup>834</sup>

The representative of the Syrian Arab Republic stated that the crisis in the Syrian Arab Republic was humanitarian and political in the main and that assisting the Syrian people at the humanitarian level would not be possible unless the main political dimension was dealt with.<sup>835</sup> The representatives of Lebanon and Turkey expressed the commitment of their respective countries to provide humanitarian assistance to Syrian refugees, while appealing to the international community to share the burden.<sup>836</sup>

On 16 July 2013, in her briefing to the Council, the Under-Secretary-General for Humanitarian Affairs stated that some 6.8 million Syrians required urgent humanitarian assistance, including 4.2 million internally displaced persons and over 1.7 million refugees in neighbouring countries. She also informed

the Council that since the end of January, the teams on the ground had reached more than 1.4 million people across conflict lines, but noted that some locations remained inaccessible as a result of either active fighting and insecurity or a lack of authorization for the teams to enter. She emphasized that a mix of approaches to address the humanitarian challenges was needed, including designated, empowered interlocutors as well as humanitarian pauses in fighting and additional funding.<sup>837</sup>

The United Nations High Commissioner for Refugees expressed the view that in some neighbouring countries the warning signs of destabilization caused by the refugee outflow were troubling. He appealed to all development actors to cooperate with the concerned Governments in formulating and supporting community development programmes to assist those States in coping with the impact of the crisis in the Syrian Arab Republic.<sup>838</sup>

The Assistant Secretary-General for Human Rights reported that both Government forces and armed opposition groups had committed serious human rights violations and called for the supply of weapons to both sides to stop.<sup>839</sup>

The representative of the Syrian Arab Republic elaborated on the measures taken by his Government, including establishing a high commission on assistance to ensure the return of displaced families to their homes and increasing the number of non-governmental organizations allowed to provide relief. He stated that the cooperation of his Government with the United Nations was governed by the Charter and called upon the Secretariat and the Member States to show the same level of respect for the Charter, including full respect for the sovereignty and territorial integrity of the Syrian Arab Republic. He also noted that 60 per cent of assistance was being channelled to regions where the armed terrorist groups were operating, while only 40 per cent was being sent to other regions.<sup>840</sup> The representative of Lebanon reiterated that his Government remained fully committed to its policy of dissociation from the Syrian conflict and that Lebanon would not close its borders to Syrians as refugees, but he also stressed the

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<sup>832</sup> *Ibid.*, pp. 4-5.

<sup>833</sup> *Ibid.*, pp. 6-8.

<sup>834</sup> *Ibid.*, p. 8.

<sup>835</sup> *Ibid.*, p. 12.

<sup>836</sup> *Ibid.*, pp. 12-14 (Lebanon); and pp. 14-15 (Turkey).

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<sup>837</sup> [S/PV.7000](#), pp. 2-4.

<sup>838</sup> *Ibid.*, pp. 4-5.

<sup>839</sup> *Ibid.*, pp. 5-6.

<sup>840</sup> *Ibid.*, pp. 7-8.

implications of the crisis for stability in Lebanon and highlighted the strain it was causing on national resources.<sup>841</sup> The representative of Iraq stated that his country supported a peaceful Syrian-led resolution to the crisis and urged the Government of the Syrian Arab Republic to allow international organizations to provide humanitarian assistance to civilians trapped in conflict areas.<sup>842</sup> He also expressed concern over reports of the use of chemical weapons, which was echoed by the representative of Turkey.<sup>843</sup>

On 27 September 2013, the Council adopted resolution 2118 (2013), in which it determined that the use of chemical weapons anywhere constituted a threat to international peace and security, condemned in the strongest terms any use of chemical weapons in the Syrian Arab Republic, decided that the Syrian Arab Republic should comply with all aspects of the decision of 27 September 2013 of the Executive Council of the Organization for the Prohibition of Chemical Weapons, endorsed fully the Geneva communiqué of 30 June 2012, and decided, in the event of non-compliance with the resolution, to impose measures under Chapter VII of the Charter.

The Secretary-General welcomed the accession of the Syrian Arab Republic to the Chemical Weapons Convention and the declaration of the country to implement it on a provisional basis. He also noted that resolution 2118 (2013) would ensure the elimination of the Syrian chemical weapons programme and that it called for convening an international conference on the Syrian Arab Republic to implement the Geneva communiqué as soon as possible. He stated that he was working with the Joint Special Representative and Member States, aiming to hold the conference in mid-November.<sup>844</sup>

Council members highlighted the fact that for the first time, the Council had determined that the use of chemical weapons anywhere constituted a threat to international peace and security. Council members also stressed their readiness to take action under Chapter VII of the Charter if the parties failed to comply, and welcomed the intention of convening the international Geneva II conference in November. The Minister for Foreign Affairs of the Russian Federation

stressed that the resolution did not fall under Chapter VII of the Charter and did not allow for any automatic use of coercive measures of enforcement.<sup>845</sup>

On 2 October 2013, the Council adopted a presidential statement in which it stated that it was appalled at the unacceptable and escalating level of violence and the death of more than 100,000 people in the Syrian Arab Republic. The Council urged all parties to take all appropriate steps to facilitate the efforts of the United Nations to provide immediate humanitarian assistance to the affected people in the Syrian Arab Republic, and further urged the Syrian authorities to take immediate steps to facilitate the expansion of humanitarian relief operations and lift bureaucratic impediments and other obstacles.<sup>846</sup>

On 25 October 2013, the Under-Secretary-General for Humanitarian Affairs stated that United Nations agencies and partners were continuing to work in extremely dangerous and difficult conditions and that the humanitarian response in the Syrian Arab Republic was severely insufficient compared to the growing needs. She reported that despite the call by the Council in its presidential statement of 2 October 2013<sup>846</sup> urging the Syrian authorities to take immediate steps to facilitate the expansion of humanitarian relief operations and to lift bureaucratic impediments, there had not yet been any major breakthrough. She said that the Council must make every effort to ensure that its recommendations were implemented, and called upon the Council to exert influence and take the necessary action to stop the brutality and violence.<sup>847</sup>

### Yemen

On 29 March 2012, the Council adopted a statement by the President in which it welcomed the Yemeni-led peaceful transition process to a just and democratic political system in accordance with the Gulf Cooperation Council initiative and implementation mechanism, expressed concern at the recent deterioration in cooperation among political actors and the risks that posed to the transition, and noted that the second phase of the transition should focus on the holding of a conference for national dialogue, restructuring of the security forces, tackling the unauthorized possession of weapons outside the control

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<sup>841</sup> Ibid., pp. 9-10.

<sup>842</sup> Ibid., p.11.

<sup>843</sup> Ibid., p. 11(Iraq); and p. 12 (Turkey).

<sup>844</sup> S/PV.7038, pp. 2-3.

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<sup>845</sup> Ibid., p. 4.

<sup>846</sup> S/PRST/2013/15.

<sup>847</sup> S/PV.7049, pp. 2-4.

of the State, passing legislation on transitional justice to support reconciliation, constitutional reform, electoral reform and the holding of general elections in 2014.<sup>848</sup>

At the meeting, the representative of Yemen highlighted positive developments in the transition process, including the establishment of a Government of national reconciliation and a military and security committee and the holding of the presidential elections on 21 February 2012, and noted the serious challenges that his Government faced.<sup>849</sup>

On 29 May 2012, the Special Adviser to the Secretary-General for Yemen reported on progress in the implementation of the 23 November 2011 transition agreement and of resolution 2014 (2011), stating that the national dialogue must be inclusive, genuinely participatory and transparent. He said that the timeline for the transition was very tight and that there were many challenges, particularly with armed non-State actors competing for power and Al-Qaida continuing to pose a major threat. He stressed the unprecedented scale of the humanitarian crisis in Yemen and said that the Council should play a more active role in bringing the humanitarian crisis in Yemen to the world's attention.<sup>850</sup>

The representative of Yemen stated that his Government had taken measures to create the conditions to begin a national dialogue; however, there were still many challenges, in particular with regard to the humanitarian situation.<sup>851</sup>

On 12 June 2012, the Council adopted resolution 2051(2012), in which it, inter alia, emphasized the importance of conducting a fully-inclusive, participatory, transparent and meaningful National Dialogue Conference, demanded the cessation of all actions aimed at undermining the Government of National Unity and the political transition, expressed its readiness to consider further measures, including under Article 41 of the Charter, if such actions continued, and requested the Secretary-General to continue his good offices role.

The representative of Yemen welcomed the adoption of the resolution and listed four challenges being faced by his Government: (a) the deterioration of the humanitarian situation; (b) the complicated security

situation; (c) the threat to national stability posed by the presence of Al-Qaida in the Arabian Peninsula; and (d) the burden added by the 1 million refugees from the Horn of Africa.<sup>852</sup>

On 4 December 2012, the Special Adviser to the Secretary-General noted that 23 November 2012 marked the first anniversary of the signing of the transition agreement in Yemen, in which President Ali Abdullah Saleh had agreed to transfer his powers to his deputy and to make way for early presidential elections set for February 2014, following a Government of National Unity that would execute power during a two-year transition phase. He pointed out that the signing of the agreement had been the result of a period of intensive work by the good offices of the Secretary-General in an effort to help to resolve the deadlock in implementation of the Gulf Cooperation Council initiative, and reported that the agreed handover of power had taken place successfully, with President Abdrabuh Mansour Hadi Mansour being elected in February 2012 by an overwhelming majority. While acknowledging that numerous challenges remained on the road ahead, he commended the leadership of President Mansour and the efforts by the Government of Prime Minister Mohamed Salem Mohamed Basendwah.<sup>853</sup>

Council members commended the Government and people of Yemen and expressed support for the early launch of a successful and inclusive national dialogue, but voiced concern over the security challenges and the socioeconomic and humanitarian situation. They also stressed the need for continuous international support for Yemen in its efforts to complete the transition process, including maintaining security, overcoming the humanitarian crisis and fostering economic and social development. The representative of Yemen expressed appreciation for the commitment of the Secretaries-General of the United Nations and Gulf Cooperation Council to the implementation of the Gulf Cooperation Council initiative, and reaffirmed that the President was fully committed to drafting a new constitution and holding a referendum and presidential and parliamentary elections on schedule.<sup>854</sup>

On 15 February 2013, the Council adopted a presidential statement in which it welcomed the

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<sup>848</sup> S/PRST/2012/8.

<sup>849</sup> S/PV.6744, pp. 3-4.

<sup>850</sup> S/PV.6776, pp. 2-5.

<sup>851</sup> Ibid., pp. 5-7.

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<sup>852</sup> S/PV.6784, pp. 2-3.

<sup>853</sup> S/PV.6878, pp. 2-4.

<sup>854</sup> Ibid., pp. 21-22.

announcement by the President of Yemen of the launch of the all-inclusive National Dialogue Conference on 18 March 2013, urged all parties to adhere to resolving their differences through dialogue and consultation, and expressed concern over reports of interference in the transition by individuals in Yemen representing the former regime, the former opposition and others who did not adhere to the guiding principles of the agreement on the implementation mechanism for the transition process. It also urged the Government of Yemen to pass legislation on transitional justice to support reconciliation without further delay.<sup>855</sup>

On 11 June 2013, the Special Adviser to the Secretary-General for Yemen briefed the Council on the delicate status of the transition in the context of the 9 June 2013 clash between security forces and Ansar Allah demonstrators outside the National Security Bureau in Sana'a. Nonetheless, he reported that progress had been made and that the National Dialogue would be followed by a constitution-drafting process, which would then be confirmed by referendum and followed by general elections for a new Government. The electoral commissions had begun preparations for the electoral process, and steps had been taken to restructure the armed forces. He also pointed to the need to find a consensual settlement to the question of the South and to address the security situation and the humanitarian crisis.<sup>856</sup>

The representative of Yemen reported that the National Dialogue Conference had achieved great progress in the past few months. He also reported that President Mansour had taken a series of measures to establish trust and an environment conducive to a successful Dialogue. He noted that Yemen was, however, still facing many challenges, including terrorism and other subversive acts with economic implications for the country. At the same time, he appealed to the international community to support the 2013 Yemen Humanitarian Response Plan and to honour the pledges made at the donor conference and meetings of the Group of Friends of Yemen.<sup>857</sup>

At a high-level meeting on 27 September 2013, the Special Adviser to the Secretary-General for Yemen

informed the Council that the work of the National Dialogue Conference launched on 18 March 2013 was nearly 90 per cent complete, with six of the nine working groups having completed their work. However, he reminded the Council that the Conference was only one step in the transition and stated that he was in the process of facilitating talks on the southern question, a thorny issue on which agreement had proved elusive thus far. As the country was still facing serious political, economic, humanitarian and security challenges, Yemenis were counting on the Council to uphold its unanimous support as the country moved towards the next stage.<sup>858</sup>

The Secretary-General of the Gulf Cooperation Council emphasized the importance of the continuous support of the Security Council for a peaceful solution in Yemen, highlighted the availability and preparedness of the Gulf Cooperation Council to assist Yemen, and praised the efforts of the Special Adviser to the Secretary-General for Yemen on behalf of the Gulf Cooperation Council initiative and implementation mechanism.<sup>859</sup>

The Minister for Foreign Affairs of Yemen explained that the two working groups with pending work were the State-building group and the group dealing with the southern provinces and added that the success of the former depended on the completion of the work by the latter. He reaffirmed that what Yemenis needed from the Council was not that the Council dictate the solution but that it maintain unity, as well as its support for the Gulf Cooperation Council initiative and implementation mechanism and for resolutions 2014 (2011) and 2051 (2012).<sup>860</sup>

Council members expressed concern over the delay in the conclusion of the National Dialogue, the humanitarian and economic situations and the security threats, including acts of terrorism. They stressed the need to move the transition process along, including such tasks as drafting the new constitution and conducting general elections. They also stated that Council deliberations should respect the independence, sovereignty and territorial integrity of Yemen.

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<sup>855</sup> S/PRST/2013/3.

<sup>856</sup> S/PV.6976, pp. 2-5.

<sup>857</sup> Ibid., pp. 5-6.

<sup>858</sup> S/PV.7037, pp. 2-5.

<sup>859</sup> Ibid., pp. 5-7.

<sup>860</sup> Ibid., pp. 7-9.



## Meetings: the situation in the Middle East

## Syrian Arab Republic

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6710</a> 31 January 2012	Letter dated 24 January 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/71</a> )		Qatar (Prime Minister and Minister for Foreign Affairs), <sup>a</sup> Syrian Arab Republic	Secretary-General of the League of Arab States	All Council members, <sup>b</sup> all invitees	
<a href="#">S/PV.6711</a> 4 February 2012		Draft resolution submitted by Bahrain, Colombia, Egypt, France, Germany, Jordan, Kuwait, Libya, Morocco, Oman, Portugal, Qatar, Saudi Arabia, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom, United States ( <a href="#">S/2012/77</a> )	Bahrain, Egypt, Jordan, Kuwait, Libya, Oman, Qatar, Syrian Arab Republic, Saudi Arabia, Tunisia, Turkey, United Arab Emirates		All Council members, Syrian Arab Republic	Rejection of draft resolution ( <a href="#">S/2012/77</a> ) 13-2-0 <sup>c</sup>
<a href="#">S/PV.6734</a> 12 March 2012					Secretary-General, all Council members <sup>d</sup>	
<a href="#">S/PV.6736</a> 21 March 2012						<a href="#">S/PRST/2012/6</a>
<a href="#">S/PV.6746</a> 5 April 2012						<a href="#">S/PRST/2012/10</a>

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6751</a> 14 April 2012		Draft resolution submitted by Colombia, France, Germany, Morocco, Portugal, United Kingdom, United States ( <a href="#">S/2012/219</a> )	Syrian Arab Republic		All Council members, Syrian Arab Republic	Resolution <a href="#">2042 (2012)</a> 15-0-0
<a href="#">S/PV.6756</a> 21 April 2012	Letter dated 19 April 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/238</a> )	Draft resolution submitted by China, Colombia, France, Germany, Morocco, Pakistan, Portugal, Russian Federation ( <a href="#">S/2012/245</a> )	Syrian Arab Republic		All Council members, Syrian Arab Republic	Resolution <a href="#">2043 (2012)</a> 15-0-0
<a href="#">S/PV.6810</a> 19 July 2012	Report of the Secretary-General on the implementation of Security Council resolution <a href="#">2043 (2012)</a> ( <a href="#">S/2012/523</a> )	Draft resolution submitted by France, Germany, Portugal, the United Kingdom and the United States ( <a href="#">S/2012/538</a> )	Syrian Arab Republic		All Council members, Syrian Arab Republic	Rejection of draft resolution ( <a href="#">S/2012/538</a> ) 11-2-2 <sup>e</sup>
<a href="#">S/PV.6812</a> 20 July 2012	Report of the Secretary-General on the implementation of Security Council resolution <a href="#">2043 (2012)</a> ( <a href="#">S/2012/523</a> )	Draft resolution submitted by France, Germany, Portugal, United Kingdom ( <a href="#">S/2012/560</a> )				Resolution <a href="#">2059 (2012)</a> 15-0-0

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6826</a> 30 August 2012			Iraq (Deputy Minister for Foreign Affairs), Jordan (Minister for Foreign Affairs), Lebanon (Minister for Social Affairs), Syrian Arab Republic, Turkey (Minister for Foreign Affairs)	United Nations High Commissioner for Refugees	Deputy Secretary-General, all Council members, <sup>f</sup> all invitees	
<a href="#">S/PV.6949</a> 18 April 2013			Lebanon, Syrian Arab Republic, Turkey	Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, United Nations High Commissioner for Refugees, Special Representative of the Secretary-General on Sexual Violence in Conflict, Special Representative of the Secretary-General for Children and Armed Conflict	All invitees	
<a href="#">S/PV.7000</a> 16 July 2013			Iraq, Lebanon, Syrian Arab Republic, Turkey	Under-Secretary-General for Humanitarian Affairs, United Nations High Commissioner for Refugees, Assistant Secretary-General for Human Rights	All invitees	
<a href="#">S/PV.7038</a> 27 September 2013		Draft resolution (S/2013/575)			Secretary-General, all Council members <sup>g</sup>	Resolution 2118 (2013) 15-0-0

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7039</a> 02 October 2013						<a href="#">S/PRST/2013/15</a>
<a href="#">S/PV.7049</a> 25 October 2013			Turkey	Under-Secretary-General for Humanitarian Affairs	Under-Secretary-General for Humanitarian Affairs	

<sup>a</sup> Speaking in his capacity as Chairman of the current session of the Arab League Council at the Ministerial Level.

<sup>b</sup> France and Guatemala were represented by their respective Ministers for Foreign Affairs; Germany by its Minister of State; Morocco by its Minister Delegate for Foreign Affairs and Cooperation; Portugal by its Minister of State and Foreign Relations; United Kingdom by its Secretary of State for Foreign and Commonwealth Affairs; and United States by its Secretary of State.

<sup>c</sup> *For:* Azerbaijan, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, South Africa, Togo, United Kingdom, United States;  
*Against:* China, Russian Federation.

<sup>d</sup> France, Germany, Guatemala and Russian Federation were represented by their respective Ministers for Foreign Affairs; Portugal by its Minister for State and Foreign Relations; United Kingdom by its Secretary of State for Foreign and Commonwealth Affairs; and United States by its Secretary of State.

<sup>e</sup> *For:* Azerbaijan, Colombia, France, Germany, Guatemala, India, Morocco, Portugal, Togo, United Kingdom, United States of America;  
*Against:* China, Russian Federation;  
*Abstaining:* Pakistan, South Africa.

<sup>f</sup> Colombia and France were represented by their respective Ministers for Foreign Affairs; Morocco and Togo by their respective Ministers for Foreign Affairs and Cooperation; United Kingdom by its Secretary of State for Foreign and Commonwealth Affairs; and United States by its Permanent Representative and member of the President's Cabinet.

<sup>g</sup> Luxembourg was represented by its Deputy Prime Minister and Minister for Foreign Affairs; Argentina by its Minister for Foreign Affairs and Worship; Azerbaijan, China, France, Guatemala, Republic of Korea and Russian Federation by their respective Ministers for Foreign Affairs; Morocco by its Minister for Foreign Affairs and Cooperation; Pakistan by its Adviser to the Prime Minister on National Security and Foreign Affairs; Rwanda by its Minister of State in Charge of Cooperation and Permanent Representative to the United Nations; United Kingdom by its Secretary of State for Foreign and Commonwealth Affairs; and United States by its Secretary of State.

**Yemen**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6744</a> 29 March 2012			Yemen		Yemen	<a href="#">S/PRST/2012/8</a>
<a href="#">S/PV.6776</a> 29 May 2012			Yemen	Special Adviser to the Secretary-General for Yemen	Yemen, Special Adviser to the Secretary-General for Yemen	
<a href="#">S/PV.6784</a> 12 June 2012		Draft resolution submitted by France, Germany, Morocco, Portugal, United Kingdom, United States ( <a href="#">S/2012/417</a> )	Yemen		Yemen	Resolution <a href="#">2051 (2012)</a> 15-0-0
<a href="#">S/PV.6878</a> 4 December 2012			Yemen	Special Adviser to the Secretary-General for Yemen	All Council members, Yemen, Special Adviser to the Secretary-General for Yemen	
<a href="#">S/PV.6922</a> 15 February 2013			Yemen			<a href="#">S/PRST/2013/3</a>
<a href="#">S/PV.6976</a> 11 June 2013			Yemen	Special Adviser to the Secretary-General for Yemen	Yemen, Special Adviser to the Secretary-General for Yemen	
<a href="#">S/PV.7037</a> 27 September 2013			Yemen (Minister for Foreign Affairs)	Special Adviser to the Secretary-General for Yemen, Secretary-General of the Gulf Cooperation Council	All Council members, <sup>a</sup> all invitees	

<sup>a</sup> Luxembourg was represented by its Deputy Prime Minister and Minister for Foreign Affairs; Australia, Azerbaijan and Guatemala were represented by their respective Ministers for Foreign Affairs; Argentina by its Secretary for Foreign Affairs; Morocco by its Minister for Foreign Affairs and Cooperation; Pakistan by its Minister of State, Special Assistant to the Prime Minister on Foreign Affairs; United Kingdom by its Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office; Republic of Korea by its Deputy Minister for Multilateral and Global Affairs; and United States by its Permanent Representative and member of the President's Cabinet.

## Renewal of the mandate of UNDOF

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6791</a> 27 June 2012	Report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) for the period from 1 January to 30 June 2012 ( <a href="#">S/2012/403</a> )	Draft resolution submitted by Russian Federation, United States ( <a href="#">S/2012/484</a> )				Resolution <a href="#">2052 (2012)</a> 15-0-0
<a href="#">S/PV.6893</a> 19 December 2012	Report of the Secretary-General on UNDOF for the period from 1 July to 31 December 2012 ( <a href="#">S/2012/897</a> )	Draft resolution submitted by France, Russian Federation, United States ( <a href="#">S/2012/935</a> )				Resolution <a href="#">2084 (2012)</a> 15-0-0
<a href="#">S/PV.6991</a> 27 June 2013	Report of the Secretary-General on UNDOF for the period from 1 April to 30 June 2013 ( <a href="#">S/2013/345</a> )	Draft resolution submitted by Australia, France, Luxembourg, Russian Federation, United Kingdom, United States ( <a href="#">S/2013/376</a> )				Resolution <a href="#">2108 (2013)</a> 15-0-0
<a href="#">S/PV.7089</a> 18 December 2013	Report of the Secretary-General on UNDOF for the period from 12 September to 3 December 2013 ( <a href="#">S/2013/716</a> )	Draft resolution submitted by Australia, France, Russian Federation, United Kingdom, United States ( <a href="#">S/2013/744</a> )				Resolution <a href="#">2131 (2013)</a> 15-0-0

## Renewal of the mandate of UNIFIL

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6825</a> 30 August 2012	Letter dated 14 August 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/632</a> )	Draft resolution submitted by France, Germany Italy, Spain, United Kingdom, United States ( <a href="#">S/2012/673</a> )	Israel, Lebanon			Resolution <a href="#">2064 (2012)</a> 15-0-0
<a href="#">S/PV.6994</a> 10 July 2013	Report of the Secretary-General on the implementation of Security Council resolution <a href="#">1701 (2006)</a> ( <a href="#">S/2013/381</a> )		Lebanon			<a href="#">S/PRST/2013/9</a>
<a href="#">S/PV.7025</a> 29 August 2013	Letter dated 31 July 2013 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2013/457</a> )	Draft resolution submitted by France, Spain ( <a href="#">S/2013/511</a> )	Israel, Lebanon, Spain			Resolution <a href="#">2115 (2013)</a> 15-0-0

## High-level meeting on peace and security in the Middle East

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6841</a> 26 September 2012	High-level meeting of the Security Council on peace and security in the Middle East  Letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/686</a> )			Secretary-General of the League of Arab States	Secretary-General, all Council members, <sup>a</sup> Secretary-General of the League of Arab States	<a href="#">S/PRST/2012/20</a>

<sup>a</sup> Azerbaijan, China, Colombia, France, Germany, Guatemala and Russian Federation were represented by their respective Ministers for Foreign Affairs; India by its Minister of State for External Affairs; Morocco and Togo by their respective Ministers for Foreign Affairs and Cooperation; Pakistan by its Foreign Secretary; South Africa by its Minister for International Relations and Cooperation; United Kingdom by its Secretary of State for Foreign and Commonwealth Affairs; and United States by its Secretary of State.

## 24. The situation between Iraq and Kuwait

### Overview

During the period under review, the Security Council held one meeting and adopted one resolution concerning the repatriation or return of all Kuwaiti and third-country nationals or their remains as well as the return of Kuwaiti property, in connection with the situation between Iraq and Kuwait.

### **Termination of Chapter VII obligations of Iraq, including the repatriation and return of all Kuwaiti and third-country nationals and their remains and all Kuwaiti property**

At its 6990th meeting, on 27 June 2013, the Council unanimously adopted resolution [2107 \(2013\)](#), in which it welcomed Iraq's continued demonstration of its commitment to the full implementation of its outstanding obligations under the relevant Chapter VII resolutions. In the same resolution, with consideration to the provisions of Chapter VI of the Charter on the peaceful settlement of disputes, the Council called upon the Government of Iraq to continue cooperation with the International Committee of the Red Cross (ICRC) and to continue efforts to search for missing Kuwaiti property. The Council decided to terminate the obligations of Iraq under Chapter VII of the Charter concerning the repatriation or return of all Kuwaiti and third-country nationals or their remains and the return of Kuwaiti property and cooperation with ICRC, as set out in resolutions 686 (1991) and 687 (1991) of 2 March and 3 April 1991, respectively, and terminated also the mandate of the High-level Coordinator appointed pursuant to paragraph 14 of resolution [1284 \(1999\)](#). The Council requested that the Special Representative of the Secretary-General for Iraq and

Head of the United Nations Mission in Iraq (UNAMI)<sup>861</sup> promote, support and facilitate efforts regarding the repatriation or return of all Kuwaiti and third-country nationals or their remains, and the return of Kuwaiti property, including the national archives, seized by Iraq.

Following the vote, the Minister for Foreign Affairs of Iraq elaborated on the efforts by Iraq over the past few years to regain the international standing it had enjoyed prior to resolution 661 (1990). He stated that the adoption of resolution [2107 \(2013\)](#), a milestone in the history of the relationship between Iraq and the international community, indicated that the resolutions imposed on his country under Chapter VII of the Charter belonged to the past and also represented a significant step in its bilateral relationship with Kuwait. Regarding the issue of the maintenance of border markers, Iraq and Kuwait had put in place the necessary measures, in accordance with resolution 833 (1993). In reference to the issue of compensation, Iraq was committed to paying the percentage decided by the Council under the successor arrangements for the Development Fund for Iraq, pursuant to resolution [1956 \(2010\)](#). He stated that through the adoption of resolution [2107 \(2013\)](#), Iraq had fulfilled all its Chapter VII obligations under Council resolutions, with the last remaining issue of missing Kuwaiti persons and property having been transferred to coverage under the provisions of Chapter VI.<sup>862</sup>

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<sup>861</sup> For more information on UNAMI, see part X, sect. II, "Political and peacebuilding missions".

<sup>862</sup> [S/PV.6990](#), p. 2-3.



**Meeting: the situation between Iraq and Kuwait**

16-06865

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6990</a> 27 June 2013	Thirty-fifth report of the Secretary-General pursuant to paragraph 14 of resolution <a href="#">1284 (1999)</a> ( <a href="#">S/2013/357</a> )  Letter dated 12 June 2013 from the Permanent Representatives of Iraq and Kuwait to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/358</a> )	Draft resolution submitted by Australia, France, Morocco, Russian Federation, United Kingdom, United States ( <a href="#">S/2013/379</a> )	Iraq (Minister for Foreign Affairs)		Iraq	Resolution <a href="#">2107 (2013)</a> 15-0-0

## 25. The situation concerning Iraq

### Overview

From 2012 to 2013, in connection with the situation concerning Iraq, the Security Council held eight meetings and adopted two resolutions. Over the course of those meetings, the Council heard briefings by the Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq (UNAMI) on the situation on the ground, activities of UNAMI and steps taken by Iraq and Kuwait to normalize their relations and resolve the issue of missing Kuwaiti and third country nationals and missing Kuwaiti property, including its national archives. The Council also twice renewed the mandate of UNAMI for a period of 12 months each time.<sup>863</sup>

### Briefings on the situation in Iraq and activities of UNAMI

On 10 April 2012, the Special Representative of the Secretary-General for Iraq, in his briefing, stated that the hosting of the League of Arab States summit in Baghdad on 29 March was an historic event that marked the Iraq's re-emergence as a major actor in the region. He commended the recent steps taken by the Governments of Iraq and Kuwait to improve bilateral relations. He expressed concerns over the political impasse that had arisen from tensions between the main parliamentary blocs in Iraq; Arab-Kurdish relations, in particular issues pertaining to the disputed internal boundaries; the human rights situation; and the spillover effects of the continuing violence in the Syrian Arab Republic. He also provided an update on Camp Ashraf, reporting that almost 1,200 residents had been relocated to Camp Hurriya. The Special Representative of the Secretary-General stated that following the withdrawal of United States troops, there were greater expectations for UNAMI to assist the Government and people of Iraq in addressing the major challenges facing their nation, which came at a time when resources made available to UNAMI had been shrinking. Nevertheless, he underscored the commitment of UNAMI to implement its comprehensive mandate in the areas of political facilitation, electoral support, human rights,

reconstruction and development. He expressed his firm belief that United Nations assistance at this critical juncture in the history of Iraq remained essential.<sup>864</sup>

The representative of Iraq provided his own assessment of the situation in the country. He also urged the Council to help to relocate 1,200 members of the People's Mujahedin Organization of the Islamic Republic of Iran from Camp Ashraf to other countries, as the Iraqi Government could not allow them to stay in Iraq, in accordance with its Constitution. Finally, he reported on the progress in the bilateral relations with Kuwait, including the payment to the United Nations of the expenses of the border pillar maintenance project.<sup>865</sup>

On 19 July 2012, the Special Representative of the Secretary-General said that Iraq was in the midst of a seven-month-long stalemate between political blocs, hampering progress in areas essential to its development, including a sustainable solution to the disputed internal boundaries, the unfinished constitutional agenda, the adoption of essential outstanding legislation and the preparation of the governing council elections due in March 2013. He called for the swift selection of commissioners for the Independent High Electoral Commission. In respect of Iraq-Kuwait bilateral relations, he reported on the progress in the border maintenance project. The United Nations was preparing for the start of the maintenance work by 31 October. He also welcomed the ratification by the Council of Representatives of the Additional Protocol to the Comprehensive Safeguards Agreement of the International Atomic Energy Agency. With regard to Camp Ashraf, where approximately 1,200 residents remained, he noted that the commitment of UNAMI was strictly humanitarian, in order to facilitate a voluntary, temporary relocation of residents to Camp Hurriya as a first step of resettlement to countries outside Iraq. He therefore urged the residents to cooperate with Iraqi authorities, and third countries to step forward to offer resettlement to eligible former Ashraf residents as soon as possible.<sup>866</sup>

The representative of Iraq, *inter alia*, expressed hope that the achievements of the meeting of the Joint

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<sup>863</sup> Resolutions [2061 \(2012\)](#) and [2110 \(2013\)](#). For more information on UNAMI, see part X, sect. II, "Political and peacebuilding missions".

<sup>864</sup> [S/PV.6747](#), pp. 2-5.

<sup>865</sup> *Ibid.*, pp. 6-9.

<sup>866</sup> [S/PV.6811](#), pp. 2-5.

Iraq-Kuwait Ministerial Committee in Baghdad convened on 29 April would pave the way for exit by Iraq from the provisions of Chapter VII. He reaffirmed his country's desire for the mandate of UNAMI to be extended for an additional 12 months<sup>867</sup> and stated that UNAMI was needed more than ever in Iraq.<sup>868</sup>

On 29 November 2012, the Special Representative of the Secretary-General reported that despite the progress that Iraq had made in 2012, two issues were of particular concern: first, strained relations between Iraq's political leaders, resulting in a military and political standoff with extremists using the political differences of the leaders to ignite either sectarian or ethnic violence and tensions in Iraq; and second, developments in the region, particularly spillover from the Syrian Arab Republic, including humanitarian impacts on Iraq. The Special Representative also reported on the activities of UNAMI, including facilitation of political dialogue and assistance to the nationwide governorate council elections on 20 April 2013 and legislative elections scheduled for 2014.<sup>869</sup>

The representative of Iraq updated the Council on the political, security, social, economic and energy situations in Iraq and on his country's relations with Kuwait and Saudi Arabia. With regard to developments related to the residents of Camp New Iraq, formerly known as Camp Ashraf, he reported that approximately 200 residents remained there, after more than 3,000 residents had been transferred peacefully to Camp Hurriya.<sup>870</sup>

On 21 March 2013, the Special Representative of the Secretary-General expressed concern over a spillover of violence from the Syrian Arab Republic, which would fuel the existing political and security challenges facing Iraq. Demonstrators in western provinces had voiced their grievances surrounding issues of human rights and access to basic services, which the Government of Iraq had taken some initiatives to address. UNAMI had offered its good offices, as an impartial actor, while speaking up against the use of sectarian language. He also reported on the continuing strained relations between the central Government and the Kurdistan Regional Government

and the preparations for governing council elections scheduled in April. He pressed the authorities to finalize the removal of obstacles along the border by 31 March to complete the boundary maintenance work and to accept the funds set aside with the United Nations for the compensation of Iraqi farmers, pursuant to resolution 899 (1994). Condemning the 9 February attack on Camp Hurriya, the Special Representative of the Secretary-General welcomed the decision by the Government of Albania to accept 210 residents and informed the Council that 100 residents remained at Camp Ashraf, refusing to transfer to Camp Hurriya until the completion of property negotiations.<sup>871</sup>

The representative of Iraq said that Iraq was witnessing a political stalemate and that protests were continuing in a number of cities, with protestors making both legitimate and illegitimate demands. Efforts had been made to respond to their legitimate demands; however, demonstrators had been infiltrated by terrorist and extremist groups aiming to stir sectarian tensions and civil war. He also elaborated on his Government's efforts in various areas, particularly in developing its relations with Kuwait. He announced that a joint technical team working on the border maintenance project would finish its work by the end of March, which would pave the way for Iraq's exit from its Chapter VII status. He stressed that Iraq today was different from Iraq before 2003 and must regain the status it had enjoyed before 1990.<sup>872</sup>

On 16 July 2013, the Special Representative of the Secretary-General stated that he was deeply concerned by the recent events in Iraq, reporting that the last four months had been among the bloodiest of the last five years, with nearly 3,000 people killed and over 7,000 injured, and had been marked by increased activities of a number of armed groups, including those affiliated with Al-Qaida. Positive developments included governing council elections held on 20 April in 12 provinces and on 20 June in Anbar and Ninewa provinces, which had been the first elections that Iraqis had managed completely by themselves, and Arab-Kurdish relations were on the path towards improvement. He also welcomed the decision to hold the parliamentary and provincial elections in the Kurdistan region on 21 September. He further commended the Governments of Iraq and Kuwait on

<sup>867</sup> S/2012/520, annex.

<sup>868</sup> S/PV.6811, pp. 10.

<sup>869</sup> S/PV.6875, pp. 2-6.

<sup>870</sup> Ibid., pp. 6-10.

<sup>871</sup> S/PV.6937, pp. 2-4.

<sup>872</sup> Ibid., pp. 6-10.

their determination to complete the steps necessary for bringing closure to resolutions 833 (1993) and 899 (1994) and stated that UNAMI was looking forward to implementing resolution 2107 (2013), which had transferred the obligations on missing Kuwaitis, third-country nationals and Kuwaiti property, including the national archives, to the Mission.<sup>873</sup> He stated that the violence in Iraq could not be separated from the civil war in the Syrian Arab Republic; the battlefields in the two countries were merging, with Iraqi armed groups having an increasingly active presence in the Syrian Arab Republic. With regard to Camp Ashraf, he stated that almost all residents had been transferred to Camp Hurriya; however, 90 per cent of the residents of the latter were still to be relocated to third countries.<sup>874</sup>

The representative of Iraq supported the extension of the mandate of UNAMI for another year on the basis of relevant resolutions. He said that the efforts of the Governments of Iraq and Kuwait had been successful in resolving outstanding issues, resulting in the adoption of resolution 2107 (2013). In his view, the successful Governing Council elections in 14 provinces were paving the way for the success of the parliamentary elections to be held in the first half of 2014, which would be a further step in the democratic process.<sup>875</sup>

#### **Extension of the mandate of UNAMI**

By resolution 2061 (2012) of 25 July 2012, underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, and to ensure stability and develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity, the Council extended the mandate of UNAMI for a period of 12 months, and decided that the Special Representative of the Secretary-General for Iraq and UNAMI should continue to pursue their mandate as stipulated in resolution 2001 (2011).

By resolution 2110 (2013) of 24 July 2013, recognizing that the situation that currently existed in Iraq was significantly different from that which had existed at the time of the adoption of resolution

661 (1990) of 6 August 1990, and further recognizing the importance of Iraq achieving international standing equal to that which it had held prior to the adoption of resolution 661 (1990), the Council decided to extend the mandate of UNAMI until 31 July 2014, and also decided that the Special Representative of the Secretary-General for Iraq and UNAMI should continue to pursue their mandate as stipulated in resolution 2061 (2012), and recalled the provisions of resolution 2107 (2013).<sup>876</sup>

#### **Briefing on the situation in Iraq and the search for missing Kuwaiti and third-country nationals and missing Kuwaiti property, including its national archives**

On 25 November 2013, the Special Representative reported on the deteriorating security situation in Iraq, compounded by political deadlock and characterized by acts of violence perpetrated by terrorist groups that had targeted civilians with the intention of inciting sectarian hatred. He also noted the outstanding issues between the central Government and the Kurdistan Regional Government, including revenue-sharing and budget allocation as well as the security arrangements in the disputed areas. He highlighted a number of positive developments on the political front, including the adoption of the new electoral law, the setting of 30 April 2014 as the date for national parliamentary elections, the convening of the Conference for Social Peace and the signing of the National Code of Honour, in which many of Iraq's political, religious, tribal and civil leaders committed to uphold the unity of Iraq and its people. He noted that for the first time since 1990, in February, Iraqi and Kuwaiti airlines had resumed flights between the two countries. He also addressed the rule of law and human rights, socioeconomic and developmental challenges, the humanitarian impacts of the Syrian conflict and the issue of the former residents of Camp Ashraf, which had been officially closed on 11 September. With regard to the issue of missing Kuwaiti and third country nationals and missing Kuwaiti property, including its national archives, he expressed his disappointment that few clues concerning the whereabouts of the Kuwaiti national archives had

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<sup>873</sup> For more information, see part I, sect. 24, "The situation between Iraq and Kuwait".

<sup>874</sup> S/PV.7002, pp. 2-7.

<sup>875</sup> Ibid., p. 7.

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<sup>876</sup> For more information on resolution 2107 (2013), see part I, sect. 24, "The situation between Iraq and Kuwait".

emerged, and reiterated that the issue of missing persons remained an important priority.<sup>877</sup>

The representative of Iraq reaffirmed his country's commitment to continue to resolve all remaining issues in the framework of the national reconciliation process. He highlighted the ongoing preparation by the Independent High Electoral Commission for the 30 April 2014 national

parliamentary elections and expressed gratitude to UNAMI for its support and advice in the electoral process. Referring to the impact of the Syrian conflict on the frequency of terrorist attacks in Iraq, he called on the Council to consider those terrorist acts as crimes against humanity and to bring the perpetrators and their supporters to justice.<sup>878</sup>

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<sup>877</sup> S/PV.7068, pp. 2-6.

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<sup>878</sup> Ibid., pp. 6-8.

**Meetings: the situation concerning Iraq**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6747</a> 10 April 2012	Second report of the Secretary-General pursuant to resolution <a href="#">2001 (2011)</a> ( <a href="#">S/2012/185</a> )		Iraq	Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq (UNAMI)	All invitees	
<a href="#">S/PV.6811</a> 19 July 2012	Third report of the Secretary-General pursuant to resolution <a href="#">2001 (2011)</a> ( <a href="#">S/2012/535</a> )		Iraq	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.6815</a> 25 July 2012	Third report of the Secretary-General pursuant to resolution <a href="#">2001 (2011)</a> ( <a href="#">S/2012/535</a> )	Draft resolution submitted by the United States ( <a href="#">S/2012/570</a> )  Note verbale from the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General, concerning extension of UNAMI mandate ( <a href="#">S/2012/520</a> )	Iraq			Resolution <a href="#">2061 (2012)</a> 15-0-0
<a href="#">S/PV.6875</a> 29 November 2012	First report of the Secretary-General pursuant to resolution <a href="#">2061 (2012)</a> ( <a href="#">S/2012/848</a> )		Iraq	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.6937</a> 21 March 2013	Second report of the Secretary-General pursuant to paragraph 6 of resolution <a href="#">2061 (2012)</a> ( <a href="#">S/2013/154</a> )		Iraq	Special Representative of the Secretary-General	All invitees	
<a href="#">S/PV.7002</a> 16 July 2013	Third report of the Secretary-General pursuant to paragraph 6 of resolution <a href="#">2061 (2012)</a> ( <a href="#">S/2013/408</a> )		Iraq	Special Representative of the Secretary-General	All invitees	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7008</a> 24 July 2013	Third report of the Secretary-General pursuant to paragraph 6 of resolution <a href="#">2061 (2012)</a> ( <a href="#">S/2013/408</a> )	Draft resolution submitted by the United States ( <a href="#">S/2013/434</a> )	Iraq			Resolution <a href="#">2110 (2013)</a> 15-0-0
<a href="#">S/PV.7068</a> 25 November 2013	First report of the Secretary-General pursuant to paragraph 4 of resolution <a href="#">2107 (2013)</a> ( <a href="#">S/2013/654</a> );  First report of the Secretary-General pursuant to paragraph 6 of resolution <a href="#">2110 (2013)</a> ( <a href="#">S/2013/661</a> )		Iraq	Special Representative of the Secretary-General	All invitees	

## Thematic issues

### 26. United Nations peacekeeping operations

#### Overview

During the period under review, the Security Council held five meetings in connection with the item entitled “United Nations peacekeeping operations,” adopting one resolution.<sup>879</sup> At the meetings, the Council discussed the issue of inter-mission cooperation and considered a multidimensional approach to peacekeeping, with a view to better coordinating it with peacebuilding processes. The Council also heard briefings by several force commanders of peacekeeping operations regarding the challenges they faced in the field.

#### Briefings on the transition from peacekeeping to peacebuilding

On 26 March 2012, in his briefing to the Council, the Under-Secretary-General for Peacekeeping Operations pointed out that when the Security Council mandated missions, it was not only to stabilize the country and keep the peace, but also to contribute to the building of a sustainable peace. He stated that peacekeepers should not address the full spectrum of peacebuilding activities; rather, they were best suited to prioritizing those initiatives that advanced the peace process or political objectives of a mission. He said that it was not about expanding peacekeeping or adding new tasks to mandates, but about making the most of the tasks that peacekeepers were already being asked to perform. The Under-Secretary-General stressed that peacekeeping missions had a restricted time horizon and needed to synchronize their plans with actors who were better suited to undertaking long-term engagements. He concluded by affirming that transitions should not be about simply reducing numbers in a peacekeeping operation, but that it was through building confidence and maintaining clear communication between the host Government, key national stakeholders and the international community that a successful drawdown plan and an enduring peace would be secured.<sup>880</sup>

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<sup>879</sup> Resolution 2086 (2013).

<sup>880</sup> S/PV.6740, pp. 2-5.

The Under-Secretary-General for Field Support referred to the fundamental role of effective transitions in ensuring a sustainable peace, stating that delivering an effective response to the peacebuilding needs of post-conflict countries required the same agility and flexibility from field support systems that was required from other peacekeeping tasks. This was especially significant when considering the impact that large and multidimensional field missions had on the social and economic life of the host countries. Examples showed how joint planning with national counterparts had a positive impact throughout the drawdown phase. She also identified national capacity development as a priority for planning and executing peacebuilding tasks and effective transitions. In concluding, she noted that the Council played an enormous role in the process of transitioning to a sustainable peace, setting the direction not only through mandates but also building and maintaining the political support required for delivery.<sup>881</sup>

#### Briefings by force commanders of United Nations peacekeeping operations

On 20 June 2012, on the initiative of the Under-Secretary-General for Peacekeeping Operations, the Council was briefed at an open meeting by force commanders of United Nations peacekeeping operations. In his briefing, the Force Commander of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) highlighted the need for a system to support common military standards and for training in peacekeeping operations, especially when it came to the protection of civilians under imminent threat, which he called a fine balance between prompt and robust action required from a soldier in uniform and a person who cared and nurtured the vulnerable civilian community in his area of operational responsibility.<sup>882</sup> Addressing the Council with respect to leading a composite force towards common operational goals, the Force Commander of the United Nations Interim Force in Lebanon (UNIFIL) outlined the key challenges inherent in a composite and multinational

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<sup>881</sup> Ibid., pp. 5-7.

<sup>882</sup> S/PV.6789, pp. 2-3.



force such as UNIFIL, namely language, interoperability of material and equipment, integration of civilian and military components, multinationality within a single battalion and interoperability of maritime units.<sup>883</sup> The Force Commander of the United Nations Mission in South Sudan (UNMISS) reviewed the challenges in dealing with a complex political environment in peacekeeping operations, with reference in particular to the intercommunal crisis that had taken place in Jonglei state, South Sudan, in December 2011 and January 2012.<sup>884</sup> The Force Commander of the United Nations Stabilization Mission in Haiti (MINUSTAH) focused his presentation on the contribution of the military component of the mission to the stabilization of Haiti as well as the support it provided to the country's institutions.<sup>885</sup>

In the debate that followed, Council members welcomed the presence of the force commanders, expressed appreciation for their assessments and noted that the initiative was a useful practice to inform the Council of the challenges the Blue Helmets faced in the field. Speakers shared the view that peacekeeping operations were an important tool for the maintenance of international peace and security, and in addition generally agreed on the need for missions to be assigned clear and realistic mandates by the Council and for the necessary resources to be provided in an effective fashion so that peacekeepers could carry out their tasks accordingly.

On 26 June 2013, Council members heard briefings by the force commanders of MONUSCO, the United Nations Mission in Liberia (UNMIL), and the United Nations Operation in Côte d'Ivoire (UNOCI). The Force Commander of MONUSCO described how the use of both advanced and more basic military technology could offer benefits for peacekeeping. In the context of the more robust mandate set out by resolution 2098 (2013), he said that MONUSCO was preparing for the arrival of unarmed and unmanned aerial vehicles to be used for surveillance purposes, identifying movements of armed groups and helping to deter their hostile action.<sup>886</sup> In his briefing, the Force Commander of UNMIL highlighted the need for in-mission assessment of predeployment training, and recommended the establishment of an evaluating

mechanism within force headquarters that would assist the force leadership in sustaining mission-capable troops.<sup>887</sup> Focusing on how planned inter-mission cooperation could impact mission crisis management capability, the Force Commander of UNOCI described how the existing framework of cooperation between UNMIL and UNOCI had optimized the use of available assets in the two geographically contiguous missions, and identified areas in which cooperation could be enhanced, as well as major challenges.<sup>888</sup>

Following the briefings, Council members in general endorsed the idea that the increasing complexity of mandated peacekeeping tasks in the context of limited resources called for new approaches, such as the use of new technology and inter-mission cooperation, as long as they were used within the limits agreed and on a case-by-case basis. Overall, speakers were also supportive of in-mission assessment of predeployment training, as it was critical to efficiency and sustaining operational readiness.

#### **Peacekeeping and inter-mission cooperation**

In his briefing to the Council on 12 December 2012, the Under-Secretary-General for Peacekeeping Operations emphasized that there was no official agreed definition for inter-mission cooperation and that the practical modalities had been defined on a case-by-case basis. He further noted that such cooperation had become increasingly attractive over the past few years, mainly owing to four factors, namely, a recurring lack of certain critical items of equipment, which prevented missions from implementing their mandates, especially in times of elections or security crises; the repeated appeal by the General Assembly and the Security Council for the enhancement of synergies among missions deployed in geographical proximity to each other; the need for a more rational use of resources pushed by the current global economic crisis; and finally, the fact that inter-mission cooperation was, by definition, a flexible tool. In closing, he said that rather than a tool of choice, inter-mission cooperation was a tool of necessity, to be used temporarily and on a limited scale, and that the consent of troop-contributing countries, host Governments and the Council would remain key enabling principles.<sup>889</sup>

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<sup>883</sup> Ibid., pp. 4-5.

<sup>884</sup> Ibid., pp. 6.

<sup>885</sup> Ibid., pp. 8.

<sup>886</sup> S/PV.6987, pp. 2-3.

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<sup>887</sup> Ibid., pp. 3-4.

<sup>888</sup> Ibid., pp. 4-6.

<sup>889</sup> S/PV.6886, pp. 2-4.

At the same meeting, the Under-Secretary-General for Field Support stated that, from the perspective of mission support, inter-mission cooperation meant that troops, civilian personnel and assets could be redeployed to another mission on short notice, sustained while at a temporary site owing to a mission start-up or crisis and ultimately returned to their original location and intended use. With regard to the start-up of a mission, she noted that delays in establishing a field presence could have a negative effect on the mission's chances to successfully implement its mandate. Support from the United Nations missions in the Middle East had been critical for the rapid build-up of the United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS) in early 2012.<sup>890</sup>

During the debate, Council members generally praised the various examples of successful inter-mission cooperation arrangements, agreeing that increased temporary cooperation between missions operating in geographic proximity could make them more efficient and effective. Concerns were, nonetheless, also raised by some delegations: the United States representative stressed the need to ensure that one mission not be helped by hurting another and that troop-contributing countries not be committed to one task when they had signed up for another. In addition, it was important not to allow stop-gap measures to become substitutes for long-term planning and preparedness.<sup>891</sup> In a similar vein, the representative of the Russian Federation expressed his concerns that strengthening one mission and weakening another meant altering its mandate, which required the consent of the Council.<sup>892</sup>

#### **United Nations peacekeeping: a multi-dimensional approach**

On 21 January 2013, the Council held an open debate on a multidimensional approach to United Nations peacekeeping operations. During the debate, the Council adopted resolution [2086 \(2013\)](#), by which it, *inter alia*, emphasized that peacekeeping activities should be conducted in a manner so as to facilitate post-conflict peacebuilding, and recognized the important role of multidimensional peacekeeping.

The Secretary-General stated that while peacekeeping operations were more varied and more

complex than ever, peacekeeping remained a highly cost-effective investment in progress towards lasting stability, and that no international tool was as effective in combining political, security, rule of law and human rights efforts. He said, in addition, that the draft resolution rightly emphasized that national Governments had the primary responsibility for identifying peacebuilding priorities and that peacekeeping missions played a vital role on the fronts of inclusivity and institution-building, which were critical to preventing a relapse into conflict.<sup>893</sup>

During the debate, nearly 60 speakers took the floor. They generally welcomed the increased focus on the nexus between peacekeeping and peacebuilding as a consequence of the growing complexity of contemporary conflicts, with such an integrated approach leading to multidimensional peacekeeping operations. Several speakers emphasized the principle of national ownership as paramount from the very early stages of peacebuilding activities in order to allow a successful drawdown process of the peacekeeping mission and to lay the foundations for sustainable peace.<sup>894</sup> A number of speakers also highlighted the importance of the support from the Council, in coordination with the Secretariat and the troop-contributing countries, to ensure a successful transition from peacekeeping to peacebuilding.<sup>895</sup> The representative of the Russian Federation noted, however, that peacekeeping operations could not fully take upon themselves the responsibility for long-term peacebuilding and must coordinate their work with other actors. He also cautioned against the broadening interpretations of Council mandates by individual States and the Secretariat, especially when related to the norms of international humanitarian law for the protection of civilians in armed conflict.<sup>896</sup>

<sup>893</sup> [S/PV.6903](#), pp. 2-3.

<sup>894</sup> *Ibid.*, p. 6 (Australia); p. 7 (Republic of Korea); p. 20 (Morocco); p. 22 (Luxembourg); p. 24 (Egypt, on behalf of the Non-Aligned Movement); p. 25 (New Zealand); pp. 27-28 (South Africa); p. 29 (Indonesia); p. 30 (European Union); p. 36 (Chile); p. 41 (Cuba); p. 47 (Sweden); p. 61 (Namibia); p. 65 (Montenegro); and p. 67 (Benin).

<sup>895</sup> *Ibid.*, p. 11 (Guatemala); pp. 14-15 (France); p. 20 (Morocco); p. 21 (Azerbaijan); p. 24 (Egypt, on behalf of the Non-Aligned Movement); p. 28 (South Africa); pp. 39-40p. 36 (Chile); p.42 (Cuba); p. 45 (Thailand); p. 53 (Uganda); p. 61 (Namibia); and pp. 62-63 (Zimbabwe).

<sup>896</sup> *Ibid.*, p. 17.

<sup>890</sup> *Ibid.*, pp. 4.

<sup>891</sup> *Ibid.*, p. 16.

<sup>892</sup> *Ibid.*, p. 18.

## Meetings: United Nations peacekeeping operations

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6740</a> 26 March 2012				Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Field Support	Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Field Support	
<a href="#">S/PV.6789</a> 20 June 2012				Under-Secretary-General for Peacekeeping Operations, Force Commander of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), Force Commander and Head of Mission of the United Nations Interim Force in Lebanon (UNIFIL), Force Commander of the United Nations Mission in the Republic of South Sudan (UNMISS), Force Commander of the United Nations Stabilization Mission in Haiti (MINUSTAH)	All Council members, all invitees	
<a href="#">S/PV.6886</a> 12 December 2012				Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Field Support	All Council members, <sup>a</sup> Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Field Support	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6903</a> 21 January 2013	United Nations peacekeeping: a multidimensional approach  Letter dated 1 January 2013 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/4</a> )	Draft resolution submitted by all Council members <sup>b</sup> ( <a href="#">S/2013/27</a> )	40 Member States <sup>c</sup>	Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, <sup>d</sup> Head of the Delegation of the European Union to the United Nations, 39 invitees under rule 37 <sup>e</sup>	Resolution <a href="#">2086 (2013)</a> 15-0-0
<a href="#">S/PV.6987</a> 26 June 2013				Under-Secretary-General for Peacekeeping Operations, Force Commander of MONUSCO, Force Commander of the United Nations Mission in Liberia (UNMIL), Force Commander of the United Nations Operation in Côte d'Ivoire (UNOCI), United Nations Military Adviser	All Council members, all invitees	

<sup>a</sup> Portugal was represented by its Minister of State and Foreign Affairs; and India by its Joint Secretary in the Ministry of External Affairs.

<sup>b</sup> Argentina, Australia, Azerbaijan, China, France, Guatemala, Luxembourg, Morocco, Republic of Korea, Russian Federation, Rwanda, Togo, United Kingdom and United States.

<sup>c</sup> Armenia, Bangladesh, Benin, Brazil, Chad, Chile, Côte d'Ivoire, Croatia, Cuba, Egypt (on behalf of the Non-Aligned Movement), El Salvador, Fiji, Germany, India, Indonesia, Ireland, Japan, Kenya, Kyrgyzstan, Malaysia, Montenegro, Namibia, Nepal, New Zealand, Nigeria, Philippines, Senegal, Slovakia, South Africa, South Sudan, Sri Lanka, Sweden, Thailand, Tunisia, Turkey, Uganda, Ukraine, United Republic of Tanzania, Uruguay and Zimbabwe.

<sup>d</sup> Pakistan was represented by its Foreign Secretary; Republic of Korea by its Deputy Minister for Multilateral and Global Affairs; and Australia by its Parliamentary Secretary for Defence).

<sup>e</sup> The representative of the Philippines did not make a statement.

## 27. Items relating to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

### Overview

From 2012 to 2013, the Security Council held nine meetings and adopted five resolutions<sup>897</sup> related to the work of 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 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994.<sup>898</sup> Throughout the period under review, the Council received semi-annual briefings by senior officials of the Tribunals and considered their completion strategies, as set out in resolution 1966 (2010), in which the Council requested the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda to take all possible measures to expeditiously complete all their remaining work no later than 31 December 2014, to prepare their closure and to ensure a smooth transition to the International Residual Mechanism for Criminal Tribunals.

The Council also appointed the President and the Prosecutor of the Mechanism for a term of four years<sup>899</sup> and, acting under Chapter VII of the Charter, authorized permanent and ad litem judges of both

Tribunals to serve beyond the expiry of their terms of office.<sup>900</sup>

### Briefings on the implementation of the completion strategies and establishment of the International Residual Mechanism for Criminal Tribunals, Arusha Branch

In the semi-annual briefings on 7 June and 5 December 2012, the Presidents and Prosecutors of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, respectively, provided the Council with their assessments of the implementation of the completion strategies, including management reforms aimed at accelerating the remaining trial and appeal proceedings and circumventing difficulties related to staff attrition and recruitment owing to the pending closure of the Tribunals.<sup>901</sup> At the December briefing, the President of the International Tribunal for the Former Yugoslavia, speaking also as the President of the International Residual Mechanism for Criminal Tribunals, and the Prosecutor of the International Criminal Tribunal for Rwanda, speaking also as the Prosecutor of the Mechanism, updated the Council on the preparations for the commencement of the work of the Mechanism. The Arusha branch of the Mechanism had begun its operations on 1 July 2012 and, as set out

<sup>897</sup> All resolutions except resolution 2038 (2012) were adopted under Chapter VII of the Charter.

<sup>898</sup> The present study covers the following items:  
(a) International Tribunal for the Former Yugoslavia;  
(b) International Criminal Tribunal for Rwanda; and  
(c) International Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda. For more information on the mandates of the Tribunals, see part IX, sect. IV.

<sup>899</sup> See exchange of letters dated 23 and 27 February 2012 (S/2012/112 and S/2012/113, respectively) between the Secretary-General and the President of the Security Council; see also resolution 2038 (2012).

<sup>900</sup> Resolutions 2054 (2012), 2080 (2012), 2081 (2012) and 2130 (2013). For more information on the action taken by the Council with regard to the terms of office of judges, see part IV, sect. I.D, "Practice in relation to provisions of the Charter involving recommendations by the Security Council to the General Assembly".

<sup>901</sup> S/PV.6782, pp. 3-6 (President of the International Tribunal for the Former Yugoslavia); pp. 6-8 (President of the International Criminal Tribunal for Rwanda); pp. 8-10 (Prosecutor of the International Tribunal for the Former Yugoslavia); and pp. 10-11 (Prosecutor of the International Criminal Tribunal for Rwanda); S/PV.6880, pp. 3-7 (President of the International Tribunal for the Former Yugoslavia and of the Mechanism); pp. 7-10 (President of the International Criminal Tribunal for Rwanda); pp. 10-11 (Prosecutor of the International Tribunal for the Former Yugoslavia); and pp. 11-14 (Prosecutor of the International Criminal Tribunal for Rwanda and of the Mechanism).

in resolution [1966 \(2010\)](#), the branch of the Mechanism at the Hague was to begin functioning one year later.

Speakers generally welcomed the progress made by the Tribunals in expediting their work despite some setbacks and in taking measures towards preparation for a smooth transition to the International Residual Mechanism for Criminal Tribunals. Speakers urged the Tribunals to continue to strengthen their efforts towards finalizing their caseloads and ensuring compliance with the completion strategy, as provided for in the relevant resolutions. Most speakers called on Member States to cooperate fully with the Tribunals, especially in respect of the arrest of fugitives still remaining at large and of the relocation of acquitted individuals and those who had completed their sentences. Speakers also expressed support for the referral of cases to the respective national judicial systems, with a view to reducing the overall workload of the Tribunals and to reinforcing the rule of law at the national level. Stating that the Mechanism had been established within parameters that would enable it to conduct substantive work, including trials and appeals, the representative of the Russian Federation reaffirmed the intention of his country to seek completion of the work of the International Tribunal for the Former Yugoslavia in accordance with the deadlines established in resolution [1966 \(2010\)](#), and called upon the President of the Tribunal to provide a detailed timetable for the finalization of its work, upon which the Russian Federation would base its consideration for the extension of the terms of the judges.<sup>902</sup> Finally, representatives of the Member States whose cooperation with the Tribunals was under discussion presented accounts of their cooperation efforts during the respective reporting periods.<sup>903</sup>

#### **Extension of tenure of judges of the International Tribunal for the Former Yugoslavia**

On 17 December 2012, the Council adopted resolution [2081 \(2012\)](#) by which, acting under Chapter VII of the Charter, it extended the terms of office of 21 judges of the International Tribunal for the Former Yugoslavia.

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<sup>902</sup> [S/PV.6782](#), pp. 22-23 and [S/PV.6880](#), pp. 16-17.

<sup>903</sup> [S/PV.6782](#), pp. 24-25 (Croatia); pp. 25-26 (Rwanda); and pp. 26-27 (Serbia); [S/PV.6880](#), pp. 29-33 (Serbia); pp. 33-34 (Croatia); pp. 34-35 (Bosnia and Herzegovina); and pp. 35-37 (Rwanda).

The representative of the Russian Federation criticized the interminable trial delays and the inability of the Tribunal to execute its mandate. He explained that his delegation had abstained in the voting because his country's suggestion to conduct an independent analysis of the legal and administrative activities of the International Tribunal for the Former Yugoslavia in order for the Council to develop practical steps to help the Tribunal to fulfil resolution [1966 \(2010\)](#) was not included in the draft resolution.<sup>904</sup> The representatives of the United Kingdom and the United States, however, supported the steps that the Tribunal had taken under the leadership of its President to improve its efficiency and to complete its work as expeditiously as possible, and emphasized that only two trials resulting from the arrests in 2011 after the adoption of resolution [1966 \(2010\)](#) would not be completed before the original target date of 31 December 2014.<sup>905</sup>

On 18 December 2013, acting under Chapter VII of the Charter, the Council adopted resolution [2130 \(2013\)](#), by which it extended the term of office of 17 judges of the International Tribunal for the Former Yugoslavia. The representative of the Russian Federation noted that the practice of trial delays, in contravention of the exit strategy called for in resolution [1966 \(2010\)](#), had continued and that no comprehensive steps had been taken to fulfil its provisions. He added that the deadline for achieving that goal had been continuously pushed back beyond 2014, as reflected in the resolution just adopted. As the text of resolution [2130 \(2013\)](#) had taken on no positive changes since resolution [2081 \(2012\)](#), the position of his country had also not changed, and his delegation abstained in the voting.<sup>906</sup>

#### **Implementation of completion strategies**

On 12 June and 5 December 2013, the Presidents and Prosecutors of the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda and the International Residual Mechanism for Criminal Tribunals updated the Council on the status of trial and appeal proceedings, the main challenges preventing the completion of the mandates

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<sup>904</sup> [S/PV.6889](#), pp. 2-3.

<sup>905</sup> *Ibid.*, p. 3 (United Kingdom); and p. 3 (United States).

<sup>906</sup> [S/PV.7088](#), p. 2.

of the Tribunals and on the transitional process to the Mechanism.<sup>907</sup>

At the meetings, speakers generally praised the progress made by both the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda on the implementation of their completion strategies, and welcomed the smooth transition from the International Criminal Tribunal for Rwanda to the Mechanism, as well as the upcoming commencement of the Hague branch, which was to open on 1 July 2013. Speakers again urged the relevant Member States to cooperate with the International Criminal Tribunal for Rwanda and the Arusha branch

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<sup>907</sup> [S/PV.6977](#), pp. 3-7 (President of the International Tribunal for the Former Yugoslavia and of the Mechanism); pp. 7-10 (President of the International Criminal Tribunal for Rwanda); pp. 10-11 (Prosecutor of the International Tribunal for the Former Yugoslavia); and pp. 11-13 (Prosecutor of the International Criminal Tribunal for Rwanda and of the Mechanism); and [S/PV.7073](#), pp. 3-7 (President of the International Tribunal for the Former Yugoslavia and of the Mechanism); pp. 7-10 (President of the International Criminal Tribunal for Rwanda); pp. 10-11 (Prosecutor of the International Tribunal for the Former Yugoslavia); and pp. 11-13 (Prosecutor of the International Criminal Tribunal for Rwanda and of the Mechanism).

of the Mechanism in bringing the remaining nine fugitives to justice and assisting with the resettlement of those who had been acquitted or had already served their sentences, which remained one of the most serious challenges to the successful completion of the mandate of the Tribunal. Two decades after the establishment of the International Tribunal for the Former Yugoslavia, speakers also reflected on the legacy of both ad hoc Tribunals to the advancement of international criminal justice and international humanitarian law, which was consolidated with the establishment of the International Criminal Court. The representative of the Russian Federation expressed disappointment at the latest delays in the final appeal judgment of the International Criminal Tribunal for Rwanda and stated that with the opening of the Hague branch of the Mechanism, it would soon be seen whether the work of the Tribunals was a heritage acceptable to the whole of the international community. He expressed support for the compromise scheme for the completion of the work of the Tribunals and the model of the Mechanism as an organ with a limited jurisdiction and life cycle, as set forth in resolution [1966 \(2010\)](#).<sup>908</sup>

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<sup>908</sup> [S/PV.6977](#), p. 22.

**Meetings: items relating to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6726</a> 29 February 2012	Letter dated 23 February 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/112</a> )  Letter dated 27 February 2012 from the President of the Security Council addressed to the Secretary-General ( <a href="#">S/2012/113</a> )	Draft resolution submitted by Guatemala ( <a href="#">S/2012/115</a> )				Resolution <a href="#">2038 (2012)</a> 15-0-0
<a href="#">S/PV.6782</a> 7 June 2012	Letter dated 23 May 2012 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council ( <a href="#">S/2012/354</a> )  Letter dated 22 May 2012 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council ( <a href="#">S/2012/349</a> )		Croatia, Rwanda, Serbia	Presidents and Prosecutors of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda	All Council members, all invitees	
<a href="#">S/PV.6794</a> 29 June 2012	Letter dated 22 May 2012 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council ( <a href="#">S/2012/349</a> )  Letter dated 1 June 2012 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2012/392</a> )	Draft resolution submitted by Guatemala ( <a href="#">S/2012/491</a> )				Resolution <a href="#">2054 (2012)</a> 15-0-0 (adopted under Chapter VII)



<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6880</a> 5 December 2012	<p>Report of the International Tribunal for the Former Yugoslavia (<a href="#">S/2012/592</a>)</p> <p>Report of the International Criminal Tribunal for Rwanda (<a href="#">S/2012/594</a>)</p> <p>Letter dated 14 November 2012 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (<a href="#">S/2012/836</a>)</p> <p>Letter dated 16 November 2012 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council (<a href="#">S/2012/847</a>)</p> <p>Letter dated 16 November 2012 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (<a href="#">S/2012/849</a>)</p>		Bosnia and Herzegovina, Croatia, Rwanda, Serbia	Presidents and Prosecutors of the Tribunals and the International Residual Mechanism for Criminal Tribunals	All Council members, all invitees	
<a href="#">S/PV.6885</a> 12 December 2012	<p>Report of the International Criminal Tribunal for Rwanda (<a href="#">S/2012/594</a>)</p> <p>Letter dated 14 November 2012 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (<a href="#">S/2012/836</a>)</p> <p>Letter dated 16 November 2012 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (<a href="#">S/2012/849</a>)</p>	Draft resolution submitted by Guatemala ( <a href="#">S/2012/916</a> )				Resolution <a href="#">2080 (2012)</a> 15-0-0 (adopted under Chapter VII)

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6889</a> 17 December 2012	<p>Report of the International Tribunal for the Former Yugoslavia (<a href="#">S/2012/592</a>)</p> <p>Letter dated 16 November 2012 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council (<a href="#">S/2012/847</a>)</p> <p>Letter dated 16 November 2012 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (<a href="#">S/2012/849</a>)</p>	<p>Draft resolution submitted by Guatemala (<a href="#">S/2012/927</a>)</p>			Russian Federation, United Kingdom, United States	<p>Resolution <a href="#">2081 (2012)</a> 14-0-1<sup>a</sup> (adopted under Chapter VII)</p>
<a href="#">S/PV.6977</a> 12 June 2013	<p>Letter dated 23 May 2013 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council (<a href="#">S/2013/308</a>)</p> <p>Letter dated 23 May 2013 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (<a href="#">S/2013/309</a>)</p> <p>Letter dated 23 May 2013 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (<a href="#">S/2013/310</a>)</p>		Bosnia and Herzegovina, Croatia, Liechtenstein, <sup>b</sup> Netherlands, Serbia	<p>Presidents and Prosecutors of the Tribunals and the Mechanism, Head of the Delegation of the European Union to the United Nations</p>	All Council members, all invitees <sup>c</sup>	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7073</a> 5 December 2013	<p>Report of the International Criminal Tribunal for Rwanda (<a href="#">S/2013/460</a>)</p> <p>Report of the International Tribunal for the Former Yugoslavia (<a href="#">S/2013/463</a>)</p> <p>Letter dated 13 November 2013 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (<a href="#">S/2013/663</a>)</p> <p>Letter dated 18 November 2013 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council (<a href="#">S/2013/678</a>)</p> <p>Letter dated 18 November 2013 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (<a href="#">S/2013/679</a>)</p>		Bosnia and Herzegovina, Croatia, Serbia	Presidents and Prosecutors of the Tribunals and the Mechanism	All Council members, all invitees	
<a href="#">S/PV.7088</a> 18 December 2013	<p>Report of the International Tribunal for the Former Yugoslavia (<a href="#">S/2013/463</a>)</p> <p>Letter dated 18 November 2013 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council (<a href="#">S/2013/678</a>)</p>	Draft resolution submitted by Guatemala ( <a href="#">S/2013/746</a> )			Russian Federation	Resolution <a href="#">2130 (2013)</a> 14-0-1 <sup>d</sup> (adopted under Chapter VII)

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
	Letter dated 18 November 2013 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council ( <a href="#">S/2013/679</a> )					

<sup>a</sup> *For:* Azerbaijan, China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, South Africa, Togo, United Kingdom, United States;  
*Abstaining:* Russian Federation.

<sup>b</sup> The representative of Liechtenstein spoke on behalf of Albania, Austria, Belgium, Bosnia and Herzegovina, Chile, Costa Rica, Croatia, Estonia, Finland, Hungary, Ireland, Jordan, Montenegro, Netherlands, Norway, Papua New Guinea, Peru, Slovenia, Sweden, Switzerland, Timor-Leste and Uruguay.

<sup>c</sup> Serbia was represented by its Minister of Justice and Public Administration.

<sup>d</sup> *For:* Argentina, Australia, Azerbaijan, China, France, Guatemala, Luxembourg, Morocco, Pakistan, Republic of Korea, Rwanda, Togo, United Kingdom, United States;  
*Abstaining:* Russian Federation.

## 28. Children and armed conflict

### Overview

During the period under review, the Security Council held two meetings, issued a presidential statement and adopted a resolution in connection with the item entitled “Children and armed conflict”. In its deliberations, the Council focused primarily on increasing accountability for violations committed against children in armed conflict, with a particular emphasis on the issue of persistent perpetrators. While stressing the primary responsibility of Member States in protecting children affected by armed conflict, the Council reiterated its intention to take a proactive stance with regard to a number of measures, such as targeted and graduated sanctions, child protection advisers and the use of time-bound action plans.

In 2012 and 2013, the Council continued to include provisions relating to children and armed conflict in its country-specific decisions and in decisions relating to other thematic issues.<sup>909</sup> In the present section, table 1 lists the meetings at which the item was considered and gives information on, inter alia, invitees, speakers and decisions adopted. Table 2 lists, by item, provisions relating to children and armed conflict in decisions adopted under country-specific items. For provisions relating to children and armed conflict in decisions adopted under other thematic issues, see table 3.

### Decision and debate on increasing accountability for violations against children

On 19 September 2012, the Council considered the report of the Secretary-General on children and armed conflict<sup>910</sup>. The Council also discussed, at the initiative of Germany,<sup>911</sup> the growing number of persistent perpetrators listed in the annex of the report of the Secretary-General and the ways to increase accountability for violations against children. At the onset of the debate, the Council adopted resolution 2068 (2012), welcoming the appointment of the new Special Representative of the Secretary-General for Children and Armed Conflict and highlighting the

importance of her work in carrying out her mandate for the protection of children. Expressing deep concern that certain perpetrators persisted in committing violations and abuses against children in armed conflict, the Council called upon concerned Member States to bring to justice those responsible for such violations through national and, where applicable, international justice mechanisms, and reiterated its readiness to adopt targeted and graduated measures against persistent perpetrators. The Council also invited the Special Representative to brief its members on the delisting process, and reiterated its call on the Working Group on Children and Armed Conflict to consider, within one year, a broad range of options for increasing pressure on persistent perpetrators of violations and abuses against children in situations of armed conflict.

Resolution 2068 (2012) was adopted by 11 votes to none, with four abstentions (Azerbaijan, China, Pakistan and Russian Federation).<sup>912</sup> Following the vote, the representatives of China, Azerbaijan and Colombia made short statements to explain their respective positions with regard to the resolution. The representative of China expressed his reluctance to support a resolution that continued to give rise to serious differences among the members of the Council. He stressed that the Council should focus on the protection of children in situations of armed conflict and that the resolution must not be interpreted to equate terrorist incidents in Pakistan to armed conflict, as that would exceed the mandate of the Council.<sup>913</sup> The representative of Azerbaijan, in turn, expressed the view that the resolution did not explicitly accommodate a comprehensive protection approach addressing all situations of armed conflict, including those of a protracted nature and prolonged impact on children.<sup>912</sup> While voting in favour of the resolution, the representative of Colombia expressed support for the work of the Special Representative, but also noted that the resolution lacked a reference to the need to restrict the content of reports of the Secretary-General to the mandate entrusted by the Council.<sup>912</sup>

<sup>909</sup> For information on other cross-cutting issues before the Council, see part I, sect. 29, “Protection of civilians in armed conflict” and sect. 31, “Women and peace and security”.

<sup>910</sup> S/2012/261.

<sup>911</sup> See concept note (S/2012/685, annex).

<sup>912</sup> Resolution 2068 (2012) was the first resolution on children and armed conflict adopted without a unanimous vote since the inclusion of the item in the agenda of the Council in 1998.

<sup>913</sup> S/PV.6838, p. 3.

In her briefing, the Special Representative reported that 32 of the 52 parties listed in the report of the Secretary-General had been listed for more than five years. She pointed out the critical role that the Council could play in addressing the issue, stressing that the majority of persistent perpetrators were non-State actors operating in situations in which Governments were not always in a position to take measures. She said that, on the request of her predecessor, the Permanent Representative of France had prepared a report in follow up to resolution [1998 \(2011\)](#), from which she cited several options that could be considered by the Council against persistent perpetrators, including increased tailored political engagement, strengthened accountability measures and targeted measures. She added that such measures could follow an incremental approach, starting with situations for which a sanctions committee already existed, as a means of sending a strong signal that vigorous action could be taken by the Council in response to persistent violations of resolutions.<sup>914</sup>

Speakers welcomed the positive developments in connection with the protection of children in armed conflict. However, most speakers expressed grave concern at the continued plight of children in armed conflict and at the increase in the number of persistent perpetrators listed in the annex of the report. In that respect, Member States expressed a variety of views on the ways to address the issue of accountability. Affirming the limited effect of “naming and shaming” mechanisms and the imposition of sanctions, the representative of Brazil stressed the need to cooperate with Governments and parties to find sustainable solutions for the protection of children.<sup>915</sup> Other speakers strongly encouraged the Council to consider options for increasing pressure on persistent perpetrators. Several speakers supported the expansion of the designation criteria for serious violations against children to all existing sanctions regimes and underlined the need to devise means of adopting targeted measures against perpetrators in situations where no sanctions committee existed. Some speakers expressed support for the creation of a thematic sanctions committee dedicated to identifying perpetrators of violations against children.<sup>916</sup> Other speakers suggested that the Working Group on

Children and Armed conflict could serve as an ad hoc sanctions committee.<sup>917</sup> In addition, several speakers strongly opposed including in the report situations that had not been qualified as armed conflicts or threats to international peace and security by the Council.<sup>918</sup>

### **Decision and debate on children and armed conflict**

On 17 June 2013, the Council considered the report of the Secretary-General<sup>919</sup> and heard several briefings. The Special Representative for Children and Armed Conflict noted that the situation in Mali had been included in the report for the first time. She also expressed concern at the alarming rate of re-recruitment of children in the Central African Republic and underlined the need to urgently address new areas of concern for children, including the military use of schools, the detention of children for alleged association with armed groups and the impact of drones on children. She welcomed, nevertheless, progress in the signing of action plans to end the recruitment and use of children, including those signed in the Democratic Republic of the Congo, Myanmar, Somalia and South Sudan.<sup>920</sup> The Under-Secretary-General for Peacekeeping Operations, in his briefing, stressed the instrumental role of child protection advisers in ensuring that child protection concerns were fully addressed in the activities of peacekeeping missions, including monitoring and reporting serious violations as well as negotiating and implementing action plans to end the recruitment and use of children, sexual violence against children and the killing and maiming of children.<sup>921</sup>

Speakers expressed grave concern at the situation of children in the Central African Republic, Mali and the Syrian Arab Republic. They also deplored the high numbers of casualties among children resulting from the use of children as human shields, the recourse to explosive weapons and shelling in densely populated areas and the use of unmanned aerial vehicles in

<sup>914</sup> [S/PV.6838](#), pp. 4-6.

<sup>915</sup> *Ibid.*, pp. 30-31.

<sup>916</sup> *Ibid.*, p. 18 (Portugal); and p. 29 (Japan).

<sup>917</sup> *Ibid.*, p. 17 (France); [S/PV.6838 \(Resumption 1\)](#), p. 16 (Liechtenstein).

<sup>918</sup> [S/PV.6838](#), pp. 3 and 12 (China); pp. 3 and 13-14 (Colombia); p. 15 (Russian Federation); pp. 24-25 (Pakistan); p. 26 (India); and p. 30 (Brazil); [S/PV.6838 \(Resumption 1\)](#), p. 25 (Iraq).

<sup>919</sup> [S/2013/245](#).

<sup>920</sup> [S/PV.6980](#), pp. 2-4.

<sup>921</sup> *Ibid.*, p. 5.

military operations. The representative of Luxembourg and Chair of the Working Group on Children and Armed Conflict recalled that the Council had adopted nine resolutions and issued eleven presidential statements, having achieved considerable progress on this item. He emphasized the need, however, to effectively monitor, implement and enforce the normative framework created by the Council.<sup>922</sup> With regard to the monitoring and reporting mechanism on violations against children, some speakers called for greater involvement of States at all stages of the reporting process.<sup>923</sup> The representative of Canada, speaking on behalf of the 38-member Group of Friends on Children and Armed Conflict, supported greater transparency in action plans, reiterated its call for the Council to ensure that grave violations against children triggered the imposition of sanctions in all relevant sanctions committees, encouraged Member States to strengthen national accountability mechanisms and

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<sup>922</sup> Ibid., p. 9.

<sup>923</sup> Ibid., p. 11 (Azerbaijan); p. 25 (Thailand); and pp. 27-28 (Colombia).

judicial capacities and proposed to the Council the strengthening of provisions for the protection of children in all relevant mandates.<sup>924</sup>

At the meeting, the Council adopted a presidential statement, in which it stressed the primary role of Governments in providing protection and relief to all children affected by armed conflict. The Council also stressed its commitment to effectively deal with persistent perpetrators, and encouraged Member States to devise ways to facilitate the development and implementation of time-bound action plans. The Council reiterated its readiness to adopt targeted and graduated measures against persistent perpetrators of violations and abuses committed against children, and expressed its intention to further strengthen provisions for the protection of children in all mandates of relevant peacekeeping, peacebuilding and political missions, including through ensuring the consistent deployment of child protection advisors.<sup>925</sup>

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<sup>924</sup> Ibid., pp. 30-31.

<sup>925</sup> [S/PRST/2013/8](#).

Table 1  
**Meetings: children and armed conflict**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6838</a> and <a href="#">S/PV.6838 (Resumption 1)</a> 19 September 2012	Increased accountability for violations and abuses committed against children  Report of the Secretary-General on children and armed conflict ( <a href="#">S/2012/261</a> )  Letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/685</a> )	Draft resolution submitted by 30 States <sup>a</sup> ( <a href="#">S/2012/713</a> )	41 Member States <sup>b</sup>	Special Representative of the Secretary-General for Children and Armed Conflict, Under-Secretary-General for Peacekeeping Operations, Executive Director of the United Nations Children's Fund (UNICEF), President of the International Center for Transitional Justice, Head of the Delegation of the European Union to the United Nations	All Council members, 31 invitees under rule 37, <sup>c</sup> all invitees under rule 39	Resolution <a href="#">2068 (2012)</a> 11-0-4 <sup>d</sup>
<a href="#">S/PV.6980</a> 17 June 2013	Report of the Secretary-General on children and armed conflict ( <a href="#">S/2013/245</a> )		10 Member States <sup>e</sup>	Special Representative of the Secretary-General for Children and Armed Conflict, Under-Secretary-General for Peacekeeping Operations, Deputy Executive Director of UNICEF, Associate Vice-President of Save the Children, Deputy Head of the Delegation of the European Union to the United Nations	All Council members, <sup>f</sup> all invitees	<a href="#">S/PRST/2013/8</a>

(Footnotes on following page)



(Footnotes to Table 1. Meetings: children and armed conflict)

<sup>a</sup> Australia, Austria, Belgium, Canada, Costa Rica, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Montenegro, Netherlands, New Zealand, Norway, Portugal, Republic of Korea, Slovenia, Sweden, Switzerland, United Kingdom and United States.

<sup>b</sup> Afghanistan, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Canada (on behalf of the Group of Friends on Children and Armed Conflict and in its national capacity), Chile, Costa Rica, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Estonia, Finland (on behalf of the Nordic countries), Iraq, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Malaysia, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Philippines, Republic of Korea, Slovenia, Sudan, Sweden, Switzerland (on behalf of the Human Security Network and in its national capacity), Syrian Arab Republic, Thailand, Uruguay and Viet Nam.

<sup>c</sup> The representatives of Austria, Costa Rica, Cyprus, the Czech Republic, Denmark, Monaco, Montenegro, the Netherlands, Norway and Sweden did not make a statement.

<sup>d</sup> *For*: Colombia, France, Germany, Guatemala, India, Morocco, Portugal, South Africa, Togo, United Kingdom, United States;  
*Abstaining*: Azerbaijan, China, Pakistan, Russian Federation.

<sup>e</sup> Canada (on behalf of the Group of Friends on Children and Armed Conflict), Central African Republic, Chad, Colombia, Democratic Republic of the Congo, India, Iraq, Myanmar, Syrian Arab Republic and Thailand

<sup>f</sup> Luxembourg was represented by its Deputy Prime Minister and Minister for Foreign Affairs.

## Mainstreaming of issues relating to children and armed conflict in the decisions of the Security Council

### Overview

During the period under review, the practice of the Council of including provisions relevant to children and armed conflict in country-specific decisions and in decisions relating to other thematic issues continued to evolve.

Table 2 lists instances of such provisions in resolutions and presidential statements adopted in connection with country-specific items. Provisions relating to the mandate of peacekeeping and political missions are not featured in the table unless they deal with the following: (a) the deployment of child protection advisers; or (b) the monitoring and reporting role of missions. Additional information on mandates and decisions relevant to peacekeeping and political missions is included in part X of the present supplement. Table 3 lists provisions relating to children and armed conflict in decisions adopted under other thematic issues.

At the country and regional levels (table 2), the Council called upon parties to armed conflict to cease all forms of violations against children, including recruitment and use of child soldiers, killing and maiming, and attacks against schools and hospitals. The Council demanded that the parties to a conflict sign and implement action plans to end the recruitment and use of

children and, when considering the situation in Somalia, acknowledged the signing of the first action plan to eliminate the killing and maiming of children. In addition, provisions relating to the monitoring and reporting on violations against children were incorporated into the mandate of several peacekeeping and political missions. In several instances, the Council stressed the importance of deploying child protection advisers to support monitoring and reporting mechanisms and as a means of negotiating and helping in the implementation of action plans signed by the parties to a particular conflict. Finally, the Council adopted, or expressed its intention to adopt, targeted measures against perpetrators committing serious violations against children, and welcomed the increased coordination between relevant committees and the Special Representative on Children and Armed Conflict.

At the thematic level (table 3), the Council reaffirmed the importance of child protection in several decisions concerning, inter alia, conflict prevention, peacebuilding and peacekeeping. In a presidential statement adopted in connection with the protection of civilians, the Council expressed grave concern about situations in which violations and abuses against children persisted in open disregard of applicable international law and the resolutions of the Council on the matter.<sup>926</sup>

<sup>926</sup> See [S/PRST/2013/2](#).

Table 2

**Decisions relating to children and armed conflict, by country: selected provisions**

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*Decision*

*Provisions*

**Condemnation of violations against children, including the recruitment and use of child soldiers, and demands for their cessation**

**The situation in Afghanistan**

Resolution  
2041 (2012)

Expresses its strong concern about the recruitment and use of children by the Taliban, Al-Qaida and other violent and extremist groups in Afghanistan, as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict, in particular attacks against schools and education and health-care facilities, and the use of children in suicide attacks, and calls for those responsible to be brought to justice (para. 32)

*See also resolution 2096 (2013), para. 32*

**The situation concerning the Democratic Republic of the Congo**

Resolution  
2053 (2012)  
(adopted under  
Chapter VII)

Demands that all armed groups, in particular mutineers of ex-Congrès national pour la défense du peuple and the 23 March Movement, the Forces démocratiques de libération du Rwanda, the Lord's Resistance Army and the Allied Democratic Forces/National Army for the Liberation of Uganda, immediately cease all forms of violence and human rights abuses against the civilian population in the Democratic Republic of the Congo, in particular against women and children, including rape and other forms of sexual abuse and child recruitment, and demobilize (para. 18)

*See also resolution 2078 (2012), para. 7*

**Peace and security in Africa: Mali**

Resolution  
2056 (2012)  
(adopted under  
Chapter VII)

Calls upon all parties in the north of Mali to cease all abuses of human rights and violations of international humanitarian law, condemns in particular the targeted attacks against the civilian population, sexual violence, recruitment and use of child soldiers and forced displacement, recalls in this regard all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflict, and stresses that the perpetrators shall be brought to justice (para. 13)

*See also resolution 2071 (2012), para. 5*

**Reports of the Secretary-General on the Sudan**

Resolution  
2057 (2012)  
(adopted under  
Chapter VII)

Demands that all parties immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, in particular gender-based violence, including rape and other forms of sexual violence, as well as all violations and abuses against children in violation of applicable international law, such as their recruitment and use, intentional killing and maiming, abduction and attacks against schools and hospitals, and calls for specific and time-bound commitments to combat sexual violence in accordance with resolution 1960 (2010) (para. 10)

*See also resolution 2109 (2013), para. 14*

*Decision*

*Provisions*

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### **The situation in Libya**

Resolution  
[2095 \(2013\)](#)  
(adopted under  
Chapter VII)

Calls upon the Libyan Government to promote and protect human rights, including those of women, children and people belonging to vulnerable groups, and to comply with their obligations under international law, including human rights law, calls for those responsible for serious violations of international humanitarian law and human rights law, including sexual violence and violations and abuses against children, to be held accountable in accordance with international standards, and urges all Member States to cooperate closely with the Government in their efforts to end impunity for such violations (para. 3)

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### **The situation in the Great Lakes region**

[S/PRST/2013/11](#)

The Council demands that the 23 March Movement, the Forces démocratiques de libération du Rwanda, the Allied Democratic Forces-National Army for the Liberation of Uganda, the Mai Mai Kata Katanga and all other armed groups cease immediately all forms of violence, including sexual and gender-based violence, continuing recruitment and use of children, destabilizing activities, human rights abuses, violations of international humanitarian law and attempts to undermine or supplant the Government of the Democratic Republic of the Congo. The Council stresses that all perpetrators of such abuses and violations should be held accountable. The Council further demands that the members of all armed groups immediately and permanently disband and lay down their arms, and calls for the restoration of State authority of the Government in eastern Democratic Republic of the Congo. It strongly condemns the large scale recruitment and use of children by armed groups. The Council emphasizes the renewed commitment of all countries of the region to neither tolerate nor provide assistance or support of any kind to armed groups (twelfth paragraph)

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### **The situation in the Middle East: Syrian Arab Republic**

[S/PRST/2013/15](#)

The Security Council further condemns all grave violations and abuses committed against children in contravention of applicable international law, such as recruitment and use, killing and maiming, rape and all other forms of sexual violence, attacks on schools and hospitals as well as arbitrary arrest, detention, torture, ill treatment and use as human shields (seventh paragraph)

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### **The situation in the Central African Republic**

Resolution  
[2121 \(2013\)](#)

Also demands that all armed groups, in particular Séléka elements, prevent the recruitment and use of children, further demands that all parties protect and consider as victims those children who have been released or otherwise separated from armed forces and armed groups, and emphasizes the need to pay particular attention to the protection, release and reintegration of all children associated with armed groups (para. 15)

Resolution  
[2127 \(2013\)](#)  
(adopted under  
Chapter VII)

Reiterates its demands that all armed groups, in particular former Séléka elements and anti-balaka elements, prevent and end the recruitment and use of children, that all parties protect and consider as victims those children who have been released or otherwise separated from armed forces and armed groups, and emphasizes the need to pay particular attention to the protection, release and reintegration of all children associated with armed groups (para. 20)

Calls upon all parties to armed conflict in the Central African Republic, including former Séléka elements and anti-balaka elements, to issue clear orders prohibiting all violations and abuses committed against children in violation of applicable international law, such as their recruitment and use, killing and maiming, abductions and attacks on schools and hospitals and further calls upon the transitional authorities to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable and to ensure that those responsible for such violations and abuses are excluded from the security sector (para. 22)

### Action plans to end violations against children

#### The situation in Afghanistan

Resolution [2041 \(2012\)](#) Stresses the importance of implementing Council resolutions [1612 \(2005\)](#), [1882 \(2009\)](#) and [1998 \(2011\)](#), in this context, supports the decree by the Minister of the Interior of 6 July 2011 reaffirming the commitment of the Government of Afghanistan to preventing violations of the rights of the child, welcomes the establishment of the Inter-Ministerial Steering Committee for the Protection of the Rights of Children and the subsequent signing by the Government of an action plan, and the annexes thereto, on children associated with national security forces in Afghanistan, calls for the full implementation of the provisions of the action plan, in close cooperation with the Mission, and requests the Secretary-General to continue to give priority to the child protection component of the Mission (para. 33)

*See also resolution [2096 \(2013\)](#), para. 33*

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#### The situation concerning the Democratic Republic of the Congo

Resolution [2053 \(2012\)](#) (adopted under Chapter VII) Encourages the Government of the Democratic Republic of the Congo to continue to build on its cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict and to meet, without further delay, its commitments to adopt and implement an action plan to halt the recruitment and use of children by the Armed Forces of the Democratic Republic of the Congo, in close collaboration with the Mission (para. 23)

*See also resolution [2098 \(2013\)](#), para. 22*

Resolution [2098 \(2013\)](#) (adopted under Chapter VII) Authorizes the Mission, through its civilian component, to contribute, in coordination with the United Nations country team and in support of national mechanisms to implement the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, to the following tasks:

...

- (i) Continue to collaborate with the Government of the Democratic Republic of the Congo in the swift and vigorous implementation of the action plan to prevent and end the recruitment and use of children and sexual violence against children by the Armed Forces of the Democratic Republic of the Congo, and continue dialogue with all listed parties to obtain further commitments and work towards the development and implementation of time-bound action plans to end the recruitment and use of children and other violations of international humanitarian law (para. 15)

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#### Reports of the Secretary-General on the Sudan

Resolution [2057 \(2012\)](#) (adopted under Chapter VII) Also welcomes the signing by the Government of South Sudan on 12 March 2012 of a new action plan to end child recruitment reaffirming the commitment to release all children from the Sudan People's Liberation Army, acknowledges the measures taken by the Government to implement the new action plan, calls for the further implementation of the action plan, requests the Mission to advise and assist the Government in this regard ... (para. 12)

Resolution [2109 \(2013\)](#) (adopted under Chapter VII) Welcomes the progress made on the demobilization of child soldiers and the signing by the Government of South Sudan on 12 March 2012 of an action plan to end child recruitment reaffirming the commitment to release all children from the Sudan People's Liberation Army, acknowledges the measures taken by the Government to implement the action plan, calls for the further implementation of the action plan, requests the Mission to advise and assist the Government in this regard, ... (para. 17)

*Decision*

*Provisions*

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Resolution  
[2113 \(2013\)](#)

Demands, furthermore, that the parties to the conflict immediately cease all violations and abuses against children, and requests the Secretary-General to ensure ... (b) continued dialogue with the parties to the conflict towards the development and implementation of time-bound action plans to end the recruitment and use of children and other violations of international humanitarian law and human rights law committed against children (para. 26)

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**The situation in Somalia**

Resolution  
[2067 \(2012\)](#)

Also welcomes the signing on 6 August 2012 by the Somali authorities and the United Nations of an action plan to eliminate the killing and maiming of children, noting that this is the first such action plan to be signed, calls upon the Somali authorities to vigorously implement both this action plan and the action plan on the recruitment and use of child soldiers of 3 July 2012, and stresses that any perpetrators of such acts must be brought to justice (para. 17)

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII)

Requests the Secretary-General to conduct a technical assessment mission on the implementation of the new United Nations mission, in full cooperation with the Federal Government of Somalia, the African Union, regional bodies and Member States, on the basis of the guiding principles set out below:

...

(d) Monitoring, reporting and helping to build capacity on human rights, including on sexual, gender-based and conflict-related violence and on violations against children — supporting the implementation of the two action plans on children and armed conflict signed by the Federal Government of Somalia (para. 22)

Strongly condemns reports of grave violations against children, urges the Federal Government of Somalia, as a matter of priority, to implement the action plan to eliminate the killing and maiming of children signed on 6 August 2012 and the action plan to end the recruitment and use of child soldiers of 3 July 2012, and stresses the need for the Federal Government to take appropriate measures to bring to justice any perpetrator of such acts (para. 32)

[S/PRST/2013/7](#)

... The Council welcomes the commitments by the Federal Government to eliminate the killing and maiming of children and to end the recruitment and use of children by parties to armed conflict. In this regard the Council underlines the importance of full and swift implementation of the two action plans signed by the Federal Government (fourteenth paragraph)

Resolution  
[2102 \(2013\)](#)

Also decides that the mandate of the United Nations Assistance Mission in Somalia (UNSOM) shall be as follows:

...

(d) To help to build the capacity of the Federal Government of Somalia:

...

(ii) To promote child protection and to implement the relevant action plans on children and armed conflict signed by the Federal Government of Somalia, including through the provision of child protection advisers (para. 2)

Resolution  
[2124 \(2013\)](#)  
(adopted under  
Chapter VII)

Calls upon the Federal Government of Somalia to continue its efforts, with the support of the Assistance Mission, the African Union Mission in Somalia (AMISOM) (in accordance with their respective mandates), and other international partners to strengthen the Somali National Security Forces, including by mapping the structure of these forces, establishing clear command and control systems, implementing appropriate procedures, codes of conduct and training, including to ensure the safe storage, registration, maintenance and distribution of military equipment, and finalizing and implementing a national programme for the treatment and handling of disengaged combatants and promoting respect for human rights, including through implementing the relevant action plans on children and armed conflict of the Government (para. 18)

### The situation in the Central African Republic

Resolution  
2088 (2013)

Demands that all armed groups, including the Séléka coalition (Union des forces démocratiques pour le rassemblement, Convention des patriotes pour la justice et la paix, Convention patriotique pour le salut du Kodro, Union des forces républicaines), prevent the recruitment and use of children, calls upon relevant armed groups, in particular the Convention des patriotes pour la justice et la paix and the Armée populaire pour la restauration de la République et la démocratie, to implement the provisions of the action plans signed with the Special Representative of the Secretary-General for Children and Armed Conflict in November 2011 immediately and furthermore demands that all parties protect and treat as victims those children who have been released or otherwise separated from armed forces and armed groups, and emphasizes the need to pay particular attention to the protection, release and reintegration of all children associated with armed groups (para. 14)

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### The situation in the Middle East: Yemen

S/PRST/2013/3

The Council urges the Government of Yemen to pass legislation on transitional justice to support reconciliation without further delay. The Council further urges the need to respect the rule of law and protect human rights in accordance with Yemen's international legal obligations, particularly those of women and persons belonging to vulnerable groups, such as children. The Council welcomes in this regard the commitment by the Government to end the recruitment and use of children by the Yemeni security forces through the adoption and implementation of an action plan in line with resolution 1612 (2005) (seventh paragraph)

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### The situation in the Great Lakes region

S/PRST/2013/11

The Council further calls upon the Government of the Democratic Republic of the Congo to continue to implement its action plan to prevent and end the recruitment and use of children as well as prevent and end all acts of sexual violence against children by the Armed Forces of the Democratic Republic of the Congo (seventeenth paragraph)

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### Monitoring and reporting on violations against children

#### Reports of the Secretary-General on the Sudan

Resolution  
2057 (2012)  
(adopted under  
Chapter VII)

... further requests the Secretary-General to strengthen child protection in United Nations system activities in South Sudan and ensure continued monitoring and reporting of the situation of children, and welcomes the establishment in September 2011 of the United Nations country task force on the monitoring and reporting mechanism (para. 12)

*See also resolution 2109 (2013), para. 17*

Resolution  
2113 (2013)

Demands, furthermore, that the parties to the conflict immediately cease all violations and abuses against children, and requests the Secretary-General to ensure (a) continued monitoring and reporting, including as part of the reports referred to in paragraph 14 [of the resolution], of the situation of children, including through enhanced cooperation with child protection actors ... (para. 26)

### The situation in Somalia

Resolution  
2093 (2013)  
(adopted under  
Chapter VII)

Requests the Secretary-General to conduct a technical assessment mission on the implementation of the new United Nations mission, in full cooperation with the Federal Government of Somalia, the African Union, regional bodies and Member States, on the basis of the guiding principles as set out below:

...

(d) Monitoring, reporting and helping to build capacity on human rights, including on sexual, gender-based and conflict-related violence and on violations against children — supporting the implementation of the two action plans on children and armed conflict signed by the Federal Government of Somalia (para. 22)

<i>Decision</i>	<i>Provisions</i>
Resolution <a href="#">2102 (2013)</a>	Also decides that the mandate of UNSOM shall be as follows: ... (e) To monitor, help to investigate and report to the Security Council on, and help to prevent: ... (ii) any violations or abuses committed against children in Somalia (para. 2)

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#### **The situation in Mali**

Resolution <a href="#">2100 (2013)</a> (adopted under Chapter VII)	Decides that the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) shall be the following: ... (d) Promotion and protection of human rights ... (iii) To monitor, help to investigate and report to the Council specifically on violations and abuses committed against children as well as violations committed against women, including all forms of sexual violence in armed conflict (para. 16)
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#### **The situation in the Central African Republic**

Resolution <a href="#">2121 (2013)</a>	Decides that the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) shall be reinforced and updated as follows: ... (d) Promotion and protection of human rights: ... – To monitor, help to investigate and report to the Council, specifically on violations and abuses committed against children as well as violations committed against women including all forms of sexual violence in armed conflict, including through the deployment of women protection advisers and child protection advisers (para. 10)
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#### **Child protection advisers**

##### **The situation in Somalia**

Resolution <a href="#">2102 (2013)</a>	Also decides that the mandate of UNSOM shall be as follows: ... (d) To help to build the capacity of the Federal Government of Somalia: ... (ii) To promote child protection and to implement the relevant action plans on children and armed conflict signed by the Federal Government of Somalia, including through the provision of child protection advisers (para. 2)
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#### **Reports of the Secretary-General on the Sudan**

Resolution <a href="#">2109 (2013)</a> (adopted under Chapter VII)	... further requests the Secretary-General to strengthen child protection in United Nations system activities in South Sudan, including through the continued deployment of child protection advisers within the Mission, and ensure continued monitoring and reporting of the situation of children, and welcomes the work of the United Nations country task force on the monitoring and reporting mechanism, established in September 2011 (para. 17)
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### The situation in the Central African Republic

Resolution <a href="#">2121 (2013)</a>	Decides that the mandate of BINUCA shall be reinforced and updated as follows: ... (d) Promotion and protection of human rights: ... – To monitor, help to investigate and report to the Council, specifically on violations and abuses committed against children as well as violations committed against women, including all forms of sexual violence in armed conflict, including through the deployment of women’s protection advisers and child protection advisers (para. 10)
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### Central African region

<a href="#">S/PRST/2013/6</a>	The Council reiterates its support for the African Union Regional Cooperation Initiative against the Lord’s Resistance Army, welcomes the finalization of the concept of operations and other strategic documents required for the operationalization of the African Union Regional Task Force, and encourages the deployment of child protection advisers ... (fourth paragraph)
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### Measures against perpetrators of violations against children

#### The situation in Côte d’Ivoire

Resolution <a href="#">2045 (2012)</a> (adopted under Chapter VII)	Recalls paragraph 7 of resolution <a href="#">1960 (2010)</a> and paragraph 9 of resolution <a href="#">1998 (2011)</a> regarding sexual and gender-based violence and children in armed conflict, and welcomes the information-sharing between the Committee and the Special Representatives of the Secretary-General for Children and Armed Conflict and on Sexual Violence in Conflict, in accordance with their respective mandates and as appropriate (para. 24)
Resolution <a href="#">2101 (2013)</a> (adopted under Chapter VII)	Requests the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict to continue sharing relevant information with the Committee, in accordance with paragraph 7 of resolution <a href="#">1960 (2010)</a> and paragraph 9 of resolution <a href="#">1998 (2011)</a> (para. 29)

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### The situation concerning the Democratic Republic of the Congo

<a href="#">S/PRST/2012/22</a>	The Council calls for perpetrators, including individuals responsible for violence against children and acts of sexual violence, to be apprehended, brought to justice and held accountable for violations of applicable international law. The Council expresses its intention to apply targeted sanctions against the leadership of the 23 March Movement and those acting in violation of the sanctions regime and the arms embargo and calls upon all Member States to submit, as a matter of urgency, listing proposals to the Committee established pursuant to resolution <a href="#">1533 (2004)</a> (third paragraph)
Resolution <a href="#">2078 (2012)</a> (adopted under Chapter VII)	Decides that the measures referred to in paragraph 3 [of the resolution] shall apply to the following individuals and, as appropriate, entities, as designated by the Security Council Committee established pursuant to resolution <a href="#">1533 (2004)</a> : ... (d) Political and military leaders operating in the Democratic Republic of the Congo and recruiting or using children in armed conflict contrary to applicable international law; (e) Individuals or entities operating in the Democratic Republic of the Congo and committing serious violations involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement (para. 4)



*Decision*

*Provisions*

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Decides that, when appropriate and no later than 1 February 2014, it shall review the measures set forth in the present resolution, with a view to adjusting them, as appropriate, in the light of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups, with a particular focus on child soldiers (para. 23)

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**The situation in Somalia**

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII)

Decides that the measures in paragraphs 1, 3 and 7 of resolution [1844 \(2008\)](#) of 20 November 2008 shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee:

...

(d) As being political or military leaders recruiting or using children in armed conflicts in Somalia in violation of applicable international law;

(e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians, including children and women, in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement (para. 43)

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**The situation in the Central African Republic**

Resolution  
[2127 \(2013\)](#)  
(adopted under  
Chapter VII)

Expresses its strong intent to swiftly consider imposing targeted measures, including travel bans and asset freezes, against individuals who act to undermine the peace, stability and security, including by engaging in acts that threaten or violate transitional agreements, or by engaging in or providing support for actions that threaten or impede the political process or fuel violence, including through violations of human rights and international humanitarian law, the recruitment and use of children in armed conflict in violation of applicable international law, sexual violence or supporting the illegal armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds, in the Central African Republic, or by violating the arms embargo established in paragraph 54 [of the resolution] (para. 56)

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Table 3

**Decisions relating to children and armed conflict, by thematic issue: selected provisions**

<i>Decision</i>	<i>Provisions</i>
<b>Post-conflict peacebuilding</b>	
<a href="#">S/PRST/2012/29</a>	The Council reaffirms its decision in paragraph 14 of its resolution <a href="#">1998 (2011)</a> to continue to include specific provisions for the protection of children in the mandates of relevant United Nations missions (seventeenth paragraph)
<b>United Nations peacekeeping operations: United Nations peacekeeping — a multidimensional approach</b>	
Resolution <a href="#">2086 (2013)</a>	Reiterates the importance, when establishing and renewing the mandates of United Nations missions, to include provisions on the promotion of gender equality and the empowerment of women in post-conflict situations and on children and armed conflict, including through the appointment of gender advisers, women’s protection advisers and experts and child protection advisers, as appropriate ... (para. 12)
<b>Protection of civilians in armed conflict</b>	
<a href="#">S/PRST/2013/2</a>	<p>The Council remains committed to addressing the impact of armed conflict on civilians and its consequences in post-conflict situations, in particular on women and children ... The Council expresses grave concern about situations in which armed forces and groups persist in committing violations and abuses against children exposed to and affected by armed conflict and post-conflict situations, in open disregard of applicable international law and the resolutions of the Council on this matter. The Council demands that all relevant parties immediately put an end to these violations and abuses, calls upon them to cooperate with the United Nations, and reaffirms its readiness to adopt targeted and graduated measures. The Council calls upon States to ensure that perpetrators of violations and abuses of international law are held fully accountable (seventh paragraph)</p> <p>... The Council welcomes progress made by the Secretary-General in elaborating a conceptual framework, outlining resource and capability requirements and developing operational tools for the implementation of protection of civilian mandates. In this context, the Council reiterates the importance of including provisions on the protection of women and children, including the appointment of gender advisers, women protection advisers and child protection advisers, as appropriate, in the mandates of United Nations missions (twenty-second paragraph)</p>
<b>Peace and security in Africa: prevention of conflicts in Africa — addressing the root causes</b>	
<a href="#">S/PRST/2013/4</a>	The Council reaffirms the importance of protecting children in armed conflict in building sustainable peace and encourages initiatives by regional and subregional organizations and arrangements for the protection of children affected by armed conflict. The Council further encourages continued mainstreaming of child protection into their advocacy, policies and programmes, in line with its resolutions <a href="#">1612 (2005)</a> , <a href="#">1882 (2009)</a> , <a href="#">1998 (2011)</a> and <a href="#">2068 (2012)</a> (sixteenth paragraph)
<b>Women and peace and security</b>	
Resolution <a href="#">2106 (2013)</a>	<p>Requests the Secretary-General and relevant United Nations entities to assist national authorities, with the effective participation of women, in addressing sexual violence concerns explicitly in:</p> <p>(a) Disarmament, demobilization and reintegration processes, including by establishing protection mechanisms for women and children in cantonment sites, as well as for civilians in close proximity to cantonment sites and in communities of return, and by offering trauma and reintegration support to women and children formerly associated with armed groups, as well as ex-combatants (para. 16)</p>

## 29. Protection of civilians in armed conflict

### Overview

During the period under review, the Security Council held four meetings and adopted one presidential statement under the item entitled “Protection of civilians in armed conflict”.

In its deliberations, the Council considered a wide range of issues, focusing, *inter alia*, on the need for compliance with international humanitarian and human rights law by all parties to armed conflict, on the need to ensure accountability for crimes perpetrated against civilians in the context of armed conflict and on the criteria for the implementation of authorized use of force by peacekeeping missions. The Council also discussed the protection of journalists in conflict zones.

The Council continued to include provisions relating to the protection of civilians in armed conflict both in its country-specific decisions and in its decisions relating to other thematic issues.<sup>927</sup>

Table 1 lists the meetings at which the item was considered and gives information relating to, *inter alia*, invitees, speakers and decisions adopted. Tables 2 and 3 feature a selection of relevant provisions in decisions adopted under country-specific and thematic items, respectively.

### First open debate on the protection of civilians in armed conflict

On 25 June 2012, the Council held an open debate to consider the ninth report of the Secretary-General on the protection of civilians in armed conflict.<sup>928</sup> In his statement, the Secretary-General called attention to the fact that civilians were sometimes caught in the crossfire and frequently targeted in places that should be sanctuaries, such as hospitals, schools and places of worship. He stated that meeting the five core challenges for civilian protection, namely, compliance with international humanitarian and human rights law, engagement with non-State armed groups, resources for peacekeeping operations to protect civilians, humanitarian access and

accountability, required political will.<sup>929</sup> It also required the will on the part of the Council to deliver on its long-standing commitment to the protection of civilians by consistently using the tools at its disposal, including the imposition of arms embargoes, targeted sanctions and referral of situations to the International Criminal Court.<sup>930</sup>

The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator stressed the need for a comprehensive arms trade treaty. She also emphasized the need for action to address the use of explosive weapons in populated areas, and urged the Council to be more proactive and systematic in calling on all parties to conflicts to refrain from using explosive weapons in populated areas and to consider more robust actions against the leadership of those using such weapons. She stressed the need for more systematic recording of civilian casualties and for perpetrators of serious violations of international humanitarian law and human rights law to be held accountable.<sup>931</sup>

Stressing that the human rights monitoring and protection work undertaken by the United Nations was essential to safeguard civilians, the Assistant Secretary-General in the United Nations Office of the High Commissioner for Human Rights urged the Council to continue to include protection and accountability provisions in its resolutions. He also emphasized that missions with human rights-related mandates required necessary materiel and personnel to carry out their duties effectively.<sup>932</sup>

The Director for International Law and Cooperation of the International Committee of the Red Cross highlighted three main areas of concern: threats affecting the security and delivery of health care; the availability and use of arms; and the failure to comply with international humanitarian law. He urged members of the Council to take resolute action to counter a wide range of threats to health care, to adopt a strong arms

<sup>927</sup> For information on other cross-cutting issues before the Council, see part I, sect. 28, “Children and armed conflict” and sect. 31, “Women and peace and security”.

<sup>928</sup> [S/2012/376](#).

<sup>929</sup> See also previous reports of the Secretary-General in which he addressed the five core challenges ([S/2007/643](#) and [S/2009/277](#)).

<sup>930</sup> [S/PV.6790](#), pp. 2-3.

<sup>931</sup> *Ibid.*, pp. 3-5.

<sup>932</sup> *Ibid.*, pp. 7.

trade treaty and to commit to strengthening legal protection for the victims of armed conflict.<sup>933</sup>

During the debate speakers addressed a wide range of issues, including the strengthening of efforts to meet the five core challenges outlined by the Secretary-General in his report. Most speakers emphasized the need to enhance compliance with international humanitarian and human rights law by all parties to armed conflict, notably by ensuring unhindered access to humanitarian aid for civilians. The representative of Pakistan, by contrast, stated that there could be legitimate reasons for restricting access and that not all humanitarian actors performed in accordance with the humanitarian principles of humanity, neutrality, impartiality and independence.<sup>934</sup> The representative of Morocco welcomed the attention given by the Secretary-General in his report to the need for non-State actors to better respect international humanitarian and human rights law and to allow access with full security to those who needed assistance.<sup>935</sup> The representatives of Colombia and Turkey cautioned against the proposition of a greater and more systematic engagement with non-State armed groups advocated by the report, arguing that such an approach needed to be carefully examined and adopted on a case-by-case basis. They noted that any dialogue between the United Nations and internationally recognized illegal armed groups could be held only with the prior and explicit consent of the State in question.<sup>936</sup>

Several speakers highlighted the decisive action and principled stand taken by the Council to protect civilians in the previous year with resolution [1973 \(2011\)](#) in relation to Libya.<sup>937</sup> A number of speakers expressed concern about the interpretation of relevant decisions of the Council and of the norms of international humanitarian law in relation to the protection of civilians in armed conflict, and cautioned that measures to protect civilians during armed conflict, particularly when involving the use of force,

must be carried out under the auspices of the United Nations and in accordance with the provisions of the Charter, including respect for the sovereignty and territorial integrity of Member States.<sup>938</sup>

### **Second open debate and decision on measures for the enhancement of the protection of civilians in armed conflict**

On 12 February 2013, the Council held its second open debate on the protection of civilians in armed conflict, having before it the concept note circulated by the Republic of Korea.<sup>939</sup>

The Secretary-General stated that civilians remained subject to unacceptable threats to life and dignity and that warring parties had continued to violate human rights and international humanitarian law with impunity, as the efforts of the United Nations and other humanitarian actors to provide assistance and protection had been hampered by violence. Highlighting the situation in the Syrian Arab Republic, where four million people were in urgent need of humanitarian assistance and more than two million were displaced, he underscored the need for the international community to be given access to all areas so that more people in need could be reached. He noted that in other conflict zones worldwide civilians continued to suffer and die as parties to conflict ignored their obligations to protect. Drawing on his previous reports, the Secretary-General elaborated on his recommended steps for enhancing the protection of civilians, and welcomed the debate triggered by the call of some Member States for the Council to refer the situation in the Syrian Arab Republic to the International Criminal Court. He closed by urging the members of the Council to bring all their considerable powers to bear on reducing the unacceptable toll that conflict was taking on civilians every day.<sup>940</sup>

Echoing the Secretary-General with regard to the situation in the Syrian Arab Republic, the United Nations High Commissioner for Human Rights stated that civilians on all sides were paying the price of the

<sup>933</sup> *Ibid.*, pp. 7-8.

<sup>934</sup> *Ibid.*, p. 17.

<sup>935</sup> *Ibid.*, p. 21.

<sup>936</sup> *Ibid.*, p. 12 (Colombia); [S/PV.6790 \(Resumption 1\)](#), p. 25 (Turkey).

<sup>937</sup> [S/PV.6790](#), p. 17 (France); and p. 26 (United States); [S/PV.6790 \(Resumption 1\)](#), p. 6 (European Union); p. 8 (Greece); p. 14 (Canada); p. 26 (Chile); and p. 30 (Libya).

<sup>938</sup> [S/PV.6790](#), pp. 21-22 (Russian Federation);

pp. 24-25 (India); and p. 28 (China); [S/PV.6790](#)

([Resumption 1](#)), p. 5 (Argentina); pp. 19-20 (Venezuela (Bolivarian Republic of)); pp. 23-24 (Bangladesh); p. 28 (Iran (Islamic Republic of)); and pp. 32-33 (Syrian Arab Republic).

<sup>939</sup> See [S/2013/75](#), annex.

<sup>940</sup> [S/PV.6917](#), pp. 3-4.

lack of consensus and the resulting inaction of the Council. She suggested that the Council could refer the Syrian Arab Republic to the International Criminal Court. She welcomed the consensus achieved by the Council with regard to the situation in Mali and in particular the provision for United Nations human rights monitoring in the country. She also welcomed the decision of the Council to provide a strong human rights mandate to the United Nations Assistance Mission in Afghanistan (UNAMA). She thanked the Secretary-General and Deputy Secretary-General for launching a follow-up process to the report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka (Petrie report),<sup>941</sup> which had highlighted systemic failings, and suggested areas where there was need for improvement. She stressed that the single most important element for United Nations protection of civilians was early political consensus among Member States acting through the United Nations.<sup>942</sup>

The Director for International Law and Cooperation of the International Committee of the Red Cross returned to the same three issues he had highlighted in the previous debate, given their continued urgency, namely, threats affecting access to health care, the availability and use of arms and the overarching lack of compliance with international humanitarian law on the part of States and non-State armed groups. He urged members of the Council to do all they could to address those issues.<sup>943</sup>

The members of the Council generally focused their statements on the need to ensure compliance with international humanitarian and human rights law by all parties to armed conflict and accountability in cases of its violation, particularly in view of the plight of civilians in the Syrian conflict. In that regard, the representatives of Luxembourg and France appealed to the Council for the situation in the Syrian Arab Republic to be referred to the International Criminal Court.<sup>944</sup> In respect of the development of strategies for the protection of civilians in peacekeeping operations, most members also underscored the importance of continuing to include protection

mandates and ensuring that the necessary resources were provided. The representative of Pakistan cautioned, however, that while missions provided physical protection and assisted host countries in creating protective environments, there should be no misplaced expectations as to what missions could ensure. Since they could not provide protection to all civilians all the time, it was essential to bolster national capacities with regard to defence and security forces.<sup>945</sup> The representative of China pointed out that relying solely on the deployment of peacekeeping operations could not resolve the fundamental issue of the protection of civilians. He stated that the Council and the international community should consider the long term by paying close attention to and fully taking into account the conditions prevailing in the host country, and take steps to strengthen the security and judicial sectors and improve the ability to effectively protect civilians.<sup>946</sup>

After the discussion and briefings, the Council adopted a presidential statement, in which it reaffirmed that parties to armed conflict bore the primary responsibility to ensure the protection of civilians, and reiterated its demand that all parties comply strictly with the obligations applicable to them under international humanitarian, human rights and refugee law. The Council emphasized the need for peacekeeping missions with protection of civilian mandates to ensure their implementation and the importance of ensuring that such missions develop mission-wide protection strategies and contingency plans in consultation with the host Government, local authorities, troop- and police-contributing countries and other relevant actors. The Council also requested the Secretary-General to include in his next report an assessment of concrete measures taken by peacekeeping missions to implement their mandates to protect civilians.<sup>947</sup>

During the debate speakers expressed regret that civilians, particularly women and children, continued to account for the vast majority of victims in armed conflict. They also reaffirmed the primary responsibility that national Governments bore to protect their civilian populations from mass atrocities and the subsidiary role of the international community to uphold international humanitarian, human rights and

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<sup>941</sup> Available from [http://www.un.org/News/dh/infocus/Sri\\_Lanka/The\\_Internal\\_Review\\_Panel\\_report\\_on\\_Sri\\_Lanka.pdf](http://www.un.org/News/dh/infocus/Sri_Lanka/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf).

<sup>942</sup> S/PV.6917, pp. 4-5.

<sup>943</sup> Ibid., p. 6-7.

<sup>944</sup> Ibid., p. 23 (Luxembourg); and p. 24 (France).

<sup>945</sup> Ibid., p. 16.

<sup>946</sup> Ibid., p. 26.

<sup>947</sup> S/PRST/2013/2.

refugee law. Several speakers stressed the key role of the Council in ensuring accountability for violations of international humanitarian and human rights law, especially by making use of such mechanisms as referrals to the International Criminal Court or commissions of inquiry and fact-finding missions.<sup>948</sup> Expressing concern particularly over the escalating violence and lack of humanitarian access in the Syrian Arab Republic, speakers found it regrettable that the international community had been unable to address the situation, and urged the Council to take decisive action. In line with the position of Luxembourg and France, most speakers called for a referral of the situation in the Syrian Arab Republic to the Court, endorsing the letter from the Permanent Mission of Switzerland in that regard.<sup>949</sup>

### Debate on the protection of journalists

At its 7003rd meeting, on 17 July 2013, the Council focused on the protection of journalists in armed conflict. The Deputy Secretary-General noted that more than 600 journalists had been killed in the past decade, 41 in the Syrian Arab Republic in the course of 2012, and 108 in Iraq and Afghanistan since 2006. He reminded the Council that every time a journalist was killed by extremists, drug cartels or even Government forces, there was one voice less to speak on behalf of the victims of conflict, crime and human rights abuses. He added that it was unacceptable that more than 90 per cent of the assassinations of journalists went unpunished. In that context, he highlighted the relevance of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity launched to create a safe environment for the media in conflict and non-conflict situations. He also affirmed that the Council could play an important role by reacting to and standing against suppression of media freedom wherever and whenever it occurred. In closing, he suggested that the Council could consider the targeting of journalists

and other threats to freedom of expression when addressing situations on its agenda.<sup>950</sup>

The Council was then briefed by four prominent journalists who had been invited to speak of their personal experiences as journalists in conflict situations.<sup>951</sup> The briefers pointed out the difficulty of distinguishing professional journalists from activists or rebels with cameras. They emphasized the urgent need to protect journalists covering conflicts and the freedom of the press, as journalists represented the right to information of the ordinary citizen. Concluding the briefings, Ghaith Abdul-Ahad said, *inter alia*, that there was a sense of immunity about killing a journalist and that journalists deserved to be protected. In his view, briefing the Council was a great opportunity, and he highlighted the Council's effort to recognize journalists as part of the humanitarian effort to tell the story.<sup>952</sup>

During the debate, speakers expressed support for the role played by journalists reporting under the difficult circumstances of armed conflict, and strongly condemned targeted attacks against them. While acknowledging the increasing lack of clarity in distinguishing career journalists from bloggers and social media users, most speakers recognized that the protection of journalists in armed conflict was an important part of the agenda, and underscored the need to end the culture of impunity for violence against the press. Member States agreed that the host Government and State institutions bore the primary responsibility for protecting journalists, and urged all parties to armed conflicts to take all possible measures to ensure the protection of media professionals in accordance with international humanitarian law and through the full implementation of the relevant decisions of the Council. The representatives of the United Kingdom and the United States pointed out, in that regard, that journalists provided an invaluable service to the United Nations, particularly to the work of the Council, by reporting on situations that threatened peace and security.<sup>953</sup> Lastly, some speakers noted that the press also had its own responsibilities, such as the adoption

<sup>948</sup> S/PV.6917 (Resumption 1), p. 5 (Liechtenstein); p. 13 (Portugal); p. 14 (Spain); p. 17 (Estonia); p. 20 (European Union); pp. 33-34 (Sweden); pp. 34-35 (Costa Rica); p. 40 (United Republic of Tanzania); p. 40 (Lithuania); p. 50 (Montenegro); and p. 55 (New Zealand).

<sup>949</sup> See letter dated 14 January 2013 from the Permanent Mission of Switzerland to the United Nations addressed to the Secretary-General (S/2013/19).

<sup>950</sup> S/PV.7003, pp. 2-3.

<sup>951</sup> *Ibid.*, pp. 3-4 (Kathleen Carroll, Committee to Protect Journalists); pp. 4-5 (Mustafa Haji Abdinur, Agence France-Presse); pp. 5-7 (Richard Engel, NBC); and pp. 7-8 (Ghaith Abdul-Ahad, The Guardian).

<sup>952</sup> *Ibid.*, p. 8.

<sup>953</sup> *Ibid.*, p. 9 (United Kingdom); and p. 23 (United States).

of precautionary measures to avoid unjustifiable risks.<sup>954</sup>

### **Third open debate on the protection of civilians in armed conflict**

On 19 August 2013, the Council held its third open debate on the protection of civilians in armed conflict during that year, marking the tenth anniversary of the bombing of the United Nations headquarters in Baghdad and commemorating World Humanitarian Day.

The Secretary-General opened his remarks by calling for greater respect and protection for humanitarian workers. He expressed particular concern at the indiscriminate use of explosive weapons with wide-area effect in populated areas, and called on the Council and Member States to work through the General Assembly to recognize and act on that critical issue. He noted that protecting civilians demanded timely political action and prevention and meant helping Governments to build the necessary capacity, possibly including a presence or pre-emptive action by uniformed peacekeepers. He noted that the establishment of the new mandate for the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)<sup>955</sup> and the strengthening of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)<sup>956</sup> had offered opportunities to enhance the ability to protect civilians. He pointed out, however, that the evolving nature of the United Nations protection role also posed significant challenges for the Council to consider, in particular, the risk of being seen as a party to conflict and diminishing the ability of the United Nations to provide impartial and timely humanitarian assistance. He also mentioned the Council's important role in efforts to ensure compliance with international law by promoting the cooperation of Member States with the International Criminal Court and by encouraging and assisting States to ensure accountability at the national level.<sup>957</sup>

In the three briefings that followed, the United Nations High Commissioner for Human Rights, the Under-Secretary-General for Humanitarian Affairs and the Director for International Law and Cooperation of the International Committee of the Red Cross acknowledged that the situation of civilians in the many conflict zones around the world remained tragic, with continuous violations of international humanitarian and human rights law. The United Nations High Commissioner for Human Rights welcomed both the increasing use by United Nations bodies of international commissions of inquiry and fact-finding missions and the developing practice of the Council of referring to their findings.<sup>958</sup> The Under-Secretary-General for Humanitarian Affairs highlighted the need for a more consistent use of all the tools at the disposal of the Council to close the gap between commitments made in the Chamber and the devastating impact of conflict on the lives of civilians. She also stated that ensuring unrestricted access for humanitarian assistance and accountability for violations of international humanitarian law and human rights law were among the main challenges.<sup>959</sup> The Director for International Law and Cooperation of the International Committee of the Red Cross reiterated his concern about the issue of violence against health care, affirming that a prevailing disrespect still existed among belligerents for the inviolability of health facilities, transport and personnel.<sup>960</sup>

During the debate, the majority of speakers focused on the three challenges highlighted in the concept note circulated by Argentina,<sup>961</sup> namely, enhancing compliance with international humanitarian law, human rights law and refugee law by all parties to the conflict; ensuring humanitarian access to affected populations; and strengthening accountability for serious violations of international humanitarian law and human rights law. Many speakers acknowledged that despite the normative progress achieved in relation to the protection of civilians, it was necessary to translate the established norms and laws into concrete action on the ground. Speakers emphasized the urgent need for unhindered humanitarian access and for bolstering accountability for crimes perpetrated against civilians, especially in the context of the ongoing

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<sup>954</sup> *Ibid.*, p. 9 (United Kingdom); p.11 (China), p. 14 (Russian Federation); and pp. 29-30 (Canada).

<sup>955</sup> See resolution [2100 \(2013\)](#).

<sup>956</sup> See resolution [2098 \(2013\)](#).

<sup>957</sup> [S/PV.7019](#), pp. 3-4.

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<sup>958</sup> *Ibid.*, pp. 5.

<sup>959</sup> *Ibid.*, pp. 6-7.

<sup>960</sup> *Ibid.*, pp. 9.

<sup>961</sup> [S/2013/447](#), annex.

conflict in the Syrian Arab Republic and the developments in the Sudan and South Sudan, the Sahel and the Great Lakes region. A number of speakers expressed support for stronger protection mandates for peacekeeping operations and for their effective implementation as a central part of the Security Council protection agenda.<sup>962</sup> Some Council members, however, raised concerns regarding the use of more robust peacekeeping mandates.<sup>963</sup> The representative of the Russian Federation stated that it was not always right to rely on strengthened mandates to provide peacekeepers the right to use force or intimidate, and that protecting civilians was one aspect of the activities of peacekeeping missions and was to be carried out in connection with specific mandates defined by the Council for each operation. He added that the

fundamental task of peacekeepers was to provide assistance to the peace process.<sup>964</sup> The representative of Guatemala cautioned that United Nations contingents could not replace the State in the fulfilment of its primary responsibility to ensure security and the right to life for its own civilian population, although they could sometimes contribute to mitigating the situation. He stated that peacekeeping missions had been increasingly charged with the protection of civilians in situations of armed conflict, but questioned whether the most recent innovations aimed at focusing missions on the imposition of peace would improve their performance in the field.<sup>965</sup> Finally, the representative of China stated that deploying peacekeeping operations could not be a fundamental solution to the problem of protecting civilians and that the focus of the Council should be on helping host countries to strengthen their security and justice sectors and improve their ability to protect civilians.<sup>966</sup>

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<sup>962</sup> S/PV.7019, p. 12 (Republic of Korea); p. 13 (Togo); p. 20 (Rwanda); p. 23 (France); p. 35 (Thailand); p. 42 (Uganda); p. 49 (New Zealand); p.56 (Chile); pp. 58-59 (Netherlands); p. 62 (Nigeria); p. 63 (Namibia); p. 65 (Democratic Republic of the Congo); and pp. 65-66 (Bolivia (Plurinational State of)).  
<sup>963</sup> Ibid., p. 10 (Russian Federation); pp. 24-25 (Guatemala); and p. 27 (China).

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<sup>964</sup> Ibid., p. 10.

<sup>965</sup> Ibid., pp. 24-25.

<sup>966</sup> Ibid., p. 27.



Table 1  
**Meetings: protection of civilians in armed conflict**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6790</a> and <a href="#">S/PV.6790 (Resumption 1)</a> 25 June 2012	Report of the Secretary-General on the protection of civilians in armed conflict ( <a href="#">S/2012/376</a> )		29 Member States <sup>a</sup>	Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Assistant Secretary-General in the United Nations Office of the High Commissioner for Human Rights, Director for International Law and Cooperation of the International Committee of the Red Cross (ICRC), Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, <sup>b</sup> all invitees	
<a href="#">S/PV.6917</a> and <a href="#">S/PV.6917 (Resumption 1)</a> 12 February 2013	Letter dated 4 February 2013 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/75</a> )		56 Member States <sup>c</sup>	United Nations High Commissioner for Human Rights, Director for International Law and Cooperation of ICRC, Secretary-General of the Organization of Islamic Cooperation, Deputy Head of the Delegation of the European Union	Secretary-General, all Council members, <sup>d</sup> 54 invitees under rule 37, <sup>e</sup> all invitees under rule 39	<a href="#">S/PRST/2013/2</a>
<a href="#">S/PV.7003</a> and <a href="#">S/PV.7003 (Resumption 1)</a> 17 July 2013	Protection of journalists Letter dated 3 July 2013 from the Chargé d'affaires a.i. of the United States Mission to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/393</a> )		30 Member States <sup>f</sup>	Kathleen Carroll, Mustafa Haji Abdinur, Richard Engel, Ghaith Abdul-Ahad, Head of the Delegation of the European Union	Deputy Secretary-General, all Council members, 29 invitees under rule 37, <sup>g</sup> all invitees under rule 39	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.7019 19 August 2013	Letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General (S/2013/447)		37 Member States <sup>h</sup>	United Nations High Commissioner for Human Rights, Under-Secretary-General for Humanitarian Affairs, Director for International Law and Cooperation of ICRC, Deputy Head of the Delegation of the European Union	Secretary-General, all Council members, all invitees	

<sup>a</sup> Argentina, Armenia, Australia, Austria, Bangladesh, Brazil, Canada, Chile, Egypt, Estonia, Finland (on behalf of the Nordic countries), Greece, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan (on behalf of the Human Security Network), Libya, Liechtenstein, Luxembourg, Mexico, Philippines, Republic of Korea, Sri Lanka, Switzerland (in its national capacity and on behalf of the Group of Friends on the protection of civilians), Syrian Arab Republic, Turkey, Uruguay and Venezuela (Bolivarian Republic of).

<sup>b</sup> Guatemala was represented by its Minister for Foreign Affairs.

<sup>c</sup> Armenia, Austria, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire (on behalf of the Economic Community of West African States), Croatia, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, Estonia, Georgia, Germany, Hungary, India, Indonesia, Ireland, Iran (Islamic Republic of, on behalf of the Non-Aligned Movement), Israel, Italy, Japan, Jordan, Liechtenstein, Lithuania, Malaysia, Mexico, Montenegro, Netherlands, New Zealand, Nicaragua, Nigeria, Norway (on behalf of Argentina, Austria, Indonesia and Norway), Portugal, Qatar, Senegal, Sierra Leone, Spain, South Africa, Sri Lanka, Sudan, Sweden (on behalf of the Nordic countries), Switzerland (on behalf of the Group of Friends on the protection of civilians), Syrian Arab Republic, Turkey, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

<sup>d</sup> Azerbaijan was represented by its Minister for Foreign Affairs; Republic of Korea by its Minister for Foreign Affairs and Trade; and Rwanda by its Minister for Foreign Affairs and Cooperation.

<sup>e</sup> Brazil was represented by its Minister for External Relations. The representatives of Cuba and Jordan did not make statements.

<sup>f</sup> Austria, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Canada, Chile, Colombia, Costa Rica, Czech Republic, Ecuador, Greece, India, Israel, Japan, Lithuania, Malaysia, Netherlands, New Zealand, Poland, Qatar, Senegal, South Africa, Sweden (on behalf of the Nordic countries), Switzerland, Syrian Arab Republic, Turkey, Ukraine, Uganda and Venezuela (Bolivarian Republic of).

<sup>g</sup> The representative of South Africa did not make a statement.

<sup>h</sup> Armenia, Belgium, Bolivia (Plurinational State of), Brazil, Canada, Chile (on behalf of the members of the Human Security Network), Colombia, Croatia, Democratic Republic of the Congo, Denmark (on behalf of the Nordic countries), Egypt, Estonia, Georgia, Hungary, India, Indonesia, Iran (Islamic Republic of), Israel, Japan, Liechtenstein, Lithuania, Malaysia, Namibia, Netherlands, New Zealand, Nigeria, Qatar, Slovakia, South Africa, Spain, Sudan, Switzerland (in its national capacity and on behalf of the Group of Friends on the protection of civilians), Syrian Arab Republic, Thailand, Turkey, Uganda and Venezuela (Bolivarian Republic of)

### **Mainstreaming of issues relating to the protection of civilians in armed conflict in the decisions of the Security Council**

During the period under review, the Council continued to include provisions relevant to the protection of civilians in armed conflict in country-specific decisions and in those relating to other thematic issues.<sup>928</sup> Table 2 features a selection of such provisions in resolutions and statements by the President, adopted in connection with country or regional-specific items, which are organized by categories. Table 3 features a selection of provisions relating to the protection of civilians in armed conflict in decisions adopted under other thematic items.

The Council focused on the primary responsibility of national authorities to protect the population, calling upon all parties to comply with their obligations under international law and for all perpetrators of such crimes to be held accountable (see table 2). In several instances, the Council decided to adopt targeted measures against perpetrators or expressed its strong intention to do so. In addition, the Council demanded that all parties ensure full, safe and unhindered access for delivery of humanitarian assistance to populations in need, and condemned attacks, threats and acts of obstruction and violence perpetrated against humanitarian workers, including United Nations personnel.

The practice of authorizing more robust peacekeeping mandates under Chapter VII of the Charter of the United Nations with a view to protecting civilians continued to evolve. In particular, the Council adopted resolution 2098 (2013), in which it decided to establish, under the direct command of the Force Commander of MONUSCO, an intervention brigade

that was mandated to carry out offensive operations to neutralize armed groups threatening civilians in eastern Democratic Republic of the Congo. The Council also adopted resolution 2100 (2013), in which it decided to establish MINUSMA, and authorized the Mission, *inter alia*, to use all necessary means, within the limits of its capacities, to stabilize key population centres and to deter threats and take active steps to prevent the return of armed elements in the north of Mali. The Council continued to request additional monitoring mechanisms and reporting arrangements to improve the protection of civilians in armed conflict.

In decisions related to thematic items (see table 3), the Council reaffirmed its strong opposition to impunity for serious violations of international humanitarian law and human rights law and emphasized the responsibility of States to comply with their relevant obligations to protect civilians and end impunity. The Council, in its first resolution on small arms, acknowledged that the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons fuelled armed conflict and had an impact on the protection of civilians. The Council reiterated its demand that all parties to armed conflict comply strictly with the obligations applicable to them, stressed the need for parties to take all required measures to avoid civilian casualties and to respect and protect the civilian population, and called upon parties to, *inter alia*, respect and protect humanitarian personnel, and take all required steps to facilitate the safe, rapid and unimpeded passage of relief consignments, equipment and personnel.<sup>967</sup>

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<sup>967</sup> See resolution 2117 (2013), in connection with the item entitled “Small arms”.

Table 2

**Decisions relating to the protection of civilians in armed conflict, by country: selected provisions**

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<i>Decision</i>	<i>Provisions</i>
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**Condemnation of all forms of violence against civilians**

**The situation in the Middle East: Syrian Arab Republic**

<a href="#">S/PRST/2012/10</a>	The Council calls upon the Government of the Syrian Arab Republic to implement urgently and visibly its commitments, as it agreed to do in its communication to the Joint Special Envoy of 1 April 2012, to (a) cease troop movements towards population centres, (b) cease all use of heavy weapons in such centres, and (c) begin pullback of military concentrations in and around population centres, and to fulfil these in their entirety by no later than 10 April 2012 (fourth paragraph)
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**Peace and security in Africa: Mali**

Resolution <a href="#">2056 (2012)</a> (adopted under Chapter VII)	Calls upon all parties in the North of Mali to cease all abuses of human rights and violations of international humanitarian law, condemns in particular the targeted attacks against the civilian population, sexual violence, recruitment and use of child soldiers and forced displacement, recalls in this regard all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflicts, and stresses that the perpetrators shall be brought to justice (para. 13)
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Reiterates its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for criminal acts of kidnapping, ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability, including in the north of Mali and the Sahel region (para. 19)

*See also resolution [2071 \(2012\)](#), para. 5*

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**The situation concerning the Democratic Republic of the Congo**

Resolution <a href="#">2076 (2012)</a> (adopted under Chapter VII)	Strongly condemns the 23 March Movement and all its attacks on the civilian population, peacekeepers of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and humanitarian actors, as well as its abuses of human rights, including summary executions, sexual and gender-based violence and large-scale recruitment and use of child soldiers, further condemns the attempts by the 23 March Movement to establish an illegitimate parallel administration and to undermine State authority of the Government of the Democratic Republic of the Congo, and reiterates that those responsible for crimes and human rights abuses will be held accountable (para. 3)
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*See also [S/PRST/2012/22](#), second paragraph and resolution [2078 \(2012\)](#), para. 6*

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**Reports of the Secretary-General on the Sudan**

Resolution <a href="#">2063 (2012)</a>	Demands that all parties to the conflict in Darfur immediately end violence, including attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law; affirms in this context condemnation of the Council of serious violations of international humanitarian law and human rights law; calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire; and underlines the need for the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to report on major instances of violence which undermine the full and constructive efforts of the parties towards peace (para. 13)
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*See also resolution [2113 \(2013\)](#), paras. 15 and 17*

*Decision*

*Provisions*

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### **The situation in Somalia**

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII)

Condemns all attacks against civilians in Somalia, calls for the immediate cessation of all acts of violence, including sexual and gender-based violence, or abuses committed against civilians, including women and children, and humanitarian personnel in violation of international humanitarian law and human rights law, stresses the responsibility of all parties in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate attacks or excessive use of force, and underscores the need to end impunity, uphold human rights and hold those who commit crimes accountable (para. 26)

*See also resolution [2067 \(2012\)](#), para. 18*

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### **The situation in Afghanistan**

Resolution  
[2041 \(2012\)](#)

Condemns in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks, assassinations and abductions, targeting civilians and Afghan and international forces, and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemns further the use, by the Taliban and other extremist groups, of civilians as human shields (para. 28)

*See also resolution [2096 \(2013\)](#), para. 28*

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## **Accountability and compliance with international humanitarian law and human rights law**

### **The situation in Libya**

Resolution  
[2040 \(2012\)](#)  
(adopted under  
Chapter VII)

Calls upon the Libyan authorities to promote and protect human rights, including those of women and people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian law and human rights law, calls for those responsible for serious violations of such law, including sexual violence, to be held accountable in accordance with international standards, and urges all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity for such violations (para. 3)

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### **Reports of the Secretary-General on the Sudan**

Resolution  
[2046 \(2012\)](#)  
(adopted under  
Chapter VII)

Calls upon all parties to promote and protect human rights, including those of women and people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian and international human rights law, and calls for those responsible for serious violations of such law, including sexual violence, to be held accountable (para. 7)

Resolution  
[2109 \(2013\)](#)  
(adopted under  
Chapter VII)

Calls upon the authorities of South Sudan to combat impunity and hold accountable all perpetrators of human rights and international humanitarian law violations, including those committed by illegal armed groups or elements of South Sudan Security Forces, and to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice (para. 22)

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### **The situation in Somalia**

Resolution  
[2067 \(2012\)](#)

Emphasizes that protecting and promoting human rights, investigating breaches of international humanitarian law and bringing those responsible for such breaches to account will be essential for the legitimacy of the new Somali authorities, and calls on Somalia to fulfil its obligations under international human rights and international humanitarian law (para. 15)

[S/PRST/2013/7](#)

... The Council calls on the Federal Government of Somalia to ensure that all perpetrators of violations and abuses of human rights and violations of international humanitarian law are held fully accountable, in line with the relevant provision of international humanitarian law and human rights law (thirteenth paragraph)

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*Decision*

*Provisions*

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Resolution  
[2102 \(2013\)](#)

Stresses the need for the Federal Government of Somalia to ensure that all perpetrators of serious violations and abuses of human rights and serious violations of international humanitarian law are held accountable, and emphasizes the importance of the United Nations Assistance Mission in Somalia (UNSOM) supporting the Federal Government in developing and implementing a national strategy for preventing and responding to sexual and gender-based violence (para. 8)

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**The situation in the Central African Republic**

Resolution  
[2127 \(2013\)](#)  
(adopted under  
Chapter VII)

Urges the transitional authorities to ensure, without delay, that all perpetrators of violations and abuses of human rights and violations of international humanitarian law are held accountable (para. 18)

Underlines the importance of strengthening the capacity of police, justice and corrections institutions to uphold the rule of law and bring to justice perpetrators of violations of international humanitarian law, international human rights law and of human rights abuses (para. 14)

Requests that the Secretary-General rapidly establish an international commission of inquiry for an initial period of one year, including experts in both international humanitarian law and human rights law, in order immediately to investigate reports of violations of international humanitarian law and international human rights law and abuses of human rights in the Central African Republic by all parties since 1 January 2013, to compile information, to help to identify the perpetrators of such violations and abuses, to point to their possible criminal responsibility and to help ensure that those responsible are held accountable, and calls on all parties to cooperate fully with such a commission (para. 24)

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**Unhindered humanitarian access**

**The situation in Somalia**

Resolution  
[2036 \(2012\)](#)  
(adopted under  
Chapter VII)

Demands that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and further demands that all parties ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with humanitarian, human rights and refugee law (para. 16)

Resolution  
[2060 \(2012\)](#)  
(adopted under  
Chapter VII)

Demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, in accordance with the humanitarian principles of impartiality, neutrality, humanity and independence, underlines its concern at the humanitarian situation in Somalia, urges all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and expresses its readiness to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in resolutions [1844 \(2008\)](#) and [2002 \(2011\)](#) (para. 6)

*See also resolution [2067 \(2012\)](#), para. 19*

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**The situation in Afghanistan**

Resolution  
[2096 \(2013\)](#)

Notes with concern the continued high incidence of attacks against humanitarian workers, condemns these attacks in the strongest terms, emphasizing that the attacks impede efforts to aid the people of Afghanistan, and underlines the need for all parties to ensure full, safe and unhindered access of all humanitarian actors, including United Nations staff and associated personnel, and to comply fully with applicable international humanitarian law (para. 29)

*See also resolution [2041 \(2012\)](#) para. 29*

Decision

Provisions

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### **The situation in the Middle East: Syrian Arab Republic**

Resolution  
[2042 \(2012\)](#) Reiterates its call for the Syrian authorities to allow immediate, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in accordance with international law and guiding principles of humanitarian assistance. The Council calls upon all parties in the Syrian Arab Republic, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance (para. 10)

*See also resolution [2043 \(2012\)](#), para. 11, and [S/PRST/2012/10](#), eighth paragraph*

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### **Reports of the Secretary-General on the Sudan**

Resolution  
[2046 \(2012\)](#)  
(adopted under  
Chapter VII) Strongly urges the Sudan and the Sudan People's Liberation Movement-North to accept the tripartite proposal submitted by the African Union, the United Nations and the League of Arab States, to permit humanitarian access to the affected population in the two areas, ensuring in accordance with applicable international law, including applicable international humanitarian law, and guiding principles of emergency humanitarian assistance, the safe, unhindered and immediate access of United Nations and other humanitarian personnel, as well as the delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting the conflict-affected civilian population (para. 4)

*See also [S/PRST/2012/5](#), fourth para.*

Resolution  
[2075 \(2012\)](#)  
(adopted under  
Chapter VII) Also demands that all parties involved provide humanitarian personnel with full, safe and unhindered access to civilians in need of assistance and all facilities necessary for their operations, in accordance with international law, including applicable international humanitarian law, and guiding principles of humanitarian assistance (para. 13)

*See also resolution [2047 \(2012\)](#), para. 11, resolution [2104 \(2013\)](#) para. 17 and resolution [2126 \(2013\)](#), para. 20*

Resolution  
[2113 \(2013\)](#) Expresses its serious concern at the deteriorating humanitarian situation in Darfur, and at the threats to humanitarian organizations that persist, welcomes the fact that humanitarian organizations are able to deliver aid to most people in need of assistance in Darfur but expresses serious concern that access to populations in conflict-affected areas remains constrained, deplores the increased restrictions on humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers, denial of access by the parties to the conflict and bureaucratic impediments imposed by the Government of the Sudan, notes the publication of the Government's Directives for Humanitarian Work 2013, regarding cooperation with the humanitarian community on facilitation of humanitarian access in Darfur, and calls for their full implementation, stressing the need for the timely issuance of visas and travel permits for humanitarian organizations; and demands that the Government, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel, and the delivery of humanitarian assistance to populations in need, while respecting United Nations guiding principles of humanitarian assistance including humanity, impartiality, neutrality and independence (para. 16)

*See also resolution [2063 \(2012\)](#), para. 14*

### **The situation concerning the Democratic Republic of the Congo**

Resolution  
[2053 \(2012\)](#)  
(adopted under  
Chapter VII) Demands that all parties cooperate fully with the operations of MONUSCO and allow, in accordance with relevant provisions of international law, full, safe, immediate and unhindered access for United Nations and associated personnel in carrying out their mandate to all those in need and delivery of humanitarian assistance, in particular to internally displaced persons, throughout the territory of the Democratic Republic of the Congo, including in the Lord's Resistance Army-affected areas, and requests the Secretary-General to report without delay any failure to comply with these demands (para. 26)

*See also resolution [2098 \(2013\)](#), para. 27*

*Decision*

*Provisions*

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Resolution  
[2076 \(2012\)](#)  
(adopted under  
Chapter VII)

Calls upon all parties, in particular the 23 March Movement, to allow safe, timely and unhindered humanitarian access to those in need in accordance with international law, including applicable international humanitarian law and the guiding principles of humanitarian assistance, and to refrain from any violence against civilians (para. 11)

*See also* [S/PRST/2012/22](#)

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**Peace and security in Africa: Mali**

Resolution  
[2056 \(2012\)](#)  
(adopted under  
Chapter VII)

Demands that all parties in Mali ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance, and further demands that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel, equipment and supplies, in accordance with international law, including applicable international humanitarian, human rights and refugee law (para. 14)

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**Central African region**

[S/PRST/2013/6](#)

The Council commends efforts by international donors to provide humanitarian assistance to Lord's Resistance Army-affected populations in the Central African Republic, the Democratic Republic of the Congo and South Sudan. The Council reaffirms the requirement for all parties to allow safe and unhindered access for humanitarian organizations to the civilian population, in accordance with international law, including applicable international humanitarian law, and the United Nations guiding principles of humanitarian assistance. The Council expresses concern about the lack of regular humanitarian access to many Lord's Resistance Army-affected communities in the Central African Republic and the Democratic Republic of the Congo, including because of poor infrastructure, and encourages increased United Nations efforts and international donor support for humanitarian access (twelfth paragraph)

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**The situation in the Central African Republic**

Resolution  
[2127 \(2013\)](#)  
(adopted under  
Chapter VII)

Demands that all parties to the conflict, in particular the former Séléka, ensure the rapid, safe and unhindered access of humanitarian organizations and relief personnel and the timely delivery of humanitarian assistance to populations in need, while respecting the United Nations guiding principles of humanitarian assistance, including neutrality, impartiality, humanity and independence in the provision of humanitarian assistance (para. 52)

*See also resolution* [2088 \(2013\)](#), *para. 9* and *resolution* [2121 \(2013\)](#), *para. 14*

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**The situation in the Great Lakes region**

[S/PRST/2013/11](#)

The Council expresses grave concern about the ongoing humanitarian crisis, including the 2.6 million internally displaced people and the 6.4 million people in need of food assistance and emergency agricultural aid, and calls upon all parties to allow safe and unhindered access for the timely and full delivery of humanitarian aid to all civilians in urgent need of assistance, in accordance with relevant provisions of international law, including international humanitarian law and the United Nations guiding principles of humanitarian assistance. The Council further expresses concern with the over 500,000 refugees from the Democratic Republic of the Congo in neighbouring countries and calls upon the Democratic Republic of the Congo and all States in the region to work towards the peaceful environment that will allow for the eventual and voluntary return of refugees to the Democratic Republic of the Congo, with the support, as appropriate, of the Office of the United Nations High Commissioner for Refugees. The Council commends in this regard the support provided by neighbouring countries to refugees from the Democratic Republic of the Congo (fourteenth paragraph)

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*Decision*

*Provisions*

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### **Protection of journalists in armed conflict**

#### **The situation in Somalia**

Resolution  
[2067 \(2012\)](#) Strongly condemns the grave and systematic violations and human rights abuses perpetrated by many parties and in particular by Al-Shabaab and its affiliates against the civilian population, including violence against, children, journalists and human rights defenders and sexual violence against women and children, and calls for the immediate cessation of such acts, and emphasizes the need for accountability for all such violations and abuses (para. 18)

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII) Also recalls the obligation of the Federal Government of Somalia with respect to the protection of journalists, the prevention of violence against them, and the fight against impunity for perpetrators of such acts (para. 30)

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#### **The situation in Afghanistan**

Resolution  
[2096 \(2013\)](#) Calls for full respect for and protection of all human rights and fundamental freedoms, including those of human rights defenders, and of international humanitarian law throughout Afghanistan, welcomes the growth in Afghan free media, but notes with concern the continued restrictions on freedom of the media, and attacks against journalists, commends the Afghanistan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect those rights and to promote the emergence of a pluralistic civil society, stresses the importance of full cooperation with the Commission by all relevant actors and of promoting their independence, as well as of ensuring their safety, and supports broad engagement across government agencies and civil society for the realization of the mutual commitments made, including the commitment to provide sufficient government financing for the Commission (para. 42)

*See also resolution [2041 \(2012\)](#), para. 41*

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### **Targeted measures against perpetrators of crimes against civilians in armed conflict**

#### **Reports of the Secretary-General on the Sudan**

Resolution  
[2035 \(2012\)](#)  
(adopted under  
Chapter VII) Regrets that some individuals affiliated with the Government of the Sudan and armed groups in Darfur have continued to commit violence against civilians, impede the peace process and disregard the demands of the Council, expresses its intention to impose targeted sanctions against individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution [1591 \(2005\)](#), and encourages the Panel of Experts, in coordination with the Joint African Union-United Nations mediation, to provide to the Committee, when appropriate, the names of any individuals, groups, or entities that meet the listing criteria (para. 9)

*See also resolution [2091 \(2013\)](#), para. 7*

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#### **The situation in Somalia**

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII) Also decides that the measures in paragraphs 1, 3, and 7 of resolution [1844 \(2008\)](#) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee

...

(e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians, including children and women, in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement (para. 43)

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**The situation concerning the Democratic Republic of the Congo**

Resolution  
[2078 \(2012\)](#)  
(adopted under  
Chapter VII)

Decides that the measures referred to in paragraph 3 [of the resolution] shall apply to the following individuals and, as appropriate, entities, as designated by the Security Council Committee established pursuant to resolution [1533 \(2004\)](#):

...

(e) Individuals or entities operating in the Democratic Republic of the Congo and committing serious violations involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction, and forced displacement; (f) Individuals or entities obstructing the access to or the distribution of humanitarian assistance in the eastern part of the Democratic Republic of the Congo (para. 4)

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**The situation in the Central African Republic**

Resolution  
[2127 \(2013\)](#)  
(adopted under  
Chapter VII)

Expresses its strong intent to swiftly consider imposing targeted measures, including travel bans and assets freezes, against individuals who act to undermine the peace, stability and security, including by engaging in acts that threaten or violate transitional agreements, or by engaging or providing support for actions that threaten or impede the political process or fuel violence, including through violations of human rights and international humanitarian law, the recruitment and use of children in armed conflict in violation of applicable international law, sexual violence or supporting the illegal armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds, in the Central African Republic, or by violating the arms embargo established in paragraph 54 [of the resolution] (para. 56)

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**Mandates for the protection of civilians<sup>a</sup>**

**The situation concerning the Democratic Republic of the Congo**

Resolution  
[2053 \(2012\)](#)  
(adopted under  
Chapter VII)

Decides to extend until 30 June 2013 the mandate of MONUSCO as set out in paragraphs 2, 11 and 12 (a) to (p) and (r) to (t) of resolution [1925 \(2010\)](#) of 28 May 2010, reaffirms that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and encourages further the use of innovative measures implemented by the Mission in the protection of civilians (para. 1)

Encourages the Mission to enhance its interaction with the civilian population to raise awareness and understanding about its mandate and activities and to collect reliable information on violations and abuses of international humanitarian and human rights law perpetrated against civilians (para. 24)

*See also resolution [2098 \(2013\)](#), para. 25*

Resolution  
[2098 \(2013\)](#)  
(adopted under  
Chapter VII)

Authorizes MONUSCO, through its military component, in pursuit of the objectives described in paragraph 11 [of the resolution], to take all necessary measures to perform the following tasks, through its regular forces and its Intervention Brigade as appropriate:

*(a) Protection of civilians*

(i) Ensure, within its area of operations, effective protection of civilians under imminent threat of physical violence, including civilians gathered in displaced and refugee camps, humanitarian personnel and human rights defenders, in the context of violence emerging from any of the parties engaged in the conflict, and mitigate the risk to civilians before, during and after any military operation;

...

(iii) Work with the Government of the Democratic Republic of the Congo to identify threats to civilians and implement existing response plans to ensure the protection of civilians from abuses and violations of human rights and violations of international humanitarian law ...

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*(b) Neutralizing armed groups through the Intervention Brigade*

In support of the authorities of the Democratic Republic of the Congo, on the basis of information collation and analysis, and taking full account of the need to protect civilians and mitigate risk before, during and after any military operation, carry out targeted offensive operations through the Intervention Brigade referred to in paragraph 9 and paragraph 10 [of the resolution], either unilaterally or jointly with the Armed Forces of the Democratic Republic of the Congo, in a robust, highly mobile and versatile manner and in strict compliance with international law, including international humanitarian law and with the human rights due diligence policy on United Nations support to non-United Nations forces, to prevent the expansion of all armed groups, neutralize these groups, and to disarm them in order to contribute to the objective of reducing the threat posed by armed groups on State authority and civilian security in eastern Democratic Republic of the Congo and to make space for stabilization activities (para. 12)

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**Reports of the Secretary-General on the Sudan**

Resolution  
2057 (2012)  
(adopted under  
Chapter VII)

Notes the priority of the mandated tasks of the United Nations Mission in South Sudan (UNMISS) in resolution 1996 (2011) for the protection of civilians and for the achievement of an improved security environment, urges the Mission to deploy its assets accordingly, and underscores the need for the Mission to focus adequate attention on capacity-building efforts in this area, welcomes the development of a protection of civilians strategy and an early warning and early response strategy, encourages the Mission to implement them, and requests the Secretary-General to include progress made in implementing these strategies in his reports to the Council (para. 3)

*See also resolution 2109 (2013), para. 3*

Authorizes UNMISS to use all means necessary, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 3 (b) (iv) to (vi) of resolution 1996 (2011) (para. 5)

*See also resolution 2109 (2013), para. 8*

Resolution  
2063 (2012)

Underlines the need for UNAMID to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to:

(a) the protection of civilians across Darfur, including through the implementation of a mission-wide early warning strategy; proactive military deployment and increased patrols in areas at high risk of conflict; securing, through increased police patrols, internally displaced persons camps, adjacent areas and areas of return; and supporting the development and training of community policing for internally displaced persons camps and areas of return; and

(b) ensuring safe, timely and unhindered humanitarian access, and the safety and security of humanitarian personnel and humanitarian activities, so as to facilitate the unimpeded delivery of humanitarian assistance throughout Darfur; and requests UNAMID to maximize the use of its capabilities, in cooperation with the United Nations country team and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives (para. 3)

*See also resolution 2113 (2013), para. 4*

Emphasizes the Chapter VII mandate of UNAMID, as defined in resolution 1769 (2007), to deliver its core tasks to protect civilians without prejudice to the primary responsibility of the Government of the Sudan and to ensure the freedom of movement and security of the Operation's own personnel and humanitarian workers; urges UNAMID to deter any threats against itself and its mandate; and notes the observation in the report of the Secretary-General that it is important to ensure that contingents are properly prepared and effectively equipped to be able to carry out the mandate of the Operation (para. 4)

*See also resolution 2113 (2013), para. 5*

<i>Decision</i>	<i>Provisions</i>
Resolution <a href="#">2104 (2013)</a> (adopted under Chapter VII)	Underscores that the protection of civilians mandate of the United Nations Interim Security Force for Abyei (UNISFA) as set out in paragraph 3 of resolution <a href="#">1990 (2011)</a> includes taking the actions necessary to protect civilians under imminent threat of physical violence, irrespective of the source of such violence (para. 4)  <i>See also resolution <a href="#">2109 (2013)</a>, para. 4, and resolution <a href="#">2126 (2013)</a>, para. 5</i>
Resolution <a href="#">2132 (2013)</a> (adopted under Chapter VII)	Demands that all parties cooperate fully with UNMISS as it implements its mandate, in particular the protection of civilians, and stresses that efforts to undermine the ability of the Mission to implement its mandate and attacks on United Nations personnel will not be tolerated (para. 2)  Endorses the recommendation made by the Secretary-General to temporarily increase the overall force levels of UNMISS to support its protection of civilians and provision of humanitarian assistance (para. 3)

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### The situation in Côte d'Ivoire

Resolution <a href="#">2112 (2013)</a> (adopted under Chapter VII)	Decides further that the mandate of the United Nations Operation in Côte d'Ivoire shall be the following: <i>(a) Protection of civilians</i> – To protect, without prejudice to the primary responsibility of the Ivoirian authorities, the civilian population from imminent threat of physical violence, within its capabilities and areas of deployment; – To implement the comprehensive strategy for the protection of civilians in coordination with the United Nations country team; – To work closely with humanitarian agencies, particularly in relation to areas of tensions and with respect to the return of displaced persons, to collect information on and identify potential threats against the civilian population, and bring them to the attention of the Ivoirian authorities, as appropriate (para. 6)
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### The situation in Mali

Resolution <a href="#">2100 (2013)</a> (adopted under Chapter VII)	Decides that the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) shall be the following: ... <i>(c) Protection of civilians and United Nations personnel</i> (i) To protect, without prejudice to the responsibility of the transitional authorities of Mali, civilians under imminent threat of physical violence, within its capacities and areas of deployment ... <i>(d) Promotion and protection of human rights</i> (i) To monitor, help to investigate and report to the Council on any abuses or violations of human rights or violations of international humanitarian law committed throughout Mali and to contribute to efforts to prevent such violations and abuses ... <i>(e) Support for humanitarian assistance</i> In support of the transitional authorities of Mali, to contribute to the creation of a secure environment for the safe, civilian-led delivery of humanitarian assistance, in accordance with humanitarian principles, and the voluntary return of internally displaced persons and refugees in close coordination with humanitarian actors (para. 16)  Requests that MINUSMA take fully into account the need to protect civilians and mitigate risk to civilians, including, in particular, women, children and displaced persons and civilian objects in the performance of its mandate as defined in paragraphs 16 and 17 [of the resolution], where undertaken jointly with the Malian defence and security forces, in strict compliance with the human rights due diligence policy on United Nations support to non-United Nations security forces (para. 26)  <i>See also resolution <a href="#">2085 (2012)</a>, para. 9</i>
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## Monitoring, analysis and reporting on protection of civilians in armed conflict

### Reports of the Secretary-General on the Sudan

Resolution <a href="#">2057 (2012)</a> (adopted under Chapter VII)	Calls upon UNMISS to coordinate with the Government of South Sudan and participate in regional coordination and information mechanisms to improve protection of civilians and support disarmament, demobilization and reintegration efforts in the light of the attacks by the Lord's Resistance Army in South Sudan, and requests the Secretary-General to include in his trimesterly reports on the Mission a summary of cooperation and information-sharing between UNMISS, UNAMID, MONUSCO and regional and international partners in addressing the Lord's Resistance Army threats (para. 19)
Resolution <a href="#">2091 (2013)</a> (adopted under Chapter VII)	Requests the Panel of Experts to continue to coordinate its activities, as appropriate, with the operations of UNAMID and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution <a href="#">1556 (2005)</a> , paragraph 7 of resolution <a href="#">1591 (2005)</a> and paragraph 10 of resolution <a href="#">1945 (2010)</a> , and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence and grave violations and abuses against children, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution <a href="#">1591 (2005)</a> (para. 6)

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### The situation concerning the Democratic Republic of the Congo

Resolution <a href="#">2098 (2013)</a> (adopted under Chapter VII)	Also requests the Secretary-General to report to the Council every three months: ... (b) in coordination with his Special Representative for the Democratic Republic of the Congo on: ... (iii) the implementation by MONUSCO of its mandate, including on the deployment, readiness and activities of the Intervention Brigade and all other forces of the Mission, on any violations of international human rights law and international humanitarian law that may occur and on efforts undertaken to mitigate civilian harm (para. 34)
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### The situation in Somalia

Resolution <a href="#">2093 (2013)</a> (adopted under Chapter VII)	Recalls the commitment of the African Union Mission in Somalia (AMISOM) to establish a Civilian Casualty Tracking, Analysis and Response Cell, underlines the importance of its establishment, requests AMISOM to report on the progress made in establishing the Cell, and calls upon international donors and partners to further support the establishment of the Cell (para. 11)  <i>See also resolution <a href="#">2124 (2013)</a>, para. 11</i>
Resolution <a href="#">2111 (2013)</a> (adopted under Chapter VII)	Requests the Emergency Relief Coordinator to report to the Council by 20 March 2014 and again by 20 September 2014 on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia, and requests relevant United Nations agencies and humanitarian organizations having observer status in the General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations Resident and Humanitarian Coordinator for Somalia in the preparation of such reports and in the interests of increasing transparency and accountability (para. 23)  <i>See also resolution <a href="#">2060 (2012)</a>, para. 8</i>

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<sup>a</sup> For more information on mandates and decisions relating to peacekeeping and political missions, see part X.

Table 3

**Decisions relating to the protection of civilians in armed conflict, by thematic issue: selected provisions**

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<i>Decision</i>	<i>Provision</i>
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**The promotion and strengthening of the rule of law in the maintenance of international peace and security**

<p><a href="#">S/PRST/2012/1</a></p>	<p>The Council reiterates its call upon all parties to armed conflict to comply with the obligations applicable to them under international humanitarian law and to take all steps required to protect civilians and recalls in this regard resolution <a href="#">1894 (2009)</a> (eleventh paragraph)</p>
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The Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation (twelfth paragraph)

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**Peace and security in Africa: prevention of conflicts in Africa — addressing the root causes**

<p><a href="#">S/PRST/2013/4</a></p>	<p>The Council recalls the previous statements by its President concerning the various factors and causes that play a role in triggering, worsening or prolonging conflicts in Africa, and in particular the factors and causes that have been highlighted and addressed by the Council. The Council highlights the importance of implementation of effective security sector reform programmes, strengthening of human rights and the rule of law, protection of civilians, addressing of all forms of discrimination and political exclusion, including against women and children, protection of persons belonging to national or ethnic, religious and linguistic minorities, ensuring of accountability, support for the reintegration and rehabilitation of former soldiers and child soldiers, promotion of reconciliation and locally driven solutions, promotion of meaningful progress in sustainable socioeconomic development, poverty eradication, support for representative electoral processes and building of democratic institutions, inter alia, and effective control of small arms ... (eighth paragraph)</p>
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The Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law and emphasizes in this context the responsibility of States to comply with their relevant obligations to end impunity and, to that end, to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law, also in the context of conflict prevention and conflict resolution. The Council underlines the importance of raising awareness of and ensuring respect for all applicable international law, including international humanitarian law and human rights law, stresses the importance of the responsibility to protect as outlined in the 2005 World Summit Outcome, including the primary responsibility of Member States to protect their populations from genocide, ethnic cleansing, crimes against humanity and war crimes. The Council further underlines the role of the international community in encouraging and helping States, including through capacity-building, to meet their primary responsibility. The Council looks forward to the 2013 report of the Secretary-General on the responsibility to protect. The Council further recalls the important role of the Special Advisers to the Secretary-General on the Prevention of Genocide and Responsibility to Protect in matters relating to the prevention and resolution of conflict (thirteenth paragraph)

Decision

Provision

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### United Nations peacekeeping operations: United Nations peacekeeping — a multidimensional approach

Resolution 2086 (2013) 8. Notes, in this regard, that multidimensional peacekeeping missions may be mandated by the Security Council, inter-alia:

...

(f) To help to establish the security conditions necessary to facilitate delivery of humanitarian assistance, taking into account the special needs of refugees, internally displaced persons, women, children, the elderly and disabled persons, and to create conditions necessary for voluntary, safe, dignified and sustainable return of refugees and internally displaced persons;

...

(h) To protect civilians, particularly those under imminent threat of physical violence, in conformity with paragraph 16 of its resolution 1674 (2006) of 28 April 2006, within missions' zones of operation and taking into account their capacities and resources, and support the efforts of the host authorities in the protection of civilians from violence, including all forms of sexual and gender-based violence, and in this regard to help in building and reforming security sector institutions of the host country that are able to sustainably and consistently protect civilians, while recognizing that the protection of civilians is the primary responsibility of the host country (para. 8)

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### Women and peace and security

Resolution 2106 (2013) Affirms that sexual violence, when used or commissioned as a method or tactic of war or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate and prolong situations of armed conflict and may impede the restoration of international peace and security, emphasizes in this regard that effective steps to prevent and respond to such acts significantly contribute to the maintenance of international peace and security ... (para. 1)

Resolution 2122 (2013) Calls upon Member States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law, and further notes that the fight against impunity for the most serious crimes of international concern against women and girls has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals (para. 12)

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### Small arms

Resolution 2117 (2013) Bearing in mind that the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons fuel conflict and impact on the protection of civilians, reiterates its demand that all parties to armed conflict comply strictly with the obligations applicable to them under international humanitarian law, human rights law and refugee law, and stresses the need for parties to take all required measures to avoid civilian casualties and to respect and protect the civilian population (para. 13)

Calls upon parties to armed conflict, in this regard, to comply with obligations under international humanitarian law to respect and protect humanitarian personnel, facilities and relief consignments, and to take measures to eradicate the negative impact of the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons on humanitarian actors, and take all required steps to facilitate the safe, rapid and unimpeded passage of relief consignments, equipment and personnel (para. 14)

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## 30. Small arms

### Overview

On 26 September 2013, the Security Council held a high-level meeting and adopted its first resolution in connection with small arms. The resolution was adopted by 14 votes in favour, none against and one abstention (Russian Federation).

### Briefing and decision on small arms

During the meeting, the Secretary-General introduced his biennial report on small arms,<sup>968</sup> underscoring how the absence of regulation, the ease of access to arms and the great profitability of the illicit trade in small arms and light weapons fuelled insecurity and conflict, leading to a vast range of human rights violations.<sup>969</sup> The Council also heard a briefing by the Vice-President of the International Committee of the Red Cross, who stated that the Committee was a first-hand witness to the devastating costs to civilians of the easy access to, and misuse of, small arms and light weapons.<sup>970</sup>

Speaking prior to the vote, the representative of the Russian Federation maintained that the draft resolution lacked a provision on the supply of small arms and light weapons to non-State actors. He affirmed that the root of the problem of small arms and light weapons was illicit trafficking and stated that imposing universal prohibitions on the transfer of small arms and light weapons to non-State actors and unauthorized State recipients and users was of particular importance. A salient example was the recent events in Mali, where the weapons used, initially transferred to Libyan groups for humanitarian reasons, became instruments for the violation of fundamental human rights and the source of suffering for the civilian population.<sup>971</sup>

In the resolution, the Council, *inter alia*, encouraged the establishment or strengthening, where appropriate, of subregional and regional cooperation, coordination and information-sharing mechanisms with

a view to preventing, combating and eradicating the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons.<sup>972</sup> The Council also encouraged information-sharing on possible arms embargo violations between groups of experts, peacekeeping missions within their mandates and other relevant United Nations entities. In addition, the Council urged States to consider signing and ratifying the Arms Trade Treaty<sup>973</sup> as soon as possible, and encouraged States, intergovernmental, regional and subregional organizations that were in a position to do so to render assistance in capacity-building to enable States parties to fulfil and implement the Treaty's obligations.

During the debate that followed the adoption of resolution [2117 \(2013\)](#), speakers welcomed the resolution and the recommendations proposed by the Secretary-General in his report, concurring on ways in which international cooperation could be strengthened to better tackle the issue through existing mechanisms. Several delegations also expressed their support for the recently adopted Arms Trade Treaty, which for the first time regulated international trade in conventional weapons, and vowed to work towards its rapid entry into force and implementation.

Speakers emphasized the impact of illicit small arms and light weapons on international peace and security, stating that they exacerbated conflict and posed a threat to civilians, especially women and children.<sup>974</sup> In that regard, several speakers stressed the importance of the role of the Council in regard to the issue of illicit small arms and light weapons in conflict and post-conflict situations.<sup>975</sup> The representative of the Republic of Korea outlined an enhanced role for the Council that could be achieved, *inter alia*, by assisting and supporting Member States in

<sup>968</sup> [S/2013/503](#). In 2007, the Council requested that the Secretary-General submit to it on a biennial basis, beginning in 2008, a report on the issue of small arms (see [S/PRST/2007/24](#)).

<sup>969</sup> [S/PV.7036](#), pp. 2-3.

<sup>970</sup> *Ibid.* p. 3.

<sup>971</sup> *Ibid.*, pp. 4-5.

<sup>972</sup> Resolution [2117 \(2013\)](#).

<sup>973</sup> See General Assembly resolution [67/234 B](#) of 2 April 2013.

<sup>974</sup> [S/PV.7036](#), p. 6 (Australia); p. 7 (Guatemala); p. 8 (Luxembourg); pp. 11-12 (Morocco); p. 13 (Rwanda); pp. 18-19 (Togo); and p. 19 (Argentina).

<sup>975</sup> *Ibid.*, p. 6 (Australia); p. 7 (Guatemala); p. 8 (Luxembourg); p. 9 (United Kingdom); p. 10 (Republic of Korea); p. 15 (Azerbaijan); p. 16 (United States); pp. 18-19 (Togo); and p. 19 (Argentina).



implementing arms embargoes, giving effective mandates and sufficient resources to peacekeeping and peacebuilding missions as well as special political missions and enhancing coordination and information-sharing across the United Nations system. In addition,

he suggested that the Council establish a follow-up mechanism to the biennial reports of the Secretary-General and maintain momentum by continually assessing the process.<sup>976</sup>

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<sup>976</sup> Ibid., p. 11.

## Meeting: small arms

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7036</a> 26 September 2013	The impact of the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons on international peace and security  Report of the Secretary-General on small arms ( <a href="#">S/2013/503</a> )  Letter dated 6 September 2013 from the Permanent Representative of Australia to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/536</a> )	Draft resolution submitted by 26 Member States <sup>a</sup> ( <a href="#">S/2013/570</a> )	15 Member States <sup>b</sup>	Vice-President of the International Committee of the Red Cross	Secretary-General, all Council members, <sup>c</sup> Vice-President of the International Committee of the Red Cross	Resolution <a href="#">2117 (2013)</a> 14-0-1 <sup>d</sup>

<sup>a</sup> Argentina, Australia, Costa Rica, Côte d'Ivoire, France, Germany, Guatemala, Japan, Liberia, Lithuania, Luxembourg, Morocco, New Zealand, Norway, Papua New Guinea, Republic of Korea, Rwanda, Sierra Leone, Slovenia, Spain, Switzerland, Timor-Leste, Togo, Trinidad and Tobago, United Kingdom and United States.

<sup>b</sup> Costa Rica, Côte d'Ivoire, Germany, Japan, Liberia, Lithuania, New Zealand, Norway, Papua New Guinea, Sierra Leone, Slovenia, Spain, Switzerland, Timor-Leste and Trinidad and Tobago.

<sup>c</sup> Guatemala was represented by its President; Luxembourg and the United Kingdom by their Deputy Prime Ministers; Australia, Azerbaijan, France and the Republic of Korea by their respective Ministers for Foreign Affairs; Morocco and Rwanda by their respective Ministers for Foreign Affairs and Cooperation; Pakistan by its Adviser to the Prime Minister on National Security and Foreign Affairs; and the United States by its Permanent Representative and member of the President's Cabinet.

<sup>d</sup> *For:* Argentina, Azerbaijan, Australia, China, France, Guatemala, Luxembourg, Morocco, Pakistan, Republic of Korea, Rwanda, Togo, United Kingdom, United States;  
*Abstaining:* Russian Federation.

## 31. Women and peace and security

### Overview

During the period under review, the Security Council held seven meetings, including one high-level meeting, and adopted two resolutions and two presidential statements in connection with women and peace and security.

In its deliberations, the Council primarily focused on sexual violence in armed conflict and on ways to strengthen accountability for perpetrators as it considered the first and second reports of the Secretary-General on the issue. In addition, Council members discussed progress in implementing resolution 1325 (2000), with a particular focus on ways to enhance women's participation in conflict prevention, resolution and peacebuilding and improve access to justice and reparations for victims.

In 2012 and 2013, the Council continued to include provisions relating to women and peace and security in its country-specific decisions as well as in decisions relating to other thematic issues.<sup>977</sup>

Table 1 lists the meetings at which the item was considered and gives information on, inter alia, invitees, speakers and decisions adopted. Tables 2 and 3 list relevant provisions in decisions adopted under country-specific and thematic items, respectively

### Sexual violence in armed conflict

On 23 February 2012, the Council considered the first report of the Secretary-General on sexual violence in armed conflict.<sup>978</sup> In her briefing, the Special Representative of the Secretary-General on Sexual Violence in Conflict underlined the leadership role of the Council on the issue. She noted that the report of the Secretary-General was one of the tools available to combat impunity as it provided political leaders with verified information to track and address sexual violence that was linked to insecurity. It served as a record of best practices and provided a baseline for systematic engagement with parties to armed conflict. She also highlighted the value of listing, in the context

of sanctions regimes, as a deterrent against sexual violence.<sup>979</sup>

The Under-Secretary-General for Peacekeeping Operations stated that the mandate related to sexual violence in armed conflict was one of the most demanding in peacekeeping. He welcomed the strengthened partnership between the Department of Peacekeeping Operations, the Special Representative and the Office of the High Commissioner for Human Rights and mentioned examples of concrete progress, including the finalization of the terms of reference of the women's protection advisers and guidance on the implementation of the monitoring, analysis and reporting arrangements.<sup>980</sup>

The Council was also briefed by the representative of the NGO Working Group on Women, Peace and Security, who said that addressing sexual violence required powerful and urgent leadership at the national, regional and international levels. She added that leadership was essential, in particular in relation to prioritizing prevention, ensuring a survivor-centric approach and strengthening justice and accountability.<sup>981</sup>

Speakers expressed contrasting views on the report and on the mandate of the Special Representative. While most speakers welcomed the availability and use of the data produced through the monitoring, analysis and reporting arrangements, several Member States questioned the reliability and impartiality of the information provided in the report and expressed concerns about the scope and definition of the mandate of the Special Representative. The representative of the Russian Federation argued that attempts to artificially impose on the Council the duty to address sexual violence in all its aspects would lead to imbalances in system-wide coherence and to an erosion of the legitimacy and importance of Council's decisions on grave, complex and urgent issues.<sup>982</sup> He disagreed with the broad interpretation of the mandate of the Special Representative and warned that unilateral change in the scope of an issue addressed through a special mechanism established as a result of

<sup>977</sup> For information on other cross-cutting issues before the Council, see part I, sect. 28, "Children and armed conflict", and sect. 29, "Protection of civilians in armed conflict".

<sup>978</sup> S/2012/33.

<sup>979</sup> S/PV.6722, p. 3-4.

<sup>980</sup> Ibid., pp. 6-7.

<sup>981</sup> Ibid., pp. 9-10.

<sup>982</sup> Ibid., p. 15.

intergovernmental processes and enshrined in Council resolutions was inadmissible.<sup>983</sup> The representative of Pakistan stated that the inclusion in the report of incidents related to elections, civil unrest or political strife ran counter to resolutions 1960 (2010) and 1888 (2009), which limited the debate to situations of armed conflict. For the same reason, he objected to the recommendation of the Special Representative to impose sanctions on all parties named in the report, instead of those mentioned in the annex only.<sup>984</sup> In addition, the representatives of Egypt, Nepal and the Syrian Arab Republic expressed concerns about the legitimacy, accuracy and lack of impartiality of the information included in the report on their respective national situations.<sup>985</sup> Many speakers, however, valued the information produced through monitoring, analysis and reporting arrangements as a basis for early warning systems, sanctions and comprehensive action on sexual violence, and expressed strong support for the work of the Special Representative.

At the meeting, the Council adopted a presidential statement stressing the need for continued timely, verified, and accurate data collection on sexual violence in situations of armed conflict and post-conflict, which would contribute to better informed discussions and assist the Council in its consideration of appropriate action, possibly including targeted and graduated measures.<sup>986</sup> The Council also invited the Special Representative to continue to provide briefings and information consistent with her mandate and the Secretary-General to recommend appropriate actions.

On 17 April 2013, the Council considered the second report of the Secretary-General on sexual violence in armed conflict.<sup>987</sup> In his statement, the Secretary-General explained that the report reflected the progressive improvement over the past few years of analysis and data on conflict-related sexual violence as a result of greater awareness on the ground and strengthened capacities of missions to monitor, investigate and respond. In addition, he highlighted a series of trends, including the link between sexual violence and the illicit exploitation of natural resources; the impact of sexual violence on

displacement; and the importance of addressing sexual violence during peace negotiations and security sector reform efforts.<sup>988</sup> The Special Representative, in reference to the accountability regime established by resolution 1960 (2010), noted that sexual violence had been used through the ages precisely because it was such a cheap and devastating weapon, and stressed the need to reverse that reality, making it a massive liability to commit, command and condone sexual violence in conflict.<sup>989</sup> In that regard, she emphasized that political will was most required at the national level to ensure legislation, institutions and capacity to prosecute perpetrators and care for the victims. The representative of the NGO Working Group on Women, Peace and Security emphasized the need for leadership at all levels to address the complexities of conflict-related sexual violence, and highlighted key areas where making progress was essential, namely, participation and equality, prevention, response, accountability and resources.<sup>990</sup>

Member States exchanged views on specific recommendations provided in the report, including the improvement of the information flow from and to the Council, the importance of considering the inclusion of women protection advisers in mission planning and budgeting, the need to address sexual violence in ceasefire and peace agreements, the availability of comprehensive sexual and reproductive health services for victims, including the safe termination of pregnancy and the establishment of a monitoring mechanism for implementation of time-bound commitments by parties to end sexual violence. While several speakers supported further steps in monitoring more systematically such commitments by parties,<sup>991</sup> the representative of the Russian Federation did not encourage the establishment of a special procedure or body for monitoring compliance, arguing that current mechanisms, including the combined work of the Special Representative and the Team of Experts on the Rule of Law and Sexual Violence in Conflict, were sufficient.<sup>992</sup> In respect of the role of peacekeeping

<sup>983</sup> Ibid.

<sup>984</sup> Ibid., p. 22.

<sup>985</sup> S/PV.6722 (Resumption 1), pp. 2-3 (Egypt); p. 13 (Nepal); and pp. 25-26 (Syrian Arab Republic).

<sup>986</sup> S/PRST/2012/3.

<sup>987</sup> S/2013/149.

<sup>988</sup> S/PV.6948, pp. 2-4.

<sup>989</sup> Ibid., p. 5.

<sup>990</sup> Ibid., pp. 7-8.

<sup>991</sup> Ibid., p. 13 (Argentina); p. 16 (Pakistan); p. 33 (European Union); pp 36-37 (Liechtenstein); p. 37 (Canada, on behalf of the Group of Friends of Women, Peace and Security); p. 39 (Botswana); p. 50 (Spain); p. 51 (Netherlands); and p. 57 (Italy).

<sup>992</sup> Ibid., p. 21.

missions in addressing sexual violence, speakers stressed the importance of increased numbers of uniformed female personnel to facilitate reporting of crimes by victims. The phenomenon of underreporting was acknowledged as one of the main obstacles to accountability. With regard to assistance to victims, several speakers supported the inclusion of emergency contraception and safe abortion in the set of sexual and reproductive health services.<sup>993</sup> The observer of the Holy See, in contrast, expressed concern at the recommendation and argued in favour of increased assistance to women with children born of rape, including the recourse to adoption.<sup>994</sup> In addition, a number of speakers welcomed the charges against Bosco Ntaganda by the International Criminal Court<sup>995</sup> and others welcomed the Declaration on Preventing Sexual Violence in Conflict, signed by the Group of Eight in London on 11 April 2013.<sup>996</sup>

On 24 June 2013, the Council held a high-level meeting at the initiative of the United Kingdom to discuss accountability issues, with a particular focus on the following areas: responsibility of States to prevent and punish sexual violence; possible complementarity and synergies between international and national accountability mechanisms; and the role of the United Nations in supporting national judicial systems.<sup>997</sup> The Secretary-General emphasized the importance of national ownership in preventing sexual violence.<sup>998</sup> Echoing the Secretary-General, the Special Representative of the Secretary-General recalled the importance of engaging national stakeholders to foster national ownership, leadership and responsibility.<sup>999</sup>

<sup>993</sup> Ibid., p. 8 (representative of the NGO Working Group on Women, Peace and Security); p. 30 (Norway, on behalf of the Nordic countries); and p. 49 (Switzerland).

<sup>994</sup> Ibid., p. 36.

<sup>995</sup> Ibid., p. 13 (Guatemala); p. 23 (Luxembourg); and p. 61 (United Republic of Tanzania).

<sup>996</sup> Ibid., p. 10 (Republic of Korea); p. 11 (United States); p. 23 (Luxembourg); p. 24 (Australia); p. 25 (United Kingdom); p. 57 (Italy); p. 60 (Lithuania); p. 62 (Ireland); and p. 66 (Germany). The Declaration, in which the Group of Eight endorsed the development of an international protocol on the investigation and documentation of rape and other forms of sexual violence in conflict, is available from <https://www.gov.uk/government/publications/g8-declaration-on-preventing-sexual-violence-in-conflict>.

<sup>997</sup> See concept note (S/2013/335).

<sup>998</sup> S/PV.6984, p. 3.

<sup>999</sup> Ibid., p. 5.

The Special Envoy of the High Commissioner for Refugees stressed the crucial leadership role of the Council to ensure protection and accountability.<sup>1000</sup> The representative of the Women's Initiative for Gender Justice noted that rape and other forms of sexual violence intensified and increased during times of civil war and armed conflicts, yet too often impunity for those crimes continued to be guaranteed through amnesty laws. She acknowledged the need for leadership on accountability for conflict-related crimes at the national level and stressed the importance of complementarity between national and international systems of accountability.<sup>1001</sup>

Following the briefings, the Council unanimously adopted resolution 2106 (2013) in which it affirmed that sexual violence, when used or commissioned as a method or tactic of war or as a part of a widespread or systematic attack against civilian populations, could significantly exacerbate and prolong situations of armed conflict and impede the restoration of international peace and security. The Council also stressed women's participation as essential to any prevention and protection response. The Council expressed its intent to employ, as appropriate, all means at its disposal to ensure women's participation in all aspects of mediation, post-conflict recovery and peacebuilding and to address sexual violence in conflict, including, inter alia, in the establishment and review of peacekeeping and political mandates, public statements, country visits, fact-finding missions, international commissions of inquiry, consultations with regional bodies and in the work of relevant Security Council sanctions committees. The Council also requested the Secretary-General and relevant United Nations entities to accelerate the establishment and implementation of monitoring, analysis and reporting arrangements and urged existing sanctions committees to apply targeted sanctions against perpetrators.

After the vote, Member States described resolution 2106 (2013) as an important step in consolidating and operationalizing the framework built by previous resolutions on sexual violence. The representative of the United Kingdom stated that a new consciousness and strong action to protect women and children should permeate all of the Council's

<sup>1000</sup> Ibid., p. 6.

<sup>1001</sup> Ibid., pp. 7-8.

peacebuilding efforts.<sup>1002</sup> The representative of Sweden, speaking on behalf of the Nordic countries, said that the focus on sexual violence should not come at the expense of the broader agenda on women, peace and security.<sup>1003</sup> In relation to accountability and reparations mechanisms, many speakers stressed the importance of the leadership of national Governments and their commitment to protect women's rights, guaranteeing the prosecution of conflict-related sexual violence and addressing victims' needs. A consensus existed regarding the importance of the international community, particularly the United Nations, in providing affected States with the technical assistance and support needed to effectively strengthen national legal systems. However, a number of speakers stressed that international assistance should be implemented with full respect for the sovereignty of States.<sup>1004</sup> Many speakers acknowledged the positive role of the Team of Experts on the Rule of Law and Sexual Violence in Conflict. The representative of Togo suggested that the United Nations assist in developing or establishing mechanisms of cooperation for the arrest and extradition of alleged perpetrators, and by strengthening the capacity of national courts to avoid the perpetuation of violence.<sup>1005</sup> The representative of Jordan, however, questioned the credibility of the United Nations in the fight against sexual violence given its handling of sexual exploitation and abuse by peacekeepers and proposed the establishment of a full-fledged legal assistance department to advise States seeking to upgrade or reform their judicial services.<sup>1006</sup>

In regard to the role of the International Criminal Court, the representative of Estonia recalled that the Rome Statute provided that sexual violence crimes could be committed against both men and women, and stressed that such recognition should be translated into national prosecutions so as to ensure that the gender dimension of atrocity crimes was accounted for to the same extent as it was by the Court.<sup>1007</sup> The representative of Luxembourg emphasized the responsibility of States to incorporate into their

national legislation provisions criminalizing sexual violence and excluding amnesty laws for the most serious crimes, including sexual violence.<sup>1008</sup> Finally, the representative of Liechtenstein expressed the belief that the Council should be more assertive where national systems failed, through establishing fact-finding commissions, commissions of inquiry and referrals to the Court.<sup>1009</sup>

#### **Briefing on women and peace and security**

On 24 April 2012, the Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Under-Secretary-General for Peacekeeping Operations briefed the Council. The Executive Director of UN-Women addressed the engagement of women in conflict resolution and transitional justice. She expressed concern that women's engagement and contribution to democratization had not translated into greater presence or influence at the leadership and decision-making levels. She advised that concrete measures were needed to systematize women's participation in national dialogues in transition contexts, in international contact group meetings and donor conferences. She suggested that the Council should encourage mediators, envoys, advisers and Member States to include women in the process of conflict resolution. She invited Member States to actively use the gender expertise made available through the Department of Political Affairs-UN-Women joint strategy on gender and mediation to make their mediation and prevention efforts more inclusive. In respect of accountability, she stressed the importance that the International Residual Mechanism for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia include a specific review of the lessons learned from the prosecution of sexual and gender-based crimes, and stated that those lessons should be applied in the work of the International Criminal Court and in peacekeeping missions assisting domestic actors to prosecute such crimes. With regard to transitional justice, she welcomed the inclusion of strong gender analysis in the reports of commissions of inquiry and stressed the need for implementation and follow-up action. Finally, she expressed concern about the threat of loss of gains on women's legal rights in post-

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<sup>1002</sup> *Ibid.*, p. 9.

<sup>1003</sup> *Ibid.*, p. 28.

<sup>1004</sup> *Ibid.*, p. 14 (Morocco), p. 20 (Argentina), p. 21 (China), p. 26 (Russian Federation), p. 27 (Ecuador), and p. 46 (Colombia).

<sup>1005</sup> *Ibid.*, p. 25.

<sup>1006</sup> *Ibid.*, pp. 37-39.

<sup>1007</sup> *Ibid.*, p. 42.

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<sup>1008</sup> *Ibid.*, p. 24.

<sup>1009</sup> *Ibid.*, p. 44.

conflict situations. She said that the Council should pay particular attention to ensuring that women's rights were not eroded during mission drawdowns, and urged it to support increased numbers of women in leadership positions, constitution-making processes and the justice and security work of United Nations missions.<sup>1010</sup>

The Under-Secretary-General for Peacekeeping Operations focused his remarks on security, protection and equal participation of women in countries where peacekeeping missions were located. He said that under the leadership of the special representatives of the Secretary-General, missions could provide an extremely powerful platform for support to women in post-conflict situations<sup>1011</sup> and highlighted in particular their role in supporting women's participation in elections. In spite of the initiatives and measures put in place by the Department of Peacekeeping Operations to enhance protection of women, he acknowledged that more needed to be done in the area of protection by host countries and peacekeepers alike, particularly against sexual and gender-based violence. He called for, *inter alia*, renewed efforts to be made to strengthen judicial and military institutions as well as for the establishment of security institutions with clear modalities of operation and elements that are regularly trained and that act in compliance with international law and standards.<sup>1012</sup>

#### **Contribution of women's civil society organizations to the prevention of armed conflict**

On 31 October 2012, the Council held an open debate on the item entitled "Women and peace and security", having before it the concept note prepared by the President of the Council (Guatemala).<sup>1013</sup> After the debate, the Council adopted a presidential statement, in which it recognized the need for more systematic attention to the implementation of women and peace and security commitments in its own work. The Council also underlined the need for continued appropriate and regular training for gender advisers as well as the need to ensure that gains made in the protection and promotion of women's and girls' rights were sustained, and stressed the importance of

promoting and protecting the human rights of women and girls in the context of the implementation of resolution 1325 (2000).<sup>1014</sup>

On 30 November 2012, the Council held its annual debate on women and peace and security, at which it considered the report of the Secretary-General on the implementation of resolution 1325 (2000).<sup>1015</sup> In his statement, the Deputy Secretary-General said that one of the key messages of the report was that early and sustained engagement with women was crucial to ensuring the sustainability of peace efforts. He stressed that actively engaging women must be a priority, not an afterthought, and that the challenge was to become more systematic in supporting women's organizations in their efforts towards peace and in making the necessary links to formal peace processes. The Deputy Secretary-General added that issues relating to the women and peace and security agenda should not be addressed just once a year.<sup>1016</sup>

The Executive Director of UN-Women presented the report of the Secretary-General<sup>1015</sup> and pointed out the shortage of opportunities for women to engage in conflict resolution and peacebuilding, despite the availability of women's leadership, and underlined the need to create such opportunities.<sup>1017</sup> The Under-Secretary-General for Peacekeeping Operations stated that women could and should play a leading role in political participation, conflict resolution and the transition from conflict to peace, and emphasized the critical role of active and systematic consultation with local actors and leaders to develop effective, context-specific and gender-aware solutions.<sup>1018</sup> The representative of the NGO Working Group on Women, Peace and Security called on the Council to engage with women's groups as key partners in peace, to prioritize women's rights, to meet regularly with women's groups and women leaders and to ensure that women's priorities were substantively incorporated into all relevant negotiations.<sup>1019</sup>

Most speakers acknowledged the disproportionate impact of conflict on women and the relevance of their participation in peacemaking processes. They recognized the important role of women civil society

<sup>1010</sup> S/PV.6759, pp. 2-5.

<sup>1011</sup> *Ibid.*, p. 5.

<sup>1012</sup> *Ibid.*, pp. 5-8.

<sup>1013</sup> S/2012/774, annex.

<sup>1014</sup> S/PRST/2012/23.

<sup>1015</sup> S/2012/732.

<sup>1016</sup> S/PV.6877, p. 3.

<sup>1017</sup> *Ibid.*, p. 5.

<sup>1018</sup> *Ibid.*, pp. 5-7.

<sup>1019</sup> *Ibid.*, pp. 7-9.

organizations and deplored the lack of security for women's rights defenders. Many speakers also welcomed the inclusion of the protection of civilians in the mandates of 8 of the 16 peacekeeping missions, the establishment of early warning mechanisms and increased support for women's participation in mediation efforts and preventive diplomacy. The representative of Mexico expressed regret that peace processes and accords rarely included concrete provisions which would enable inclusive access to power, which perpetuated the exclusion and vulnerable conditions in which women lived. He added that the inclusion of women's organizations in peace processes was necessary to overcome injustices and offered an opportunity to avoid structural problems of exclusion in the design of inclusive national institutions.<sup>1020</sup>

The representative of Liechtenstein highlighted the need to ensure that the perspective of women's civil society organizations was taken into account when rethinking how gender expertise was structured and deployed in the United Nations system.<sup>1021</sup> Similarly, the Special Representative for Women, Peace and Security of the Secretary-General of the North Atlantic Treaty Organization (NATO) stated that civil society played an important role as a source of information and accountability. Stressing that her organization aimed at greater female participation in areas of defence and security, she noted that having gender expertise and more female soldiers in the field enhanced the ability of NATO to conduct operations more effectively.<sup>1022</sup> Many speakers encouraged the deployment of female peacekeepers and police personnel, women protection advisers and gender advisers within United Nations missions, and representatives of troop-contributing countries underlined their active role in sending uniformed women peacekeepers, to the missions, who served in a variety of capacities.

In respect of the report of the Secretary-General, the representative of the Russian Federation stated that there had been no serious analysis of the information gathered and that it was, therefore, impossible to understand the data, assess its value or draw specific conclusions about the status of women.<sup>1023</sup> Acknowledging that indicators constituted a potentially

important tool for designing prevention and protection mechanisms, the representative of Colombia emphasized that the indicators should be used in strict conformity to the mandate laid out in the relevant resolutions, and that findings should not be used out of context.<sup>1024</sup>

#### **Women, rule of law and transitional justice in conflict-affected situations**

On 18 October 2013, the Council adopted resolution [2122 \(2013\)](#), in which it emphasized that persisting barriers to full implementation of resolution [1325 \(2000\)](#) would only be dismantled through dedicated commitment to women's empowerment, participation and human rights and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making. The Council expressed its intention to focus more attention on women's leadership and participation in conflict resolution and peacebuilding, as well as on women, peace and security issues in all relevant thematic areas on its agenda. The Council also welcomed more regular briefings by the Executive Director of UN-Women and the Special Representative of the Secretary-General on Sexual Violence in Conflict. In addition, the Council requested the Department of Peacekeeping Operations and the Department of Political Affairs and relevant senior officials to update the Council on issues relevant to women, peace and security and to systematically include information and recommendations on issues of relevance to women, peace and security in the reports to the Council. The Council also invited all United Nations-established commissions of inquiry investigating situations on its agenda to include information on the differentiated impacts of armed conflict on women and girls. The Council recognized the continuing need to increase women's participation and the consideration of gender-related issues in all discussions, the Council requested the Special Envoys and Special Representatives of the Secretary-General to regularly consult with women's organizations and women leaders, and requested the Secretary-General to strengthen the knowledge of negotiating delegations to peace talks, and members of mediation support teams, on the gender dimensions of peacebuilding. In addition, the Council invited the Secretary-General to commission a global study on the implementation of

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<sup>1020</sup> Ibid., p. 36.

<sup>1021</sup> Ibid., p. 28.

<sup>1022</sup> Ibid., p. 40.

<sup>1023</sup> Ibid., p. 15.

<sup>1024</sup> Ibid., pp. 23-24.



resolution 1325 (2000), highlighting good practice examples, implementation gaps and challenges in preparation for the 2015 high-level review.<sup>1025</sup>

Following the vote, speakers welcomed the unanimous adoption of resolution 2122 (2013), seventh in the series of resolutions on women and peace and security, and acknowledged the role of the Council in establishing a comprehensive body of norms. The representative of the Organization for Security and Cooperation in Europe (OSCE) welcomed the adoption of the resolution and recognized the role of regional organizations in implementing women, peace and security commitments. She stated that there was a good window of opportunity to give women, peace and security issues a boost at the regional level as the United Nations was currently leading a process of strengthening the role of regional organizations under Chapter VIII of the Charter, dealing with conflict prevention.<sup>1026</sup>

The Council had before it the report of the Secretary-General<sup>1027</sup> and a concept note prepared by the President of the Council (Azerbaijan).<sup>1028</sup> Speakers welcomed the opportunity to discuss the gender implications of the rule of law and highlighted the link between the establishment of gender-sensitive judicial mechanisms and the sustainability of peacebuilding efforts. The representative of Sweden stated that improving women's access to justice should include an analysis of the systemic barriers of gender inequality and that gender awareness in the rule of law had a direct impact on women's political and economic empowerment.<sup>1029</sup> Many speakers also agreed that

periods of transition offered opportunities for women to advance and institutionalize their interests and needs and to secure their rights as equal citizens, thus preventing further abuse. In that context, the importance of informal justice mechanisms and reparations programmes was acknowledged as well as the need for transitional justice to address the full-range of conflict-related violations against women's rights, and for women to fully participate in judicial reforms and institutions.

Noting that much attention had focused on prevention and protection issues, particularly in connection with sexual violence in armed conflict, some speakers stressed the need also to address the issue of participation of women in all decision-making processes, the third pillar of resolution 1325 (2000). Speakers welcomed the progress achieved in that area despite the need to address remaining implementation gaps. Several speakers stressed the need for a more consistent inclusion of women, peace and security-related provisions in the mandates of missions. In that connection, the representative of the Russian Federation urged States to avoid predetermined actions and to be mindful of individual situations.<sup>1030</sup> The representative of Chile expressed concern at the declining number of women among the middle and high levels of mission leadership staff, the scarcity of gender and age-segregated data and the gap in financing.<sup>1031</sup> The representative of Brazil stated that women's participation in the maintenance of international peace and security remained insufficient and that supporting and promoting such participation was an increasingly important aspect of the Council's responsibility under the Charter of the United Nations.<sup>1032</sup>

<sup>1025</sup> On 26 October 2010, in a statement by the President, the Council expressed its intention to convene a high-level review to assess progress in the implementation of resolution 1325 (2010) (see S/PRST/2010/22).

<sup>1026</sup> S/PV.7044, pp. 35.

<sup>1027</sup> S/2013/525.

<sup>1028</sup> S/2013/587, annex.

<sup>1029</sup> S/PV.7044, p. 67.

<sup>1030</sup> Ibid., p. 22.

<sup>1031</sup> Ibid., p. 42.

<sup>1032</sup> Ibid., p. 27.

Table 1  
**Meetings: women and peace and security**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6722</a> and <a href="#">S/PV.6722 (Resumption 1)</a> 23 February 2012	Report of the Secretary-General on conflict-related sexual violence ( <a href="#">S/2012/33</a> )		32 Member States <sup>a</sup>	Special Representative of the Secretary-General on Sexual Violence in Conflict, Under-Secretary-General for Peacekeeping Operations, representative of the NGO Working Group on Women, Peace and Security, Head of the Delegation of the European Union to the United Nations	All Council members, <sup>b</sup> all invitees	<a href="#">S/PRST/2012/3</a>
<a href="#">S/PV.6759</a> 24 April 2012				Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Under-Secretary-General for Peacekeeping Operations	Executive Director of UN-Women, Under-Secretary-General for Peacekeeping Operations	
<a href="#">S/PV.6852</a> 31 October 2012	Report of the Secretary-General on women and peace and security ( <a href="#">S/2012/732</a> )  Letter dated 2 October 2012 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/774</a> )					<a href="#">S/PRST/2012/23</a>

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6877</a> 30 November 2012	Report of the Secretary-General on women and peace and security ( <a href="#">S/2012/732</a> )  Letter dated 2 October 2012 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/774</a> )		40 Member States <sup>c</sup>	Executive Director of UN-Women, Under-Secretary-General for Peacekeeping Operations, President and Founder of Femmes Africa Solidarité, Head of the Delegation of the European Union, Special Representative for Women, Peace and Security of the Secretary General of the North Atlantic Treaty Organization (NATO)	Deputy Secretary-General, all Council members, all invitees under rule 39, 39 invitees under rule 37 <sup>d</sup>	
<a href="#">S/PV.6948</a> 17 April 2013	Report of the Secretary-General on sexual violence in conflict ( <a href="#">S/2013/149</a> )		41 Member States <sup>e</sup>	Special Representative of the Secretary-General, representative of the NGO Working Group on Women, Peace and Security, Head of the Delegation of the European Union, Permanent Observer of the Holy See to the United Nations	Secretary-General, all Council members, <sup>f</sup> all invitees under rule 37, all invitees under rule 39, <sup>g</sup> Permanent Observer of the Holy See to the United Nations	
<a href="#">S/PV.6984</a> 24 June 2013	Sexual violence in conflict  Letter dated 7 June 2013 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/335</a> )	Draft resolution submitted by 47 Member States <sup>h</sup> ( <a href="#">S/2013/368</a> )	59 Member States <sup>i</sup>	Special Representative of the Secretary-General, Special Envoy of the United Nations High Commissioner for Refugees, representative of the Women's Initiatives for Gender Justice, Deputy Head of the Delegation of the European Union, Permanent Observer of the African Union to the United Nations, Permanent Observer of the Holy See	Secretary-General, all Council members, <sup>j</sup> all invitees under rule 37, all invitees under rule 39, Permanent Observer of the African Union to the United Nations, Permanent Observer of the Holy See	Resolution <a href="#">2106 (2013)</a> 15-0-0

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7044</a> 18 October 2013	Women, rule of law and transitional justice in conflict-affected situations  Letter dated 3 October 2013 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/587</a> )	Draft resolution submitted by 46 Member States <sup>k</sup> ( <a href="#">S/2013/614</a> )  Report of the Secretary-General on women and peace and security ( <a href="#">S/2013/525</a> )	59 Member States <sup>l</sup>	Executive Director of UN-Women, United Nations High Commissioner for Human Rights (via video teleconference), representative of the NGO Working Group on Women, Peace and Security, Head of the Delegation of the European Union, Special Representative for Women, Peace and Security of NATO, Senior Special Adviser on Gender Issues of the Organization for Security and Cooperation in Europe (OSCE), Permanent Observer of the African Union	Secretary-General, all Council members, 44 invitees under rule 37, <sup>m</sup> all invitees under rule 39, Permanent Observer of the African Union	Resolution <a href="#">2122 (2013)</a> 15-0-0

(Footnotes on following page)

(Footnotes to Table 1. Meetings: women and peace and security)

<sup>a</sup> Belgium (Deputy Prime Minister, Minister for Foreign Affairs, Foreign Trade and European Affairs), Afghanistan, Armenia, Australia, Bangladesh, Botswana, Brazil, Canada, Egypt, El Salvador, Estonia, Indonesia, Ireland, Iran (Islamic Republic of), Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Mexico, Nepal, Peru, Republic of Korea, Spain, Sri Lanka, Sudan, Sweden (on behalf of the Nordic countries), Switzerland (on behalf of the Human Security Network and in its national capacity), Syrian Arab Republic, Tunisia and Viet Nam.

<sup>b</sup> Togo (President of the Security Council) was represented by its Minister for Foreign Affairs and Cooperation.

<sup>c</sup> Afghanistan, Argentina, Armenia, Australia, Austria, Bangladesh, Botswana, Brazil, Canada, Chile, Croatia, Egypt, Estonia, Fiji, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Nigeria, Papua New Guinea, Republic of Korea, Slovenia, Spain, Sudan, Sweden (on behalf of the Nordic countries), Switzerland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Turkey and Tunisia.

<sup>d</sup> The representative of Papua New Guinea did not make a statement.

<sup>e</sup> Norway (Minister for Foreign Affairs, on behalf of the Nordic countries), El Salvador (Ministerial Secretary for Social Inclusion), Belgium, Bosnia and Herzegovina, Botswana, Brazil, Canada (on behalf of the Group of Friends of Women, Peace and Security and in its national capacity), Chile, Colombia, Egypt, Estonia, Ethiopia, Fiji, Germany, India, Indonesia, Ireland, Italy, Japan, Jordan, Kazakhstan, Kyrgyzstan, Liechtenstein, Lithuania, Malaysia, Myanmar, Netherlands, New Zealand, Papua New Guinea, Philippines, Portugal, Qatar, Slovenia (on behalf of the Human Security Network), Solomon Islands, South Africa, Spain, Sudan, Switzerland, Syrian Arab Republic, United Republic of Tanzania and Viet Nam (on behalf of the member States of the Association of Southeast Asian Nations).

<sup>f</sup> Rwanda (President of the Security Council) was represented by its Minister for Foreign Affairs and Cooperation; Republic of Korea by its Vice Minister for Foreign Affairs.

<sup>g</sup> The statement on behalf of the European Union was made by its Deputy Head of Delegation.

<sup>h</sup> Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Togo, Ukraine, United Kingdom, United States.

<sup>i</sup> Ecuador (Minister of National Defence), Sweden (Minister of Defence, on behalf of the Nordic countries), Lithuania (Vice Minister for Foreign Affairs), Armenia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lebanon, Liberia, Liechtenstein, Malaysia, Mexico, Montenegro, Namibia, Nepal, Netherlands, New Zealand, Norway, Poland, Portugal, Qatar, Romania, Senegal, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Switzerland, Syrian Arab Republic, Turkey, Uganda, Ukraine and Uruguay.

<sup>j</sup> Guatemala was represented by its Minister for Foreign Affairs; United Kingdom by its Secretary of State for Foreign and Commonwealth Affairs (President of the Security Council); Morocco by its Deputy Minister for Foreign Affairs and Cooperation; France by its Minister of Women's Rights and Spokesperson; and Rwanda by its Permanent Representative to the United Nations and member of the President's Cabinet.

<sup>k</sup> Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Costa Rica, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Montenegro, Namibia, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, United Kingdom, United States, Uruguay, Viet Nam.

<sup>l</sup> Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Czech Republic, Denmark, Egypt, El Salvador, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malaysia, Marshall Islands (on behalf of the Pacific Islands Forum), Mexico, Montenegro, Namibia, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Qatar, Romania, Slovenia, Solomon Islands, South Africa, Spain, Sweden (on behalf of the Nordic countries), Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Uruguay and Viet Nam.

<sup>m</sup> Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Canada, Chile, Colombia, Croatia, Czech Republic, Egypt, Estonia, Georgia, Germany, Greece, India, Indonesia, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malaysia, Marshall Islands, Mexico, Namibia, Netherlands, New Zealand, Nigeria, Portugal, Qatar, Slovenia, Solomon Islands, South Africa, Spain, Syrian Arab Republic, Sweden, Switzerland, Thailand, Turkey and Uruguay.

### **Mainstreaming of issues relating to women and peace and security in the decisions of the Security Council**

During the period under review, the Security Council continued to include provisions relevant to women, peace and security in its country-specific decisions and in decisions relating to other thematic issues.<sup>1033</sup>

Table 2 features instances of such inclusion in resolutions and statements by the President adopted in connection with country-specific items. Table 3 features provisions relevant to women and peace and security in decisions adopted under other thematic items. Provisions relating to the mandates of peacekeeping operations and political and peacebuilding missions are featured in the tables only if they concern specifically: (a) the deployment of women's protection advisers and gender advisers; and (b) the role of a particular mission with regard to monitoring, analysis and reporting arrangements.<sup>1034</sup>

During the period under review, in decisions relating to country or regional-specific items (see table 2), provisions relevant to women and peace and security included calls on Governments and parties to

support women's engagement in peace and political processes, condemnations of violations against women and requests to concerned parties to armed conflict to make specific and time-bound commitments to combat sexual violence. In several decisions, the Council requested the establishment or further implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence and called for the deployment of women protection and gender advisers to various peacekeeping and political missions. The Council also decided to adopt targeted measures against perpetrators or expressed its strong intention to do so when considering a number of situations on its agenda.

In decisions related to thematic items (see table 3), the Council stressed the importance of adopting a gender perspective in various areas relating to the maintenance of international peace and security. In addition, in resolution 2122 (2013), the Council expressed its intention to increase its attention to women and peace and security in all relevant thematic areas of work on its agenda, including threats to international peace and security caused by terrorist acts.<sup>1035</sup>

<sup>1033</sup> In its presidential statement of 31 October 2012, the Council recognized the need for more systematic attention to the implementation of women and peace and security commitments in its own work to, inter alia, continue to integrate appropriate gender perspectives into the mandates of relevant United Nations peacekeeping missions as well as in other relevant thematic areas of peace and security (S/PRST/2012/23).

<sup>1034</sup> For more information on mandates and decisions relating to peacekeeping operations and political and peacebuilding missions, see part X.

<sup>1035</sup> See also resolution 2129 (2013), in connection with the item entitled "Threats to international peace and security caused by terrorist acts". Although the Council had previously included a reference to women in resolutions 1988 (2011) and 2082 (2012), adopted under the same item, those resolutions addressed specifically the review of delisting requests by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities and by the Committee established pursuant to resolution 1988 (2011), respectively.

**Table 2**  
**Decisions relating to women and peace and security, by country: selected provisions**

<i>Decision</i>	<i>Provisions</i>
<b>Participation of women in conflict prevention and resolution</b>	
<b>The situation concerning the Democratic Republic of the Congo</b>	
Resolution <a href="#">2053 (2012)</a> (adopted under Chapter VII)	Urges the Congolese authorities to ensure that the provincial and local elections are conducted in a timely, credible, peaceful and transparent manner, which includes ensuring respect for human rights and fundamental freedoms, and ensuring full and effective participation of women in the electoral process, strengthened engagement and cooperation with civil society, equitable access to media, including State media, and safety for all candidates as well as for election observers and witnesses, journalists, human rights defenders and civil society actors, including women (para. 15)
<b>The situation in Mali</b>	
Resolution <a href="#">2056 (2012)</a> (adopted under Chapter VII)	Acknowledges the significant contribution that women can have in conflict prevention, peacebuilding and mediation efforts, calls upon all actors in the crisis in Mali to take measures to increase the number of women involved in mediation efforts, and stresses the importance of creating enabling conditions for the participation and empowerment of women during all stages of the mediation process (para. 26)
<b>Reports of the Secretary-General on the Sudan</b>	
Resolution <a href="#">2057 (2012)</a> (adopted under Chapter VII)	Calls upon the Government of South Sudan to take measures to improve women's participation in the outstanding issues of the Comprehensive Peace Agreement of 9 January 2005 and post-independence arrangements and to enhance the engagement of South Sudanese women in public decision-making at all levels, including by promoting women's leadership, ensuring appropriate representation of women in the revision of the Constitution of South Sudan, supporting women's organizations and countering negative societal attitudes about women's capacity to participate equally (para. 15)
	<i>See also resolution <a href="#">2109 (2013)</a>, para. 21</i>
<b>The situation in Somalia</b>	
Resolution <a href="#">2067 (2012)</a>	Reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and urges the Somali authorities to continue to promote increased representation of women at all decision-making levels in Somali institutions (para. 8)
	<i>See also resolution <a href="#">2093 (2013)</a>, para. 31 and <a href="#">S/PRST/2013/7</a>, ninth paragraph</i>
<b>Condemnation of violence against women</b>	
<b>The situation in Afghanistan</b>	
Resolution <a href="#">2041 (2012)</a>	Recognizes that, despite progress achieved on gender equality, enhanced efforts, including towards measurable and action-oriented objectives, are necessary to secure the rights of women and girls and to ensure that all women and girls in Afghanistan are protected from violence and abuse and enjoy equal protection under the law and equal access to justice, strongly condemns discrimination and violence against women and girls, in particular violence aimed at preventing girls from attending school, and stresses the importance of implementing resolutions <a href="#">1325 (2000)</a> , <a href="#">1820 (2008)</a> , <a href="#">1888 (2009)</a> , <a href="#">1889 (2009)</a> and <a href="#">1960 (2010)</a> , noting the mainstreaming commitments introduced therein, and of ensuring that women fleeing domestic violence are able to find safe and secure refuge (para. 42)
	<i>See also resolution <a href="#">2096 (2013)</a>, para. 43</i>

**The situation in Mali**

Resolution [2056 \(2012\)](#) (adopted under Chapter VII) Calls upon all parties in the north of Mali to cease all abuses of human rights and violations of international humanitarian law, condemns in particular the targeted attacks against the civilian population, sexual violence, recruitment and use of child soldiers and forced displacement, recalls in this regard all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflict, and stresses that the perpetrators shall be brought to justice (para. 13)

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**The situation concerning the Democratic Republic of the Congo**

Resolution [2098 \(2013\)](#) (adopted under Chapter VII) Strongly condemns the 23 March Movement, the Forces démocratiques de libération du Rwanda, the Allied Democratic Forces, the Alliance des patriotes pour un Congo libre et souverain, the Lord's Resistance Army, the Forces nationales de libération, the various Mai Mai groups and all other armed groups and their continuing violence and abuses of human rights, including summary executions, sexual and gender-based violence and the large-scale recruitment and use of children, demands that all armed groups cease immediately all forms of violence and destabilizing activities and that their members immediately and permanently disband and lay down their arms, and reiterates that those responsible for human rights abuses and violations of international humanitarian law will be held accountable and should not be eligible for integration into the Armed Forces of the Democratic Republic of the Congo or other elements of State security forces (para. 8)

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**The situation in Somalia**

Resolution [2067 \(2012\)](#) Strongly condemns the grave and systematic violations and human rights abuses perpetrated by many parties and in particular by Al-Shabaab and its affiliates against the civilian population, including violence against children, journalists and human rights defenders and sexual violence against women and children, and calls for the immediate cessation of such acts, and emphasizes the need for accountability for all such violations and abuses (para. 18)

Resolution [2093 \(2013\)](#) (adopted under Chapter VII) Condemns all attacks against civilians in Somalia, calls for the immediate cessation of all acts of violence, including sexual and gender-based violence, or abuses committed against civilians, including women and children, and humanitarian personnel in violation of international humanitarian law and human rights law, stresses the responsibility of all parties in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate attacks or excessive use of force, and underscores the need to end impunity, uphold human rights and hold those who commit crimes accountable (para. 26)

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**The situation in the Central African Republic**

Resolution [2088 \(2013\)](#) Strongly condemns the continued violations of international humanitarian and human rights law, including the recruitment and use of children, the killing and maiming of civilians, including of children, rape and sexual slavery and other forms of sexual and gender-based violence and abductions, and the targeting of ethnic minorities perpetrated by armed groups, and specifically the Lord's Resistance Army, that threaten the population as well as the peace and stability of the Central African Republic and the subregion, and requests the United Nations Integrated Peacebuilding Office in the Central African Republic to report on these human rights abuses and other violations perpetrated by armed groups, particularly against children and women (para. 13)

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### Time-bound and specific commitments by parties to combat sexual violence

#### Reports of the Secretary-General on the Sudan

Resolution 2057 (2012) (adopted under Chapter VII) Demands that all parties immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, in particular gender-based violence, including rape and other forms of sexual violence, as well as all violations and abuses against children in violation of applicable international law, such as their recruitment and use, intentional killing and maiming, abduction and attacks against schools and hospitals, and calls for specific and time-bound commitments to combat sexual violence in accordance with resolution 1960 (2010) (para. 10)

*See also resolution 2109 (2013), para. 14*

Resolution 2113 (2013) Demands that the parties to the conflict immediately cease all acts of sexual violence and make and implement specific and time-bound commitments to combat such violence, in accordance with resolution 2106 (2013); and requests the African Union-United Nations Hybrid Operation in Darfur to report on sexual and gender-based violence as well as to assess progress towards the elimination of sexual and gender-based violence, including through the timely appointment of women's protection advisers, ... (para. 25)

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#### The situation in the Central African Republic

Resolution 2121 (2013) Calls upon all parties to armed conflict in the Central African Republic, including Séléka elements to issue clear orders against sexual violence, and further calls upon those parties to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable, in line with its resolution 1960 (2010), and to facilitate immediate access for victims of sexual violence to available services (para. 16)

*See also resolution 2127 (2013), para. 23*

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### Monitoring, analysis and reporting on conflict-related sexual violence

#### Reports of the Secretary-General on the Sudan

Resolution 2057 (2012) (adopted under Chapter VII) Reaffirms the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions 1325 (2000) and 1820 (2008), recalls the need to address violence against women and girls as a tool of warfare, looks forward to the appointment of women's protection advisers in accordance with resolutions 1888 (2009), 1889 (2009) and 1960 (2010), requests the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence, including rape in situations of armed conflict and in post-conflict and other situations relevant to the implementation of resolution 1888 (2009), as appropriate, and encourages the Mission as well as the Government of South Sudan to actively address these issues (para. 29)

*See also resolution 2109 (2013), para. 40*

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#### The situation concerning the Democratic Republic of the Congo

Resolution 2098 (2013) (adopted under Chapter VII) Authorizes the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), through its military component, in pursuit of the objectives described in paragraph 11 [of the resolution], to take all necessary measures to perform the following tasks, through its regular forces and its Intervention Brigade as appropriate:

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(a) *Protection of civilians*

...

(iii) ... requests the Mission to ensure that child protection concerns are integrated into all operations and strategic aspects of the work of the Mission and accelerate the implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence, as called for in resolution 1960 (2010), and employ women's protection advisers to engage with parties to conflict in order to seek commitments on the prevention of and response to conflict-related sexual violence (para. 12)

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**Women's protection advisers and gender advisers**

**Reports of the Secretary-General on the Sudan**

Resolution 2057 (2012) (adopted under Chapter VII) Reaffirms the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions 1325 (2000) and 1820 (2008), recalls the need to address violence against women and girls as a tool of warfare, looks forward to the appointment of women's protection advisers in accordance with resolutions 1888 (2009), 1889 (2009) and 1960 (2010) (para. 29)

Resolution 2063 (2012) Demands that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008) of 19 June 2008; ... and further emphasizes the need to include protection for women and children from sexual violence and gender-based violence as part of the mission-wide protection of civilians strategy identified in paragraph 3 [of the resolution], and requests the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000), 1820 (2008), 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 are implemented by African Union-United Nations Hybrid Operation in Darfur (UNAMID), including supporting the participation of women through the appointment of women's protection advisers, and to include information on this in his reporting to the Council (para. 21)

Resolution 2109 (2013) (adopted under Chapter VII) Reaffirms the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions 1325 (2000), 1820 (2008) and 2106 (2013), recalls the need to address violence against women and girls as a tool of warfare, welcomes the appointment of women's protection advisers in accordance with resolutions 1888 (2009), 1889 (2009), 1960 (2010) and 2106 (2013) ... (para. 40)

Resolution 2113 (2013) ... requests the Secretary-General to ensure that the relevant provisions of resolution 1325 (2000) and associated resolutions on women and peace and security are implemented by UNAMID, including supporting the participation of women during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including women's civil society organizations, and through the appointment of gender advisers, and to include information on this in his reporting to the Council (para. 25)

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**The situation in Somalia**

Resolution 2093 (2013) (adopted under Chapter VII) Also requests the African Union Mission in Somalia to strengthen child and women's protection in its activities and operations, including through the deployment of a child protection adviser and a women's protection adviser within its existing civilian component to mainstream child and women's protection within the Mission (para. 13)

<i>Decision</i>	<i>Provisions</i>
Resolution <a href="#">2102 (2013)</a>	<p>Also decides that the mandate of the United Nations Assistance Mission in Somalia shall be as follows:</p> <p>...</p> <p>(d) To help to build the capacity of the Federal Government of Somalia:</p> <p style="padding-left: 2em;">(i) To promote respect for human rights and women's empowerment, including through the provision of gender advisers and human rights advisers;</p> <p>...</p> <p style="padding-left: 2em;">(iii) To prevent conflict-related sexual and gender-based violence, including through the provision of women's protection advisers (para. 2)</p>

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**The situation concerning the Democratic Republic of the Congo**

Resolution <a href="#">2098 (2013)</a> (adopted under Chapter VII)	<p>Authorizes MONUSCO, through its military component, in pursuit of the objectives described in paragraph 11 [of the resolution], to take all necessary measures to perform the following tasks, through its regular forces and its Intervention Brigade as appropriate:</p> <p>(a) <i>Protection of civilians</i></p> <p>...</p> <p style="padding-left: 2em;">(iii) ... requests the Mission to ensure that child protection concerns are integrated into all operations and strategic aspects of the work of the Mission and accelerate the implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence, as called for in resolution <a href="#">1960 (2010)</a>, and employ women's protection advisers to engage with parties to conflict in order to seek commitments on the prevention of and response to conflict-related sexual violence (para. 12)</p>
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**The situation in Mali**

Resolution <a href="#">2100 (2013)</a> (adopted under Chapter VII)	<p>Decides that the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali shall be the following:</p> <p>...</p> <p>(c) <i>Protection of civilians and United Nations personnel</i></p> <p>...</p> <p style="padding-left: 2em;">(ii) To provide specific protection for women and children affected by armed conflict, including through the deployment of child protection advisers and women's protection advisers, and to address the needs of victims of sexual and gender-based violence in armed conflict (para. 16)</p>
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**The situation in Côte d'Ivoire**

Resolution <a href="#">2112 (2013)</a> (adopted under Chapter VII)	<p>Decides further that the mandate of the United Nations Operation in Côte d'Ivoire shall be the following:</p> <p>...</p> <p>(f) <i>Support for compliance with international humanitarian and human rights law</i></p> <p>...</p> <p style="padding-left: 2em;">– To provide specific protection for women affected by armed conflict, including through the deployment of women's protection advisers, to ensure gender expertise and training, as appropriate and within existing resources, in accordance with resolutions <a href="#">1888 (2009)</a> of 30 September 2009, <a href="#">1889 (2009)</a> of 5 October 2009, <a href="#">1960 (2010)</a> of 16 December 2010 and <a href="#">2106 (2013)</a> of 24 June 2013 (para. 6)</p>
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Decision

Provisions

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### The situation in the Central African Republic

- Resolution [2121 \(2013\)](#) Decides that the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic shall be reinforced and updated as follows:
- ...
- (d) *Promotion and protection of human rights:*
- To monitor, help to investigate and report to the Council, specifically on violations and abuses committed against children as well as violations committed against women, including all forms of sexual violence in armed conflict, including through the deployment of women protection advisers and child protection advisers (para. 10)
- 

### Measures against perpetrators of sexual violence

#### The situation concerning the Democratic Republic of the Congo

- Resolution [2078 \(2012\)](#) (adopted under Chapter VII) Decides that the measures referred to in paragraph 3 [of the resolution] shall apply to the following individuals and, as appropriate, entities, as designated by the Security Council Committee established pursuant to resolution [1533 \(2004\)](#):
- ...
- (e) Individuals or entities operating in the Democratic Republic of the Congo and committing serious violations involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement (para. 4)
- 

#### The situation in Somalia

- Resolution [2093 \(2013\)](#) (adopted under Chapter VII) Also decides that the measures in paragraphs 1, 3 and 7 of resolution [1844 \(2008\)](#) of 20 November 2008 shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee:
- ...
- (e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians, including children and women, in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement (para. 43)
- 

#### The situation in the Central African Republic

- Resolution [2127 \(2013\)](#) (adopted under Chapter VII) Expresses its strong intent to swiftly consider imposing targeted measures, including travel bans and asset freezes, against individuals who act to undermine the peace, stability and security, including by engaging in acts that threaten or violate transitional agreements, or by engaging in or providing support for actions that threaten or impede the political process or fuel violence, including through violations of human rights and international humanitarian law, the recruitment and use of children in armed conflict in violation of applicable international law, sexual violence or supporting the illegal armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds, in the Central African Republic, or by violating the arms embargo established in paragraph 54 [of the resolution] (para. 56)
-

Table 3

**Decisions relating to women and peace and security, by thematic issue: selected provisions**

<i>Decision</i>	<i>Provisions</i>
<b>Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security</b>	
Resolution 2033 (2012)	Reaffirms the vital role of women in the prevention and resolution of conflicts, peace negotiations, peacebuilding, peacekeeping, humanitarian response and post-conflict reconstruction, and stresses the need for the United Nations and the African Union to work to ensure that women and gender perspectives are fully integrated into all peace and security efforts undertaken by the two organizations, including by building the necessary capacity (para. 12)
<b>United Nations peacekeeping operations: a multidimensional approach</b>	
Resolution 2086 (2013)	Reiterates the importance, when establishing and renewing the mandates of United Nations missions, to include provisions on the promotion of gender equality and the empowerment of women in post-conflict situations and on children and armed conflict, including through the appointment of gender advisers, women's protection advisers and experts and child protection advisers, as appropriate, and welcomes the call of the Secretary-General for enhanced participation, representation and involvement of women in the prevention and resolution of armed conflict and in peacebuilding as well as for a stronger commitment to address the challenges to such engagement of women at all levels (para. 12)
<b>Small arms</b>	
Resolution 2117 (2013)	Urges Member States, United Nations entities and intergovernmental, regional and subregional organizations to take further measures to facilitate full and meaningful participation of women in all policymaking, planning and implementation processes to combat and eradicate the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons in all its aspects and calls in this regard upon all those involved in the planning for disarmament, demobilization and reintegration and justice and security sector reform efforts to take into account the particular needs of women and children associated with armed forces and armed groups, with the participation of women, and to provide for their full access to these programmes, inter alia, through consultation with civil society, including women's organizations, as appropriate (para. 12)
<b>Threats to international peace and security caused by terrorist acts</b>	
Resolution 2129 (2013)	Recalling the adoption of resolution 2122, and reaffirming the intention to increase its attention to women, peace and security issues in all relevant thematic areas of work on its agenda, including in threats to international peace and security caused by terrorist acts (tenth preambular paragraph)

## 32. Threats to international peace and security caused by terrorist acts

### Overview

During the period under review, the Security Council held four meetings, and adopted three resolutions, two of them under Chapter VII, and two statements by the President under the item entitled “Threats to international peace and security caused by terrorist acts”.

### Strengthening international cooperation

In his briefing to the Council on 4 May 2012, the Secretary-General underlined the need to focus on the conditions that were conducive to spreading terrorism, and to pursue an integrated approach to terrorism and violent extremism embodied in the United Nations Global Counter-Terrorism Strategy. He also urged Member States to make full use of the Counter-Terrorism Implementation Task Force, and emphasized that the international community must work as one. For that reason, he hoped that Member States would decide to create the position of a United Nations counter-terrorism coordinator. He also noted the critical role of the newly established United Nations Counter-Terrorism Centre, within the Office of the Counter-Terrorism Implementation Task Force.<sup>1036</sup>

Speakers highlighted the increasingly close links between terrorist organizations and transnational organized crime. They underscored the value of the United Nations Global Counter-Terrorism Strategy and called for its full implementation. Some speakers stressed the importance of the respect for rule of law, both in combating terrorism and as a measure to prevent terrorism from growing.<sup>1037</sup> The Secretary-General’s proposal to appoint a counter-terrorism coordinator was supported by some countries,<sup>1038</sup> while others signalled their readiness to engage in discussions in respect of such a position in the context of the overall efforts of the United Nations in combating terrorism.<sup>1039</sup> In addition,

several speakers called for the conclusion of a comprehensive convention on international terrorism.<sup>1040</sup>

At the same meeting the Council adopted a presidential statement,<sup>1041</sup> in which it noted with concern that terrorism continued to pose a serious threat to international peace and security. The Council also expressed concern regarding the increasing connection between terrorism and transnational organized crime, and recognized the efforts of Member States to conclude negotiations on the draft comprehensive convention on international terrorism. The Council reaffirmed that Member States should ensure that measures taken to combat terrorism complied with international law, in particular international human rights law. The Council stressed the importance of the implementation of the United Nations Global Counter-Terrorism Strategy and took note of the recommendation to appoint a United Nations Counter-Terrorism Coordinator.

### Extension of the sanctions against Al-Qaida and the Taliban and of the mandates of the Office of the Ombudsperson and the Analytical Support and Sanctions Monitoring Team

At its meeting on 17 December 2012, acting under Chapter VII, the Council adopted resolutions [2082 \(2012\)](#) and [2083 \(2012\)](#), thereby renewing the sanctions measures with respect to Al-Qaida and the Taliban as well as other individuals, groups, undertakings and entities associated with Al-Qaida and the Taliban. The measures included an asset freeze, travel ban and arms embargo. Furthermore, the resolutions renewed the mandate of the Analytical Support and Sanctions Monitoring Team to support the committees responsible for the implementation of the resolutions. The Council, in resolution [2083 \(2012\)](#), also decided that the Ombudsperson should continue to receive requests for delisting and should present to the

<sup>1036</sup> [S/PV.6765](#), pp. 2-3.

<sup>1037</sup> *Ibid.*, p. 3 (Germany); p. 6 (United States); p. 11 (Colombia); p. 16 (India); p. 17 (South Africa); p. 20 (France); p. 21 (Portugal); p. 23 (Azerbaijan).

<sup>1038</sup> *Ibid.*, p. 6 (United States); p. 15 (United Kingdom); p. 17 (India); p. 21 (France).

<sup>1039</sup> *Ibid.*, p. 7 (Morocco); p. 14 (Pakistan); p. 18 (South Africa).

<sup>1040</sup> *Ibid.*, p. 9 (Russian Federation); p. 17 (India); p. 18 (South Africa); p. 19 (Guatemala); p. 23 (Azerbaijan).

<sup>1041</sup> [S/PRST/2012/17](#).

Committee observations and a recommendation to retain the listing or consider delisting.<sup>1042</sup>

### Comprehensive approach to counter-terrorism

In his briefing to the Council on 15 January 2013, the Secretary-General emphasized that no counter-terrorism strategy could be effective without addressing conditions that are conducive to the spread of terrorism. In that regard, he highlighted the critical links between development and security, the importance of dialogue and understanding and the increasing use of information technology to spread hatred. He also noted the importance of focusing on other counter-terrorism priorities, such as the threat posed by the financing of terrorism, and urged all relevant actors to ensure that the fight against terrorism did not impede the delivery of humanitarian assistance.<sup>1043</sup>

In the debate,<sup>1044</sup> speakers agreed that to eradicate terrorism, it had to be addressed in a comprehensive manner. Many speakers expressed the view that socio-economic development was one of the most promising strategies to fight terrorism at its root.<sup>1045</sup> Several speakers also mentioned the comprehensive nature of the United Nations Global Counter-Terrorism Strategy and encouraged its full

implementation.<sup>1046</sup> Some countries also expressed support for the adoption of a comprehensive convention on international terrorism.<sup>1047</sup>

At the same meeting, the Council adopted a presidential statement,<sup>1048</sup> in which it stressed that terrorism could only be defeated by a sustained and comprehensive approach. The Council recognized that development and security were mutually reinforcing and vital to such an approach. It recognized that terrorism would not be defeated by military force or security forces, law enforcement measures and intelligence operations alone, and underlined the need to address the conditions conducive to the spread of terrorism.

<sup>1042</sup> For more information on the sanctions regimes, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter". For more information on the mandates of the Ombudsperson and the Monitoring Team, see part IX, sect. I, "Committees".

<sup>1043</sup> [S/PV.6900](#), pp. 2-3.

<sup>1044</sup> See concept note circulated by Pakistan, [S/2013/3](#).

<sup>1045</sup> [S/PV.6900](#), pp. 4-6 (Pakistan); p. 6 (Luxembourg); p. 8 (United Kingdom); p. 11 (Morocco); p. 14 (Russian Federation); p. 16 (United States); p. 18 (Togo); p. 23 (Guatemala); p. 26 (Republic of Korea); p. 27 (France); and p. 28 (Brazil); [S/PV.6900 \(Resumption 1\)](#), p. 4 (Malaysia); p. 14 (India); p. 16 (South Africa); p. 20 (Kazakhstan); p. 25 (Afghanistan); and p. 26 (Spain).

<sup>1046</sup> [S/PV.6900](#), p. 6 (Luxembourg); p. 9 (China); p. 11 (Morocco); p. 14 (Russian Federation); p. 19 (Togo); p. 21 (Azerbaijan); p. 21 (Rwanda); p. 23 (Guatemala); pp. 25-26 (Republic of Korea); p. 27 (France); p. 28 (Brazil); p. 29 (Egypt, on behalf of the Organization of Islamic Cooperation); pp. 30-31 (Senegal); and pp. 31-32 (Liechtenstein); [S/PV.6900 \(Resumption 1\)](#), p. 2 (European Union); p. 4 (New Zealand); p. 6 (Turkey); p. 9 (Bangladesh); p. 10 (Iran (Islamic Republic of, on behalf of the Non-Aligned Movement)); p. 11 (Indonesia); p. 14 (India); p. 15 (Israel); p. 16 (South Africa); pp. 17-18 (Venezuela (Bolivarian Republic of)); p. 20 (Kazakhstan); p. 21 (Canada); p. 22 (Uganda); p. 25 (Afghanistan); p. 26 (Spain); p. 27 (Botswana); p. 28 (Switzerland); p. 29 (Norway); p. 30 (Tunisia); p. 31 (Colombia); p. 32 (Sri Lanka); p. 34 (Cuba); p. 35 (Côte d'Ivoire, on behalf of the Economic Community of West African States); and p. 37 (Saudi Arabia).

<sup>1047</sup> [S/PV.6900](#), p. 19 (Togo); p. 23 (Guatemala); p. 31 (Senegal); and p. 32 (Liechtenstein); [S/PV.6900 \(Resumption 1\)](#), p. 10 (Iran (Islamic Republic of, on behalf of the Non-Aligned Movement)); p. 14 (India); p. 17 (South Africa); p. 27 (Spain); p. 33 (Sri Lanka); and p. 34 (Cuba).

<sup>1048</sup> [S/PRST/2013/1](#).

**Extension of the mandate of the Counter-Terrorism Committee Executive Directorate**

At its 7086th meeting, on 17 December 2013, in resolution [2129 \(2013\)](#), the Council extended the mandate of the Counter-Terrorism Committee Executive Directorate as a special political mission until 31 December 2017. The Council also decided to conduct an interim review by 31 December 2015 and directed the Executive Directorate to identify emerging issues, trends and developments related to resolutions

[1373 \(2001\)](#) and [1624 \(2005\)](#) and to advise the Counter-Terrorism Committee on practical ways for Member States to implement those resolutions. The Council also directed the Executive Directorate to increase cooperation with other committees.<sup>1049</sup>

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<sup>1049</sup> For more information on the mandate of the Counter-Terrorism Committee Executive Directorate, see part IX, sect. I, “Committees”.



## Meetings: threats to international peace and security caused by terrorist acts

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6765</a> 4 May 2012	Strengthening international cooperation in the implementation of counter-terrorism obligations  Letter dated 1 May 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/281</a> )				Secretary-General, all Council members	<a href="#">S/PRST/2012/17</a>
<a href="#">S/PV.6890</a> 17 December 2012		Draft resolution submitted by France, Germany, Portugal, Togo, United Kingdom, United States ( <a href="#">S/2012/928</a> )  Draft resolution submitted by France, Portugal, Togo, United Kingdom, United States ( <a href="#">S/2012/929</a> )				Resolution <a href="#">2082 (2012)</a> 15-0-0 Resolution <a href="#">2083 (2012)</a> 15-0-0
<a href="#">S/PV.6900</a> <a href="#">S/PV.6900</a> (Resumption 1) 15 January 2013	Comprehensive approach to counter-terrorism  Letter dated 1 January 2013 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/3</a> )		33 Member States <sup>a</sup>	Head of the Delegation of the European Union to the United Nations	All Council members, <sup>b</sup> 32 invitees under rule 37, <sup>c</sup> Head of the Delegation of the European Union to the United Nations	<a href="#">S/PRST/2013/1</a>
<a href="#">S/PV.7086</a> 17 December 2013		Draft resolution submitted by Australia, France, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States ( <a href="#">S/2013/741</a> )				Resolution <a href="#">2129 (2013)</a> 15-0-0

(Footnotes on following page)

(Footnotes to Meetings: threats to international peace and security caused by terrorist acts)

<sup>a</sup> Afghanistan, Armenia, Bangladesh, Brazil, Botswana, Canada, Colombia, Côte d'Ivoire, Cuba, Egypt, India, Indonesia, Iran (Islamic Republic of), Israel, Japan, Kazakhstan, Liechtenstein, Malaysia, New Zealand, Nigeria, Norway, Qatar, Saudi Arabia, Senegal, South Africa, Spain, Sri Lanka, Switzerland, Syrian Arab Republic, Tunisia, Turkey, Uganda and Venezuela (Bolivarian Republic of).

<sup>b</sup> Luxembourg was represented by its Deputy Prime Minister and Minister for Foreign Affairs; Pakistan by its Minister for Foreign Affairs; Argentina by its Under-Secretary for Foreign Affairs; China by its Vice-Minister for Foreign Affairs; Morocco by its Deputy Minister for Foreign Affairs and Cooperation; Rwanda by its Minister of State in charge of Cooperation and Permanent Representative to the United Nations; United Kingdom by its Senior Minister of State; Azerbaijan by its Ambassador-at-large of the Ministry of Foreign Affairs; Russian Federation by the Special Representative of the President for international cooperation in the fight against terrorism and transnational organized crime; Togo by its Minister, Senior Adviser to the President for diplomatic matters and cooperation; and United States by its Permanent Representative to the United Nations and member of the President's Cabinet.

<sup>c</sup> Qatar did not make a statement.

### 33. Briefings

#### Overview

During the period under review, the Council heard a number of briefings that were not explicitly connected to any specific item on the agenda of the Council but included under various unique agenda items.

#### Briefings by Chairmen of subsidiary bodies of the Security Council

During the period under review, the Council held six meetings under the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council" at which the Chairs of various sanctions and counter-terrorism committees and working groups provided an overview of the work of those organs to the Council.<sup>1050</sup>

#### Other briefings

During the period under review, the Council heard two briefings by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe and one briefing by the President of the International Court of Justice, held in a closed session.<sup>1051</sup>

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<sup>1050</sup> For more information on subsidiary organs of the Security Council, including committees and other bodies, see part IX.

<sup>1051</sup> 7051st meeting.

#### Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe

On 9 February 2012, the Deputy Prime Minister and Minister for Foreign Affairs and Trade of Ireland, speaking as Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE), briefed the Council on the main priorities of Ireland's OSCE chairmanship, including areas of cooperation between the United Nations and OSCE. Noting that Ireland would adopt a pragmatic and fair-minded approach during its chairmanship, he outlined a set of priorities that would ensure a balanced and coherent approach across three dimensions of security: politico-military, economic and environmental and human. The priorities of OSCE for 2012 under those dimensions included the following: working to ensure freedom of expression and freedom of the media, including Internet freedom; planning meetings focused on freedom of association and assembly, freedom of religion and belief, trafficking in human beings and racism and intolerance in sport; maintaining the highest standards for election observation activities; and examining the available options in relation to arms control, conflict prevention and transnational threats, which posed challenges to all societies. In addition, he stated that OSCE would focus on the promotion of security and stability through good governance, measures to counter corruption and promotion of the

implementation of resolution 1325 (2000) and other resolutions related to gender security. He further stressed the importance of close and effective cooperation between OSCE and the United Nations in tackling complex transnational threats such as organized crime; cyber threats, including cybercrime; drugs; terrorism; and human trafficking. He stated that he would seek ways in which progress could be made towards lasting settlements of a number of conflicts in the OSCE area, including the conflicts in Moldova, regarding the territory of Transnistria; in Georgia, regarding the territories of Abkhazia and South Ossetia; and the Nagorno Karabakh conflict. He noted that in supporting such efforts, Ireland would draw from its own experience of conflict resolution in seeking ways to make progress towards lasting settlements and addressing these complex conflicts.<sup>1052</sup>

Members of the Council welcomed the Deputy Prime Minister and Minister for Foreign Affairs and Trade of Ireland and congratulated him on the assumption of the functions of the OSCE Chairperson-in-Office. They commented on the role of OSCE in the maintenance of international peace and security and expressed their support for the priorities outlined by the Chairperson-in-Office. In addition, they stressed the importance of close cooperation between OSCE, other regional organizations and the United Nations.

On 7 May 2013, the Minister for Foreign Affairs of Ukraine briefed the Council in his capacity as Chairperson-in-Office of the Organization for Security and Cooperation in Europe. He stated that the Ukrainian chairmanship would facilitate the Helsinki plus 40 process, which was focused on overcoming divergences and clarifying the role and goals of OSCE in the modern security architecture. Elaborating on a number of priorities for 2013 across the three dimensions of security, he indicated that the Ukrainian chairmanship intended to modernize the politico-military instruments of OSCE and would continue to contribute to finding a sustainable, long-term solution to protracted conflicts in

OSCE areas. In addition, he stated that the Ukrainian chairmanship would improve the environmental footprint of energy-related activities aimed at increasing stability and security, strengthen the freedom of the media and pursue disarmament initiatives, and the fight against human trafficking.

He touched upon a host of other priorities and pledged to seek progress in such areas as the promotion of tolerance and non-discrimination through youth education, freedom of association and assembly, the free movement of people, interreligious dialogue in promoting freedom of religion or belief, and democratic elections and election observation. Finally, he emphasized the value of cooperation between OSCE and the United Nations, especially with regard to early warning and early action in preventing violent conflicts, including building a safer and more secure world and supporting nations in transition. He stated that the nature of OSCE-United Nations cooperation had to become more pragmatic, effective and results-oriented.<sup>1053</sup>

Members of the Council commended OSCE for its valuable contribution and efforts aimed at settling protracted conflicts, notably in Afghanistan, Bosnia and Herzegovina, Georgia, Kosovo and Nagorno Karabakh, and welcomed the priorities and initiatives of the Ukrainian chairmanship in this regard. They encouraged OSCE and the United Nations to strengthen their coordination and cooperation by complementing each other's efforts in the maintenance of international peace and security. Some members shared the view that other regional organizations would benefit from the expertise of OSCE in such areas as arms control, counter-terrorism, conflict prevention and post-conflict resolution, electoral and democratization processes, confidence-building measures, as well as the strengthening of security and the fight against terrorism.<sup>1054</sup>

<sup>1052</sup> S/PV.6715, pp. 2-4.

<sup>1053</sup> S/PV.6961, pp. 2-4.

<sup>1054</sup> Ibid., p. 5 (Australia); p. 10 (Republic of Korea); p. 10 (United States); and p.14 (United Kingdom).

Table 1  
**Briefings by Chairmen of subsidiary bodies of the Security Council**

<i>Meeting record and date</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>
<a href="#">S/PV.6767</a> 10 May 2012	Armenia, Australia, Austria, Israel, Japan, Spain, Syrian Arab Republic	Head of the Delegation of the European Union to the United Nations	All Council members, all invitees, Chair of the Committee pursuant to resolutions <a href="#">1267 (1999)</a> and <a href="#">1989 (2011)</a> concerning Al-Qaida and associated individuals and entities, Chair of the Committee established pursuant to resolution <a href="#">1373 (2001)</a> concerning counter-terrorism, Chair of the Committee established pursuant to resolution <a href="#">1540 (2004)</a>
<a href="#">S/PV.6862</a> 14 November 2012	Israel, Japan, Netherlands, Poland, Spain, Switzerland, Syrian Arab Republic	Head of the Delegation of the European Union	All Council members, all invitees, <sup>a</sup> Chair of the Committee pursuant to resolutions <a href="#">1267 (1999)</a> and <a href="#">1989 (2011)</a> , Chair of the Committee established pursuant to resolution <a href="#">1373 (2001)</a> , Chair of the Committee established pursuant to resolution <a href="#">1540 (2004)</a>
<a href="#">S/PV.6881</a> 7 December 2012			Chair of the Committee pursuant to resolutions 751 (1992) and <a href="#">1907 (2009)</a> concerning Somalia and Eritrea, Chair of the Committee pursuant to resolutions <a href="#">1267 (1999)</a> and <a href="#">1989 (2011)</a> , of the Committee established pursuant to resolution <a href="#">1988 (2011)</a> and of the Working Group on Children and Armed Conflict, Chair of the Committee established pursuant to resolution <a href="#">1591 (2005)</a> concerning the Sudan and of the Committee established pursuant to resolution <a href="#">1737 (2006)</a> , Chair of the Committee established pursuant to resolution <a href="#">1718 (2006)</a> , of the Committee established pursuant to resolution <a href="#">1970 (2011)</a> concerning Libya and of the Informal Working Group on Documentation and Other Procedural Questions, Chair of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa
<a href="#">S/PV.6964</a> 10 May 2013	Israel, Japan, Liechtenstein, Portugal, Syrian Arab Republic	Head of the Delegation of the European Union	All Council members, all invitees, Chair of the Committee pursuant to resolutions <a href="#">1267 (1999)</a> and <a href="#">1989 (2011)</a> , Chair of the Committee established pursuant to resolution <a href="#">1373 (2001)</a> , Chair of the Committee established pursuant to resolution <a href="#">1540 (2004)</a>
<a href="#">S/PV.7071</a> 27 November 2013	Austria, Croatia, Israel, Japan, Syrian Arab Republic	Head of the Legal Section of the Delegation of the European Union to the United Nations	All Council members, all invitees, Chair of the Committee established pursuant to resolutions <a href="#">1267 (1999)</a> and <a href="#">1989 (2011)</a> , Chair of the Committee established pursuant to resolution <a href="#">1373 (2001)</a> , Chair of the Committee established pursuant to resolution <a href="#">1540 (2004)</a>

<i>Meeting record and date</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>
<a href="#">S/PV.7076</a> 9 December 2013			Chair of the Committee established pursuant to resolution <a href="#">1521 (2003)</a> concerning Liberia and of the Working Group on Peacekeeping Operations, Chair of the Committee established pursuant to resolution <a href="#">1533 (2004)</a> concerning the Democratic Republic of the Congo, Chair of the Security Council Committee established pursuant to resolution <a href="#">1572 (2004)</a> concerning Côte d'Ivoire and of the Informal Working Group on International Tribunals, Chair of the Committee established pursuant to resolution <a href="#">2048 (2012)</a> concerning Guinea-Bissau

<sup>a</sup> The statement on behalf of the European Union was made by the Deputy Head of the Delegation.

Table 2

**Briefings by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe**

<i>Meeting record and date</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>
<a href="#">S/PV.6715</a> 9 February 2012	Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE) and Deputy Prime Minister and Minister for Foreign Affairs and Trade of Ireland	All Council members, Chairperson-in-Office of OSCE and Deputy Prime Minister and Minister for Foreign Affairs and Trade of Ireland
<a href="#">S/PV.6961</a> 7 May 2013	Chairperson-in-Office of OSCE and Minister for Foreign Affairs of Ukraine	All Council members, Chairperson-in-Office of OSCE and Minister for Foreign Affairs of Ukraine

## 34. Security Council mission

### Overview

During the period under review, the Security Council dispatched five missions to the field. The destinations of the missions included several African countries<sup>1055</sup> and Haiti, Yemen and Timor-Leste. The missions consisted of representatives of all members of the Council. Summaries of the briefings are presented below in chronological order and by region.<sup>1056</sup>

### Briefing on the Security Council mission to Haiti

On 28 February 2012, the Council heard a briefing by the representative of the United States, leader of the Council's mission to Haiti from 13 to 16 February 2012. She reported on the meetings held with the President, Prime Minister, Members of the Senate and the Chamber of Deputies and with representatives of the private sector and civil society. She said that the Council had seen that Haiti's enormous challenges in respect of, *inter alia*, security, post-earthquake reconstruction and the political process required the coordinated efforts of all stakeholders. She noted that, while many Haitians acknowledged that the United Nations Stabilization Mission in Haiti (MINUSTAH) played a necessary role in maintaining security and stability, they also shared a desire to see the Mission leave eventually with strengthened Haitian institutions assuming its responsibilities. She said that the cholera epidemic and allegations of sexual exploitation and abuse by some Mission personnel had eroded support and undermined the work of the Mission. On behalf of the Council's mission, she stated that she was deeply troubled by those allegations and expected the United Nations to take measures to prevent further incidents and to ensure that those responsible were held accountable.<sup>1057</sup>

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<sup>1055</sup> Liberia, Côte d'Ivoire, Sierra Leone, Democratic Republic of the Congo, Uganda, Ethiopia and Rwanda.

<sup>1056</sup> For more information on the composition and reports of the missions, see part VI, sect. II, "Investigation of disputes and fact-finding", table 2.

<sup>1057</sup> [S/PV.6724](#), pp. 2-3.

### Briefing on the Security Council mission to West Africa

On 31 May 2012, the Council heard briefings by the representative of the United States and co-leader with Morocco of the Liberia segment of the mission; by the representative of France and co-leader with Togo of the Côte d'Ivoire segment of the mission (France);<sup>1058</sup> and by the representative of South Africa and co-leader with United Kingdom of the Sierra-Leone segment of the mission.

The representative of the United States, speaking also on behalf of her co-leader, said that the visit to Liberia on 19 and 20 May was focused on examining the country's efforts in relation to security and rule of law institutions, national reconciliation and the drawdown of the United Nations Mission in Liberia (UNMIL) as well as on inter-mission cooperation between UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI) and the security challenges along the Liberia-Côte d'Ivoire border. The members of the mission met with the President of Liberia, the Minister of Justice and the Inspector-General of the police as well as with representatives of civil society, and they also visited the Prime Timber Production refugee camp in Zwedru, Liberia, close to the Ivorian border. When asked about the transition of UNMIL, the President called for greater international support for Liberia's police in order to provide security in line with the expected decrease in United Nations troops. The Minister of Justice stressed the need to decentralize the delivery of justice with the help of the five planned United Nations peacebuilding-supported justice hubs. The representative of the United States noted that the Council had witnessed the considerable progress that the people of Liberia had achieved since the end of the civil war in 2003.<sup>1059</sup>

The representative of France, speaking also on behalf of his co-leader, stated that the primary task of the mission to Côte d'Ivoire on 21 and 22 May was to assess the stabilization process. The members of the mission met with the President of Côte d'Ivoire, the Prime Minister and other ministers, the Speaker of the

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<sup>1058</sup> Members of the Council also participated in a meeting of the Economic Community of West African States (ECOWAS) in Abidjan.

<sup>1059</sup> [S/PV.6777](#), pp. 2-3.

National Assembly, parliamentary groups and members of the non-parliamentary opposition. The President and other government officials stressed that security sector reform still faced a shortage of resources, and Members of the Council noted that the process of disarming, demobilizing and reintegrating thousands of ex-combatants remained one of the newest and most complex challenges. The representative of France stated that the members of the mission were able to take stock of the new threats to peace and security that justified the enhanced UNOCI presence in the western part of the country and the strengthened means to protect civilians, including through inter-mission cooperation with UNMIL. He added that the people on the ground expressed their serious concerns in a number of areas, such as security, including the movement of weapons and the attacks by combatants based in Liberia, and the humanitarian challenges facing refugees. In concluding, he said that the mission had made it possible for the Council to better understand the major priorities for efforts to be made by the United Nations.<sup>1060</sup>

The representative of South Africa, speaking also on behalf of his co-leader, said that the aim of the mission to Sierra Leone on 23 May 2012 was to encourage continued efforts to consolidate peace and national reconciliation. The members of the Council met with the President of Sierra Leone, several ministers, representatives from all 10 registered political parties and the National Electoral Commission as well as with members of civil society, including women's groups. The representative of South Africa stated that the forthcoming elections featured prominently during the Council's visit. The Council had received from the President a clear commitment to a free, fair and transparent process, and the National Electoral Commission declared that good progress was being made in the preparations for the November elections. Furthermore, he noted that the members of the mission were encouraged by the signing, by all political parties, of a declaration agreeing to contest the elections fairly and not to resort to violence. In conclusion, he said that in spite of the problems remaining, such as youth unemployment and lack of institutional capacity, Sierra Leone was on the path to building lasting peace.<sup>1061</sup>

<sup>1060</sup> Ibid., pp. 3-4.

<sup>1061</sup> Ibid., pp. 4-5.

### **Briefing on the Security Council mission to Timor-Leste**

On 12 November 2012, the representative of South Africa and leader of the mission to Timor-Leste stated that the purpose of the visit from 3 to 6 November 2012 was, inter alia, to reaffirm the Council's commitment to support Timor-Leste. He mentioned that the members of the mission met with various interlocutors in Government, including the President, the Prime Minister and key ministers, and with the National Police and defence forces as well as with non-governmental organizations. While noting the progress achieved, he made reference to some of the challenges faced by the country, such as strengthening State institutions and judicial capacities, including, once the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) ended, the completion of investigations of all serious crimes, security sector review and socioeconomic development. He recalled resolution [2037 \(2012\)](#), which provided for a final extension of the mandate of UNMIT until 31 December 2012, and said that Timorese stakeholders had agreed that the role of UNMIT had run its course and that it should withdraw. There were divergent views, however, on the future United Nations role. He stated that after the withdrawal of UNMIT, the United Nations would continue to provide support to Timorese national institutions in partnership with the Government. However, the key to that new phase would be national ownership of the process.<sup>1062</sup>

### **Briefing on the Security Council mission to Yemen**

On 7 February 2013, the Council heard briefings by the representatives of the United Kingdom and Morocco, the co-leaders of the mission to Yemen.

The representative of the United Kingdom reported that the purpose of the mission to Yemen on 27 January 2013 was to evaluate the implementation of resolution [2051 \(2012\)](#) and to assess the progress made on the political transition. During the visit, the members of the mission met with the President, who informed the Council that phase one of the transition plan, involving military restructuring and consolidating gains against Al-Qaida, had been completed and that phase two would focus on the national dialogue,

<sup>1062</sup> [S/PV.6858](#), pp. 2-4.

leading to elections in February 2014. The representative also stated that during the visit the Military Committee had positively assessed the recent decrees to unify command structures and had said that the focus would now be on reforming the Ministry of Interior. In addition, the United Nations country team had given a briefing on the troubling humanitarian situation. In that regard, the representative said that the 2013 Yemen humanitarian response plan needed additional financial support, and the President of Yemen had called on the Friends of Yemen for assistance.<sup>1063</sup>

The representative of Morocco reported on the meetings held with the Prime Minister, the Preparatory Committee of the National Dialogue Conference and the Gulf Cooperation Council. The Prime Minister had focused on the obstacles that the Government was facing in the transitional period, especially at the political level. In that respect, he urged the Council to act firmly against people who undermined the political process. In regard to the meeting with the Secretary-General of the Gulf Cooperation Council and the Friends of Yemen, he said that the mission had commended the Gulf Cooperation Council's political and financial support for Yemen and urged it to continue its efforts. In conclusion, he echoed the representative of the United Kingdom, saying that the mission was successful and noting that, going forward, it was necessary for the Council to monitor the implementation of the next phases of the transition plan.<sup>1064</sup>

#### **Briefing on the Security Council mission to Africa**

On 21 October 2013, the Council heard briefings by the representative of Morocco, co-leader with France of the Democratic Republic of the Congo segment of the mission, the representative of the United Kingdom, co-leader with Togo of the Uganda segment of the mission, the representative of Rwanda, co-leader with Azerbaijan of the Ethiopia segment of the mission (including the African Union), and the representative of the United States, leader of the Rwanda segment of the mission.

The representative of Morocco, speaking also on behalf of his co-leader, stated that the message of the

mission to the Democratic Republic of the Congo from 4 to 6 October 2013 was focused on the implementation of the commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region and resolution 2098 (2013), and on urging all concerned to work to ensure the success of the negotiations in Kampala. During the visit, the members of the mission held meetings with the highest authorities, including the President and the Ministers of Defence, Interior and Justice. In the meetings, the Council stressed the importance of implementing the reforms in various areas, including the security sector; the restoration of State authority; democratization, decentralization and national reconciliation; and economic governance. A number of speakers expressed the view that to restore lasting peace in the country the problem raised by the 23 March Movement (M23) needed to be settled, but the Council nevertheless encouraged the continuation of the Kampala negotiations. The representative of Morocco also mentioned that the Council's visit made it possible to assess the deployment of the Intervention Brigade of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).<sup>1065</sup>

The representative of the United Kingdom, speaking also on behalf of his co-leader, briefed the Council on the visit to Uganda on 7 October 2013. He said that the members of the mission met with the President, Minister of Defence and Minister for Foreign Affairs, and the President spoke about the progress made in the talks in Kampala between the Government of the Democratic Republic of the Congo and M23. The members of the Council appealed to the President of Uganda to use his influence to ensure the full implementation of the Peace, Security and Cooperation Framework and to continue to promote peace in the region.<sup>1066</sup>

The representative of Rwanda, speaking also on behalf of his co-leader, stated that the purpose of the mission to Addis Ababa on 8 October 2013 was to strengthen partnership and enhance cooperation between the African Union and the United Nations. In line with the terms of reference for the mission, the seventh joint annual consultative meeting of the Security Council and the African Union Peace and Security Council was held on 8 October 2013, and

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<sup>1063</sup> S/PV.6916, pp. 2-3.

<sup>1064</sup> Ibid., pp. 3-4.

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<sup>1065</sup> S/PV.7045, pp. 2-3.

<sup>1066</sup> Ibid., pp. 3-4.



several topics were discussed, including the Great Lakes region, the Sudan and South Sudan, and the Sahel region. At the meeting, the two Councils generally agreed in principle on the topics under discussion, including on the nature of the crisis, on the partnerships required and on the solution to bring sustainable peace to the conflict-affected countries. A joint communiqué<sup>1067</sup> was adopted, in which the Peace and Security Council and the members of the Security Council stressed the need to enhance the existing partnership at both the strategic and operational levels to ensure a more effective response to the evolving peace and security challenges facing the African continent.<sup>1068</sup>

The representative of the United States reported on the mission to Rwanda on 7 October 2013, which started with a visit to a demobilization centre in Mutobo. The members of the mission were pleased to ascertain that MONUSCO was playing a significant

role, in collaboration with Rwandan authorities, in ensuring that former fighters from the Forces démocratiques de libération du Rwanda could resume their lives. In Kigali, the mission visited the children's wing of the Gisozi genocide memorial, a permanent repository of photos and testimonies related to the 1994 genocide, which had opened in 2004. The members of the mission also met with Government officials, including the President, Minister for Foreign Affairs and Ministers of Defence and Finance. The status of the Peace, Security and Cooperation Framework was discussed as well as other matters. In citing the threat of the 23 March Movement, in addition to the Forces démocratiques de libération du Rwanda, the mission emphasized the imperative for every country, including Rwanda, to neither tolerate nor provide support to any militia or armed force. It appealed to the President to use his country's influence with M23 to promote peace and bring the Kampala talks to a close.<sup>1069</sup>

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<sup>1067</sup> S/2013/611.

<sup>1068</sup> S/PV.7045, pp. 4-5.

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<sup>1069</sup> Ibid., pp. 5-6.

**Meetings: Security Council mission**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Documents</i>	<i>Rule 37 invitations</i>	<i>Speakers</i>
<a href="#">S/PV.6724</a> 28 February 2012	Briefing by the Security Council mission to Haiti (13 to 16 February 2012)	Letter dated 8 February 2012 from the President of the Security Council addressed to the Secretary-General ( <a href="#">S/2012/82</a> )  Report of the Security Council mission to Haiti, 13-16 February 2012 ( <a href="#">S/2012/534</a> )	Haiti	United States
<a href="#">S/PV.6777</a> 31 May 2012	Briefing by the Security Council mission to West Africa (18 to 24 May 2012)	Letter dated 18 May 2012 from the President of the Security Council addressed to the Secretary-General ( <a href="#">S/2012/344</a> )  Report of the Security Council mission to Liberia, Côte d'Ivoire and Sierra Leone, 18 to 24 May 2012 ( <a href="#">S/2014/242</a> )		France, South Africa, United States
<a href="#">S/PV.6858</a> 12 November 2012	Briefing by the Security Council mission to Timor-Leste (1 to 7 November 2012) <sup>a</sup>	Letter dated 31 October 2012 from the President of the Security Council addressed to the Secretary-General ( <a href="#">S/2012/793</a> )  Report of the Security Council mission to Timor-Leste, 3 to 6 November 2012 ( <a href="#">S/2012/889</a> )		South Africa
<a href="#">S/PV.6916</a> 7 February 2013	Briefing by the Security Council mission to Yemen (27 January 2013)	Letter dated 25 January 2013 from the President of the Security Council addressed to the Secretary-General ( <a href="#">S/2013/61</a> )  Report of the Security Council mission to Yemen, 27 January 2013 ( <a href="#">S/2013/173</a> )	Yemen	Morocco, United Kingdom
<a href="#">S/PV.7045</a> 21 October 2013	Briefing by the Security Council mission to Africa (3 to 9 October 2013)	Letter dated 27 September 2013 from the President of the Security Council addressed to the Secretary-General ( <a href="#">S/2013/579</a> )  Report of the Security Council mission to the Democratic Republic of the Congo, Rwanda, Uganda and Ethiopia (including the African Union), 3-9 October 2013 ( <a href="#">S/2014/341</a> )		Morocco, Rwanda, United Kingdom, United States

<sup>a</sup> The statement on behalf of the European Union was made by the Deputy Head of the Delegation.

## 35. The promotion and strengthening of the rule of law in the maintenance of international peace and security

### Overview

During the period under review, the Security Council held three meetings in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security and issued one presidential statement.

### Rule of law and transitional justice in conflict and post-conflict societies

On 19 January 2012, the Council held an open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security, in the context of which the Secretary-General introduced his report on the rule of law and transitional justice in conflict and post-conflict societies.<sup>1070</sup>

The Secretary-General noted that the work of the United Nations to promote the rule of law extended to more than 150 countries and focused on a broad range of areas. He explained that the United Nations approach in relation to the rule of law had three basic components: to promote accountability and reinforce norms through transitional justice; to build justice and security institutions to promote trust; and to focus on justice for women and girls to foster gender equality. The Secretary-General acknowledged that the Council had helped to bring those priorities to the top of the international agenda, but he said that the Council could do more. He encouraged the Council to include the promotion of transitional justice measures more broadly in the mandates of peacekeeping missions and to reject any endorsement of amnesty for genocide and other serious crimes under international law. He also urged members to bring justice closer to victims by enhancing justice mechanisms and strengthening national prosecutions for serious international crimes.<sup>1071</sup>

During the debate, numerous speakers endorsed the report of the Secretary-General, and some of them highlighted in particular the need for the Council to adhere to basic rule of law principles to ensure the

legitimacy of its actions.<sup>1072</sup> Many speakers highlighted the increasingly active role of the Council in promoting the rule of law. Some speakers noted the connections between the promotion and protection of the rule of law and the maintenance of peace and security,<sup>1073</sup> and several others emphasized the linkage with sustainable development.<sup>1074</sup> Many speakers stressed the primary role of States in ensuring the rule of law and the importance of national ownership in rule of law activities carried out at the international level.<sup>1075</sup> Several speakers expressed their support for the role being played by international tribunals, including the International Criminal Court, in ensuring and promoting the rule of law.<sup>1076</sup> Some speakers also recalled the importance attached to the peaceful settlement of disputes between States and to the specific role of the International Court of Justice in

<sup>1072</sup> Ibid. p. 14 (China); p. 15 (Russian Federation); p. 17 (Pakistan); p. 23 (Brazil); p. 27 (Liechtenstein); and p. 31 (Austria); [S/PV.6705 \(Resumption 1\)](#), p. 9 (Luxembourg).

<sup>1073</sup> [S/PV.6705](#), pp. 12-13 (Morocco); p. 14 (China); and p. 16 (Guatemala); [S/PV.6705 \(Resumption 1\)](#), p. 5 (Finland); p. 7 (Chile); p. 9 (Australia); p. 9 (Luxembourg); p. 10 (Mauritius); p. 13 (Bangladesh); p. 19 (Denmark); p. 21 (Armenia); p. 21 (Kyrgyzstan); and p. 22 (Ethiopia).

<sup>1074</sup> [S/PV.6705](#), p. 4 (Germany); p. 5 (India); p. 7 (Portugal); p. 11 (United Kingdom); p. 13 (Morocco); p. 14 (China); p. 20 (South Africa); p. 23 (Brazil); p.24 (Mexico); and p. 28 (Costa Rica); [S/PV.6705 \(Resumption 1\)](#), p. 4 (Estonia); p. 6 (Switzerland); p. 7 (Chile); p. 8 (Australia); p. 14 (Nepal); p. 17 (Solomon Islands); and p. 19 (Denmark).

<sup>1075</sup> [S/PV.6705](#), p. 5 (India); p. 11 (United Kingdom); p. 13 (Morocco); p. 14 (China); p. 15 (Russian Federation); p.16 (Guatemala); p.17 (Pakistan); p. 20 (South Africa); p. 23 (Brazil); and p. 27 (Liechtenstein); [S/PV.6705 \(Resumption 1\)](#), p. 13 (Sri Lanka); and p. 15 (Nepal).

<sup>1076</sup> [S/PV.6705](#), p. 4 (Germany); p. 6 (Portugal); p. 8 (France); p. 9 (United States); p. 20 (South Africa); p. 23 (Brazil); p. 24 (Mexico); p. 25 (Japan); p. 26 (Peru); p. 27 (Liechtenstein); and p. 30 (Austria); [S/PV.6705 \(Resumption 1\)](#), pp. 2-3 (European Union); pp. 3-4 (Estonia); p.18 (Argentina), p. 20 (Denmark); and p. 23 (Philippines).

<sup>1070</sup> [S/2011/634](#).

<sup>1071</sup> [S/PV.6705](#), pp. 2-3.

that regard as the principal judicial organ of the United Nations.<sup>1077</sup>

At the meeting, the Council adopted a presidential statement,<sup>1078</sup> in which it recognized the need for universal adherence to and implementation of the rule of law, and emphasized that promoting justice and the rule of law was an indispensable element of peaceful coexistence and the prevention of armed conflict. The Council also recognized the importance of national ownership in rule of law activities. It requested the Secretary-General to continue his efforts to further clarify roles and responsibilities within the United Nations system for specific rule of law activities. The Council reaffirmed in the statement its strong opposition to impunity for serious violations of international humanitarian law and human rights law, and emphasized the responsibility of States to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law.

#### **Peace and justice, with a special focus on the role of the International Criminal Court**

On 17 October 2012, the Council held an open debate in connection with the theme “Peace and justice, with a special focus on the role of the International Criminal Court”, at which the Minister for Foreign Affairs of Guatemala presided. The Council had before it a concept note prepared by Guatemala, in which it stated, *inter alia*, that the relationship between the Security Council and the International Criminal Court had never been comprehensively discussed in the Council. Therefore, Guatemala had proposed an open debate with a twofold purpose: to explore how the Court, as a tool of preventive diplomacy, could assist the Council in carrying out its mandate to uphold the rule of law, maintain peace and security and combat impunity while ensuring accountability for mass atrocities; and to examine how the relationship between the two bodies had developed over the past decade, and to

consider the way forward in strengthening their linkages.<sup>1079</sup>

The Secretary-General, in his statement, emphasized that the International Criminal Court stood at the centre of a new system of international criminal justice. He affirmed that the Council and the Court could have an impact on each other and could support each other in building local justice responses and in strengthening the rule of law.<sup>1080</sup>

The President of the International Criminal Court emphasized that the Council and the Court were two highly distinct bodies with very different roles but connected by the shared objectives of peace, justice and respect for international law, enshrined in the Charter of the United Nations and the Rome Statute. He affirmed that for the Court to deal effectively with situations referred by the Council under Chapter VII of the Charter, it needed to count on the full and continuing cooperation of all United Nations Member States, whether they were parties to the Rome Statute or not. He added that in making future referrals, it would be very helpful if the Council could underline that obligation of full cooperation. He also noted the difficulty of sustaining a system under which a referral was made by the Security Council on behalf of the United Nations, but the costs of any investigation and trial proceedings were met exclusively by the parties to the Rome Statute.<sup>1081</sup>

The representative of the Prosecutor of the Court affirmed that the relationship between the Office of the Prosecutor and the Security Council could be nurtured and strengthened by extending the interaction beyond specific situations referred by the Council to the Prosecutor and by creating space for open discussion on thematic issues. He added that such dialogue was crucial, as both the Council and the Office of the Prosecutor were committed to preventing mass atrocities which constituted a threat to international peace and security. He not only highlighted the differences in the mandates and organizational structures of the Council and the Office of the Prosecutor, but also what both had in common: namely, the fight against impunity, their respective roles in strengthening the complementary relationship between peace and justice and their respective preventive

<sup>1077</sup> [S/PV.6705](#), p. 4 (Germany); p. 9 (France); p. 14 (China); p. 16 (Guatemala); p. 17 (Pakistan); p. 20 (South Africa); p. 23 (Brazil); p. 26 (Peru); p. 29 (Costa Rica); [S/PV.6705 \(Resumption 1\)](#), p. 2 (European Union); p. 10 (Mauritius); p. 17 (Solomon Islands); pp. 18-19 (Argentina); and p. 21 (Kyrgyzstan).

<sup>1078</sup> [S/PRST/2012/1](#).

<sup>1079</sup> See [S/2012/731](#), annex, paras. 5 and 6.

<sup>1080</sup> [S/PV.6849](#), pp. 2-3.

<sup>1081</sup> *Ibid.*, p. 5.

mandates. In looking forward, the representative of the Prosecutor said that increasing the political and diplomatic support of the Council for the Court was essential. He also mentioned that tools such as avoiding all non-essential contacts with International Criminal Court suspects in order to achieve the arrest of those individuals needed to be further explored. In his view, a new chapter should be added to the relationship with the Council by having the Office of the Prosecutor proactively collect information and monitor situations under preliminary examination and investigate as well as prosecute those most responsible for serious crimes.<sup>1082</sup>

During the debate, many speakers addressed the preventive role of the International Criminal Court.<sup>1083</sup> Other speakers reflected on the challenges in the relationship between the two bodies, underlining both practical and legal implications arising from the referral by the Council of certain situations to the Court.<sup>1084</sup> Some speakers made suggestions with a view to improving that relationship and strengthening common efforts to achieve peace and justice.<sup>1085</sup> A number of Member States criticized the inconsistent

approach of the Council towards different situations and the lack of follow-up to referrals made by the Council.<sup>1086</sup> In that regard, some speakers emphasized the need to address the question of the financial implications of referrals made by the Council.<sup>1087</sup> A number of speakers stressed the need for the Court to achieve a balance between justice and reconciliation and carry out its functions in a manner that supported collective efforts aimed at restoring peace and stability.<sup>1088</sup> Some speakers, in reference to the Kampala compromise reached by the States parties to the Statute of the Court in negotiations in Kampala in 2010,<sup>1089</sup> addressed the issue of the crime of aggression.<sup>1090</sup>

### United Nations system support to the promotion of the rule of law in conflict and post-conflict situations

On 30 January 2013, the Deputy Secretary-General provided an interim briefing on the effectiveness of United Nations system support to the promotion of the rule of law in conflict and post-conflict situations. The Deputy Secretary-General explained that further to internal consultations, the Secretary-General had made a decision in

<sup>1082</sup> *Ibid.*, pp. 6-8.

<sup>1083</sup> *Ibid.*, p. 14 (Portugal); p. 23 (France); and p. 25 (Guatemala); [S/PV.6849 \(Resumption 1\)](#), p. 9 (Bangladesh); p. 10 (Slovenia); p. 13 (Honduras); p. 13 (Lithuania); p. 20 (Belgium); p. 27 (Philippines); p. 28 (Austria); p. 31 (Czech Republic); and p. 33 (Netherlands).

<sup>1084</sup> [S/PV.6849](#), p. 9 (Colombia); p. 11 (India); p. 14 (Portugal); p. 16 (South Africa); pp. 18-19 (Germany); p. 20 (Russian Federation); p. 24 (United Kingdom); p. 28 (Estonia); and p. 29 (Peru); [S/PV.6849 \(Resumption 1\)](#), p. 5 (New Zealand), p. 6 (Australia); p. 7 (Japan); p. 8 (European Union); p. 9 (Bangladesh); pp. 11-12 (Argentina); p. 14 (Lithuania); p. 16 (Costa Rica); p. 20 (Switzerland); p. 20 (Belgium); p. 21 (Mexico); p. 23 (Slovakia); p. 27 (Philippines); and p. 32 (Timor-Leste).

<sup>1085</sup> [S/PV.6849](#), p. 15 (Azerbaijan); p. 16 (South Africa); p. 22 (Togo); p. 23 (France); p. 25 (Guatemala); p. 26 (Luxembourg), p. 27 (Finland); and p. 28 (Estonia); [S/PV.6849 \(Resumption 1\)](#), pp. 2-3 (Lichtenstein); p. 5 (New Zealand); pp. 6-7 (Australia); p. 10 (Slovenia); p. 11 (Argentina); p. 14 (Lithuania); p. 16 (Botswana); pp. 16-17 (Costa Rica); pp. 18-19 (Tanzania); p. 20 (Switzerland); p. 21 (Belgium); pp. 21-22 (Mexico); pp. 22-23 (Tunisia); p. 24 (Spain); pp. 27-28 (Chile); p. 28 (Austria); and p. 33 (Netherlands).

<sup>1086</sup> [S/PV.6849](#), p. 11 (India); p. 20 (Russian Federation); and p. 21 (Togo); [S/PV.6849 \(Resumption 1\)](#), p. 4 (Brazil); p. 5 (New Zealand); p. 19 (Switzerland); p. 22 (Tunisia); p. 28 (Austria); and p. 31 (Czech Republic).

<sup>1087</sup> [S/PV.6849](#), p. 10 (Colombia); p. 14 (Portugal); p. 19 (Germany); p. 21 (Togo); p. 27 (Finland); p. 28 (Estonia); and p. 29 (Peru); [S/PV.6849 \(Resumption 1\)](#), p. 2 (Lichtenstein); p. 5 (New Zealand); p. 9 (Bangladesh); p. 12 (Argentina); p. 14 (Lithuania); p. 14 (Uruguay); p. 19 (United Republic of Tanzania); p. 28 (Austria); p. 29 (Ecuador); p. 32 (Timor-Leste); and p. 33 (Netherlands).

<sup>1088</sup> [S/PV.6849](#), p. 12 (China); [S/PV.6849 \(Resumption 1\)](#), p. 5 (New Zealand); pp. 9-10 (Bangladesh); p. 18 (Lesotho); pp. 18-19 (United Republic of Tanzania); and p. 30 (Sudan).

<sup>1089</sup> For more information on the negotiations in Kampala, including the definition of "act of aggression", as set out in resolution RC/Res.6, annex I, of the International Criminal Court, see *Repertoire*, Supplement 2010-2011, part VII, sect. I, case 7.

<sup>1090</sup> [S/PV.6849](#), p. 13 (Portugal); p. 15 (Azerbaijan); p. 20 (Russian Federation); p. 27 (Finland); and p. 29 (Peru), [S/PV.6849 \(Resumption 1\)](#), p. 3 (Lichtenstein); p. 12 (Argentina); p. 14 (Uruguay); p. 28 (Austria); p. 29 (Ecuador); and p. 32 (Timor-Leste).

September 2012 to realign the United Nations institutional response to the challenges faced in supporting the rule of law in conflict and post-conflict States, as follows: (a) at the field level, the Secretary-General had enhanced United Nations field leadership, making leaders responsible and accountable for guiding United Nations rule of law strategies, addressing local challenges, and coordinating United Nations country support on the rule of law; (b) at Headquarters, the Secretary-General had designated the Department of Peacekeeping Operations and the

United Nations Development Programme as the joint global focal point for the police, justice and corrections areas in post-conflict and other crisis situations in order to support field leadership in carrying out its responsibilities; and (c) at the strategic level, the Secretary-General had strengthened the Rule of Law Coordination and Resource Group, which aims to ensure that the United Nations can foresee emerging opportunities and mobilize partners in response.<sup>1091</sup>

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<sup>1091</sup> [S/PV.6913](#), p. 2.

## Meetings: the promotion and strengthening of the rule of law in the maintenance of international peace and security

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6705</a> and <a href="#">S/PV.6705 (Resumption 1)</a> 19 January 2012	Report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies ( <a href="#">S/2011/634</a> )		26 Member States <sup>a</sup>	Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, all invitees	<a href="#">S/PRST/2012/1</a>
<a href="#">S/PV.6849</a> and <a href="#">S/PV.6849 (Resumption 1)</a> 17 October 2012	Peace and justice, with a special focus on the role of the International Criminal Court  Letter dated 1 October 2012 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/731</a> )		38 Member States <sup>b</sup>	President of the International Criminal Court, Representative of the Office of the Prosecutor of the International Criminal Court, Head of the Delegation of the European Union	Secretary-General, all Council members, <sup>c</sup> all invitees under rule 39, 35 invitees under rule 37 <sup>d</sup>	
<a href="#">S/PV.6913</a> 30 January 2013					Deputy Secretary-General	

<sup>a</sup> Argentina, Armenia, Australia, Austria, Bangladesh, Brazil, Chile, Costa Rica, Denmark, Estonia, Ethiopia, Finland, Iran (Islamic Republic of), Japan, Kyrgyzstan, Liechtenstein, Luxembourg, Mauritius, Mexico, Nepal, Norway, Peru, Philippines, Solomon Islands, Sri Lanka and Switzerland.

<sup>b</sup> Luxembourg (Vice-Prime Minister and Minister for Foreign Affairs), Finland (Minister for Foreign Affairs), Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Bolivia (Plurinational State of), Botswana, Brazil, Chile, Costa Rica, Czech Republic, Ecuador, Estonia, Honduras, Japan, Lesotho, Liechtenstein, Lithuania, Mexico, Netherlands, New Zealand, Peru, Philippines, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Switzerland, Timor-Leste, Tunisia, Uganda, United Republic of Tanzania and Uruguay.

<sup>c</sup> Guatemala and India were represented by their respective Ministers for Foreign Affairs.

<sup>d</sup> Armenia, Solomon Islands and Uganda did not make statements.

## 36. Items relating to non-proliferation

### A. Non-proliferation of weapons of mass destruction

#### Overview

During the period under review, the Security Council held one meeting to consider the item entitled “Non-proliferation of weapons of mass destruction” and adopted one resolution.<sup>1092</sup>

#### Increase in the size of the group of experts assisting the Committee established pursuant to resolution 1540 (2004)

On 29 June 2012, the Council unanimously adopted resolution 2055 (2012), by which it requested the Secretary-General to increase to up to nine experts the size of the group of experts created pursuant to resolution 1977 (2011) to assist the Committee

established pursuant to resolution 1540 (2004) in carrying out its mandate.

Following the adoption of the resolution, the representative of Guatemala expressed his appreciation for the work of the Committee and its group of experts.<sup>1093</sup> He added that without the support of the group of experts to Member States, it would be difficult for many to establish plans of action, present national reports and make progress on the measures necessary to comply with the provisions of resolution 1540 (2004). He noted, however, the need to respect the criteria established under resolution 1977 (2011) in selecting the group of experts. He added that in spite of his Government’s reservations concerning the final composition of the group of experts, Guatemala had joined the consensus to avoid affecting the work of the Committee.

<sup>1092</sup> For more information, see part IX, sect. I. B, “Committees established under Chapter VII of the Charter”.

<sup>1093</sup> S/PV.6795, p.2 (Guatemala).

#### Meeting: non-proliferation of weapons of mass destruction

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.6795 29 June 2012		Draft resolution (S/2012/501) submitted by France, Germany, South Africa, United Kingdom, United States			Guatemala	Resolution 2055 (2012) 15-0-0

### B. Non-proliferation

#### Overview

During the period under review, the Council held 10 meetings to consider the item entitled “Non-proliferation”, adopted two resolutions under Chapter VII of the Charter of the United Nations and heard eight briefings by the Chair of the Committee established pursuant to resolution 1737 (2006).<sup>1094</sup> The

Council twice extended the mandate of the Panel of Experts established pursuant to resolution 1929 (2010).

#### Briefings by the Chair of the Committee established pursuant to resolution 1737 (2006)

The Chair of the Committee established pursuant to resolution 1737 (2006) briefed the Council on the activities of the Committee,<sup>1095</sup> which included informal consultations, the receipt of implementation reports, notifications and other communications from Member States pursuant to the relevant resolutions,

<sup>1094</sup> For further information on the Committee established pursuant to resolution 1737 (2006) and the Panel of Experts established pursuant to resolution 1929 (2010), see part IX, sect. I.B, “Committees established under Chapter VII of the Charter”.

<sup>1095</sup> For further information on sanctions measures, see part VII, sect. III.A, “Decisions of the Security Council relating to Article 41”.



responses to queries and written requests for guidance from Member States and other organizations concerning the sanctions regime, the issuance of implementation assistance notices, the drafting of reports and the receipt and consideration of a number of documents prepared by the Panel of Experts established pursuant to resolution 1929 (2010).<sup>1096</sup>

On 21 March 2012, speakers expressed concern about the continued activity of the Islamic Republic of Iran in violation of the applicable legal framework. They highlighted its refusal to give the International Atomic Energy Agency (IAEA) access to certain sites, the continuation of uranium enrichment activities and the development of the Islamic Republic of Iran's ballistic capacities. Some speakers raised particular concerns regarding evidence of the provision of weapons to the Syrian Arab Republic.<sup>1097</sup> Most speakers called for the Islamic Republic of Iran to change course and to comply with all of its international obligations. Most speakers also called for the Islamic Republic of Iran to intensify cooperation with IAEA and to engage in dialogue with a view to finding a diplomatic solution that would restore confidence in the peaceful nature of its nuclear programme. Some speakers emphasized the need for the Panel of Experts to conduct its work in strict compliance with the relevant resolutions in an impartial, balanced and objective manner.<sup>1098</sup> Other speakers expressed frustration and concern regarding the blockage of the publication of the report of the Panel of Experts.<sup>1099</sup> Several speakers welcomed the open briefing announced by the Chair to inform the broader United Nations membership about the implementation of resolutions concerning the Islamic Republic of Iran.<sup>1100</sup>

On 12 June 2012, speakers reiterated their concerns about the Islamic Republic of Iran's

continued violations of its international obligations, its lack of cooperation with IAEA and its alleged involvement in supplying weapons to the Syrian Arab Republic and to other neighbouring countries. A majority of speakers expressed support for dialogue and for finding a diplomatic solution to the Iranian nuclear issue. Some demanded, however, that the Islamic Republic of Iran engage in such discussions with a view to producing results.<sup>1101</sup> In that regard, the representative of the United States noted that the window for diplomacy was not open-ended.<sup>1102</sup> Several speakers reiterated their support for the dual-track approach, involving diplomacy and sanctions.<sup>1103</sup> With respect to the work of the Committee, most speakers welcomed the Chair's initiative to hold an open briefing with the wider United Nations membership.

On 20 September 2012, speakers repeated previous expressions of concern regarding the nuclear programme of the Islamic Republic of Iran, in particular, the enrichment of uranium, the testing of ballistic missiles and the lack of access by IAEA inspectors to certain sites. Most speakers also emphasized the need for the Islamic Republic of Iran to comply with the legal framework and to pursue talks with a view to restoring confidence in the exclusively peaceful nature of its nuclear programme. The supply of weapons to the Syrian Arab Republic and other neighbouring countries was again raised by some speakers as a source of major concern.<sup>1104</sup> Some speakers called for a united approach with regard to the Iranian nuclear issue and for strengthening sanctions against the Islamic Republic of Iran in the absence of its serious engagement in the negotiations.<sup>1105</sup> With respect to the activities of the Panel of Experts, some speakers restated that the Panel should undertake its work strictly in accordance with its mandate.<sup>1106</sup>

On 13 December 2012, speakers highlighted the Islamic Republic of Iran's continued lack of compliance with its international obligations and its

<sup>1096</sup> See *S/PV.6737*, pp. 2-3; *S/PV.6786*, pp. 2-3; *S/PV.6839*, pp. 2-3; *S/PV.6888*, pp. 2-3; *S/PV.6930*, pp. 2-3; *S/PV.6999*, pp. 2-3; *S/PV.7028*, pp. 2-3; and *S/PV.7082*, pp. 2-3.

<sup>1097</sup> *S/PV.6737*, p. 4 (United States); p. 5 (France); p. 7 (Germany); and p. 13 (United Kingdom).

<sup>1098</sup> *Ibid.*, p. 5 (India); p. 9 (Pakistan); and p. 9 (Russian Federation).

<sup>1099</sup> *Ibid.*, p. 4 (United States); p. 7 (Germany); p. 10 (Portugal); p. 13 (Togo); and p. 13 (United Kingdom).

<sup>1100</sup> *Ibid.*, p. 6 (India); p. 7 (Germany); p. 11 (Morocco); and p. 13 (United Kingdom).

<sup>1101</sup> *S/PV.6786*, p. 4 (United States); p. 5 (Germany); and p. 6 (South Africa).

<sup>1102</sup> *Ibid.*, p. 4.

<sup>1103</sup> *Ibid.*, p. 4 (United States); p. 7 (Guatemala); p. 9 (Portugal); and p. 13 (United Kingdom).

<sup>1104</sup> *S/PV.6839*, p. 4 (United Kingdom); p. 5 (United States); p. 9 (France); and p. 12 (Germany).

<sup>1105</sup> *Ibid.*, p. 10 (France); and p. 12 (Germany).

<sup>1106</sup> *Ibid.*, p. 3 (Pakistan); and p. 6 (India).

lack of cooperation with IAEA. Several speakers expressed particular concern regarding the Islamic Republic of Iran's support to the Syrian Arab Republic and its transfer of weapons to militant groups in other neighbouring countries.<sup>1107</sup> Some speakers recalled that sanctions were not the final goal,<sup>1108</sup> and many speakers emphasized the importance of Member States' cooperation in the implementation of sanctions. Some of the speakers advocated the use of implementation assistance notices to advance compliance with Security Council resolutions.<sup>1109</sup> The representative of the Russian Federation criticized the imposition by certain Member States of parallel unilateral restrictions with the effect of undermining the United Nations sanctions regime.<sup>1110</sup> Some speakers repeated earlier calls for the Panel of Experts to abide strictly by its mandate.<sup>1111</sup> Most speakers called for further engagement in talks with a view to reaching a negotiated solution.

On 6 March 2013, speakers expressed concern about the Islamic Republic of Iran's nuclear programme and in particular about the missile launches reported by the Panel of Experts. Some speakers repeated their concern expressed at earlier meetings regarding the Islamic Republic of Iran's continued involvement in the supply of weapons to the Syrian Arab Republic<sup>1112</sup> as well as to certain militant groups in the region.<sup>1113</sup> Several speakers stressed that while Security Council resolutions on the Islamic Republic of Iran's nuclear issue should be implemented comprehensively, such sanctions were not an end in

themselves.<sup>1114</sup> The representative of China expressed his country's disagreement with excessive pressure on the Islamic Republic of Iran or with the introduction of new sanctions.<sup>1115</sup> The representatives of China and the Russian Federation were also critical of unilateral sanctions imposed by some Member States in parallel to United Nations sanctions.<sup>1116</sup> Several speakers also recalled the need for the Committee and the Panel of Experts to conduct their work and activities strictly in accordance with their mandate, with transparency, impartiality and objectivity.<sup>1117</sup>

On 15 July 2013, speakers reiterated their concern about the nuclear programme of the Islamic Republic of Iran and its lack of cooperation with IAEA. As in previous meetings, several speakers referred to the involvement of the Islamic Republic of Iran in providing weapons to militant groups and to the Government of the Syrian Arab Republic.<sup>1118</sup> Others reiterated previous calls for the Committee to conduct its work strictly in accordance with its mandate, relying on credible and verifiable information.<sup>1119</sup> Some speakers noted the increased transparency of approach in various aspects of the Committee's work and called for the enhancement of that trend.<sup>1120</sup> While a number of speakers expressed disappointment by the lack of progress in the negotiations with the Islamic Republic of Iran, many speakers expressed hope for a different course for the future, following the election of Hassan Rouhani as President.

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<sup>1107</sup> S/PV.6888, p. 4 (United Kingdom); p. 5 (France); and p. 9 (Germany).

<sup>1108</sup> Ibid., p. 6 (Pakistan); and p. 12 (China).

<sup>1109</sup> Ibid., p. 3 (Portugal); p. 4 (United Kingdom); p. 7 (South Africa); and p. 9 (Germany).

<sup>1110</sup> Ibid., p. 4 (Russian Federation).

<sup>1111</sup> Ibid., p. 4 (Russian Federation); p. 6 (Pakistan); p. 8 (Guatemala); p. 11 (China); and p. 12 (India).

<sup>1112</sup> S/PV.6930, p. 13 (France).

<sup>1113</sup> Ibid., p. 5 (United Kingdom); p. 6 (United States); and p. 13 (France).

<sup>1114</sup> Ibid., p. 4 (China); and pp. 6-7 (Pakistan).

<sup>1115</sup> Ibid., p. 4.

<sup>1116</sup> Ibid., p. 4 (China); and p. 14 (Russian Federation).

<sup>1117</sup> Ibid., p. 4 (China); p. 6 (Pakistan); p. 8 (Guatemala); p. 9 (Argentina); and p. 14 (Russian Federation).

<sup>1118</sup> S/PV.6999, p. 5 (United Kingdom); and p. 14 (United States).

<sup>1119</sup> Ibid., p. 6 (Russian Federation); p. 8 (Guatemala); p. 8 (Pakistan); p. 12 (Azerbaijan); and p. 13 (Rwanda).

<sup>1120</sup> Ibid., p. 4 (Argentina); p. 8 (Guatemala); p. 9 (Pakistan); p. 12 (Azerbaijan); and p. 13 (Rwanda).

**Meetings: non-proliferation**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6737</a> 21 March 2012	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Colombia), all Council members	
<a href="#">S/PV.6781</a> 7 June 2012		Draft resolution ( <a href="#">S/2012/407</a> ) submitted by the United States				Resolution <a href="#">2049 (2012)</a> 15-0-0
<a href="#">S/PV.6786</a> 12 June 2012	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Colombia), all Council members	
<a href="#">S/PV.6839</a> 20 September 2012	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Colombia), all Council members	
<a href="#">S/PV.6888</a> 13 December 2012	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Colombia), all Council members	
<a href="#">S/PV.6930</a> 6 March 2013	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Australia), all Council members	
<a href="#">S/PV.6973</a> 5 June 2013		Draft resolution ( <a href="#">S/2013/333</a> ) submitted by the United States				Resolution <a href="#">2105 (2013)</a> 15-0-0

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6999</a> 15 July 2013	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Australia), all Council members	
<a href="#">S/PV.7028</a> 5 September 2013	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Australia), all Council members	
<a href="#">S/PV.7082</a> 12 December 2013	Briefing by the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a>				Chair of the Security Council Committee established pursuant to resolution <a href="#">1737 (2006)</a> (Australia), all Council members	

## C. Non-proliferation/Democratic People's Republic of Korea

### Overview

During the period 2012 to 2013, the Council held four meetings, issued one presidential statement and adopted three resolutions concerning non-proliferation in the context of the Democratic People's Republic of Korea. During the same period, the Democratic People's Republic of Korea conducted two launches using ballistic missile technology, on 13 April 2012 and 12 December 2012, respectively, in contravention of applicable Security Council resolutions. The Democratic People's Republic of Korea conducted a nuclear test on 12 February 2013, also in contravention of applicable resolutions. In its decisions, the Council condemned the launches and the nuclear test. It also modified and expanded the sanctions measures imposed on the Democratic People's Republic of Korea pursuant to resolutions 1718 (2006) and 1874 (2009),<sup>1121</sup> modified and extended the mandate of the Committee established pursuant to resolution 1718 (2006) and extended the mandate of the Panel of Experts until 12 July 2013.<sup>1122</sup>

### Decisions of the Council relating to non-proliferation/Democratic People's Republic of Korea

On 16 April 2012, following the launch on 13 April 2012 of a satellite by the Democratic People's Republic of Korea, the Council issued a presidential statement in which it strongly condemned the launch in violation of resolutions 1718 (2006) and 1874 (2009).<sup>1123</sup> In the statement, the Council demanded that the Democratic People's Republic of Korea not proceed with any further launches using ballistic missile technology and comply with resolutions 1718 (2006) and 1874 (2009) by suspending all activities related to its ballistic missile programme and in that context re-establish its commitments to a moratorium on missile launches. The

Council also agreed to adjust the sanctions measures imposed by paragraph 8 of resolution 1718 (2006), as modified by resolution 1874 (2009), inter alia, by designating additional entities and items. In addition, the Council demanded that the Democratic People's Republic of Korea immediately comply fully with its obligations under resolutions 1718 (2006) and 1874 (2009), including that it abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, immediately cease all related activities, and not conduct any further launches that use ballistic missile technology, nuclear tests or any further provocation.

On 22 January 2013, the Council unanimously adopted resolution 2087 (2013), in which it condemned the Democratic People's Republic of Korea's launch of 12 December 2012, which used ballistic missile technology in violation of resolutions 1718 (2006) and 1874 (2009). The Council demanded that the Democratic People's Republic of Korea not proceed with any further launches using ballistic missile technology, and also that it comply with resolutions 1718 (2006) and 1874 (2009), including that it abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner. The Council expanded the measures imposed by resolutions 1718 (2006) and 1874 (2009), and recalled and clarified certain aspects of those measures.

The Council deplored the violations by the Democratic People's Republic of Korea of the measures imposed in resolutions 1718 (2006) and 1874 (2009), including the use of bulk cash to evade sanctions, and underscored its concern over the supply, sale or transfer to or from the Democratic People's Republic of Korea or through States' territories of any item that could contribute to activities prohibited by the above-mentioned resolutions.

On 7 March 2013, the Council unanimously adopted resolution 2094 (2013), in which it condemned in the strongest terms the nuclear test conducted by the Democratic People's Republic of Korea on 12 February 2013, in violation and flagrant disregard of the relevant Security Council resolutions. It demanded that the Democratic People's Republic of Korea immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons, and underlined the need of all States parties to the Treaty to continue to comply with their Treaty obligations. The Council reaffirmed its decision

<sup>1121</sup> For more information on the sanctions measures, see part VII, sect. III. A, "Decisions of the Security Council relating to Article 41".

<sup>1122</sup> For more information on the Committee established pursuant to resolution 1718 (2006) and the Panel of Experts created pursuant to resolution 1874 (2009), see part IX, sect. I.B, "Committees overseeing specific sanctions measures".

<sup>1123</sup> S/PRST/2012/13.

that the Democratic People's Republic of Korea should abandon all nuclear weapons and existing nuclear programmes, and abandon all other existing weapons of mass destruction and ballistic missile programmes in a complete, verifiable and irreversible manner. In its resolution, the Council further strengthened and expanded the sanctions against the Democratic People's Republic of Korea.

### Extension of the mandate of the Panel of Experts

On 12 June 2012, the Council unanimously adopted resolution [2050 \(2012\)](#), in which it decided to extend until 12 July 2013 the mandate of the Panel of Experts, as specified in paragraph 26 of resolution [1874 \(2009\)](#).

### Meetings: non-proliferation/Democratic People's Republic of Korea

<i>Meeting record and date</i>	<i>Sub item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision (for-against-abstaining)</i>
<a href="#">S/PV.6752</a> 16 April 2012						<a href="#">S/PRST/2012/13</a>
<a href="#">S/PV.6783</a> 12 June 2012		Draft resolution ( <a href="#">S/2012/423</a> ) submitted by the United States				Resolution <a href="#">2050 (2012)</a> 15-0-0
<a href="#">S/PV.6904</a> 22 January 2013		Draft resolution ( <a href="#">S/2013/41</a> ) submitted by the United States				Resolution <a href="#">2087 (2013)</a> 15-0-0
<a href="#">S/PV.6932</a> 7 March 2013		Draft resolution ( <a href="#">S/2013/136</a> ) submitted by 14 Member States <sup>a</sup>	Belgium, Canada, Denmark, Japan, Netherlands, Philippines			Resolution <a href="#">2094 (2013)</a> 15-0-0

<sup>a</sup> Australia, Belgium, Canada, Denmark, France, Japan, Morocco, Netherlands, Philippines, Republic of Korea, Rwanda, Togo, United Kingdom and United States

## 37. Post-conflict peacebuilding

### Overview

From 2012 to 2013, the Security Council held three meetings in connection with post-conflict peacebuilding and adopted one presidential statement. The Council considered the annual reports of the Peacebuilding Commission at two of the meetings, which were followed by informal interactive dialogues, and at a separate meeting considered the report of the Secretary-General on peacebuilding in the aftermath of conflict and adopted the presidential statement.

### Annual reports of the Peacebuilding Commission

On 12 July 2012, the Secretary-General highlighted progress made two years after the review of the peacebuilding architecture, comprising the Peacebuilding Commission, the Peacebuilding Fund and the Peacebuilding Support Office, particularly in

Liberia, Sierra Leone and Guinea. He mentioned three areas in which the Commission could do more to enhance the impact of peacebuilding tools: improving its capacity to leverage its membership and its ability to mobilize resources; sustaining the focus on longer-term peacebuilding; and adding significant value in some non-mission settings in the form of intergovernmental support.<sup>1124</sup>

The former Chair of the Peacebuilding Commission (Rwanda) presented the Commission's annual report.<sup>1125</sup> He stated that the Commission had responded to the request from Guinea for advice and support and that Guinea had thereby become the sixth country on the Commission's agenda, although the

<sup>1124</sup> [S/PV.6805](#), pp. 2-3.

<sup>1125</sup> [S/2012/70](#).

country was not on the agenda of the Council and had no mandated mission deployed to it. He highlighted three elements from the report: the efforts undertaken by the Commission to engage with the international financial institutions; its capacity to promote knowledge and experience-sharing; and the need for strengthening its interaction with and advisory role in respect of the principal organs of the United Nations. With regard to the relationship between the Commission and the Council, he highlighted that briefings by the Chairs of the country-specific configurations to the Council had become systematic in advance of the periodic consideration by the Council of the situations in and the mandates involving countries on the agenda of the Commission. He also noted the introduction by the Council of informal interactive dialogues on certain country-specific situations. Furthermore, he recalled that the 2010 review had highlighted the potential for developing a dynamic linkage between the Commission and the Council, and stressed the need for clarity from the Council regarding the specific areas for which the advice of the Commission could be sought.<sup>1126</sup>

The current Chair of the Peacebuilding Commission stressed the need for better understanding of the nature and scope of the role of the Commission, and noted that it had yet to meet its full potential. He also shared suggestions from the chairs of the country-specific configurations, namely: intensifying and institutionalizing the relationships between the Council and country-specific configurations; clarifying the division of responsibilities with the senior United Nations leadership in the field; timely advice by the Peacebuilding Commission to the Council as it considered a transition from one form of United Nations engagement to another; and periodic information-sharing with the Council on country-specific opportunities and risks.<sup>1127</sup>

The Vice-President and Head of Network Operations, Policy and Country Services of the World Bank stated that the Peacebuilding Commission had provided useful inputs and guidance to the World Bank country teams and added that the Bank had seen progress in the country-specific configuration areas and in all six countries on the agenda. He pointed out

the need for greater coherence across the international aid structure.<sup>1128</sup>

Speakers commended the efforts of all six country-specific configurations of the Peacebuilding Commission. They also stressed the need to strengthen national capacities and to enhance the relationship with the Council, particularly in regard to the quality of interaction between the two bodies and the advisory role of the Commission with regard to the consideration of peacebuilding mandates by the Council in the countries on its agenda. Speakers also called for improved coordination among the relevant peacebuilding stakeholders, including the principal organs and United Nations agencies, as well as international financial institutions and other actors outside the United Nations system.

On 25 April 2013, the Council considered the annual report of the Peacebuilding Commission.<sup>1129</sup> The former Chair of the Commission and representative of Bangladesh presented the report. He stated that during 2012, the Commission had focused on institutional consolidation, facilitation of the work of country-specific configurations, strengthening of the partnerships with the World Bank and the African Development Bank, deepening of its working relationship with key actors in the field, enhancement of its partnership with United Nations principal organs, in particular with the Security Council, and development of a new paradigm for South-South cooperation.<sup>1130</sup>

The current Chair of the Peacebuilding Commission, focusing on its advisory function to the Council, stated that the Commission could and should play a role in support of the Council's consideration of drawdown and transition strategies for three of the missions in the countries on the Commission's agenda, and in updating the Council on peacebuilding efforts following the transition and exit of a United Nations mission. He added that the Commission could offer valuable perspectives to the Council when it considered options for situations where the peacebuilding process in the countries on the Commission's agenda faced serious challenges.<sup>1131</sup>

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<sup>1128</sup> Ibid., p. 8.

<sup>1129</sup> S/2013/63.

<sup>1130</sup> S/PV.6954, pp. 2-4.

<sup>1131</sup> Ibid., pp. 4-5.

<sup>1126</sup> S/PV.6805, pp. 3-4.

<sup>1127</sup> Ibid., pp. 5-6.

Speakers stressed the importance of national ownership, the need for improved coordination and division of labour between relevant actors and the potential of the Peacebuilding Commission in mobilizing resources. They also called for improving the working methods of the Commission and noted the value of the consultative assistance it could provide to the Council with regard to peacebuilding mandates.

### **Report of the Secretary-General on peacebuilding in the aftermath of conflict**

On 20 December 2012, the Council considered the report of the Secretary-General on peacebuilding in the aftermath of conflict.<sup>1132</sup> The Secretary-General said that significant progress had been made since the publication of his initial report on the topic in 2009,<sup>1133</sup> and that United Nations post-conflict peacebuilding efforts had become more coherent, timely and effective, with notable achievements in conflict resolution, gender-responsive planning, financing and the rule of law. He noted, however, that accomplishments in governance and economic recovery had been less substantial. The Secretary-General underscored three critical elements for successful peacebuilding: inclusivity, institution-building and sustained international support.<sup>1134</sup>

The Chair of the Peacebuilding Commission highlighted the value of periodic reporting by the Secretary-General to the Council and the General Assembly on peacebuilding, noted the importance of the three elements stressed by the Secretary-General and noted also the analysis and recommendations with respect to women's participation in peacebuilding contained in that report. He welcomed the three

specific recommendations in the report addressed to the Commission: to improve collaboration, coherence and alignment of partners behind national peacebuilding strategies; to identify options for differentiated and flexible forms of engagement with the countries on its agenda; and to enhance collaboration between the Commission and the Security Council.<sup>1135</sup>

Speakers welcomed the progress made since the publication of the initial report and continued to stress the potential advisory role of the Peacebuilding Commission to the Council. They also acknowledged that further efforts were necessary in peacebuilding, including the strengthening of national capacity, institutions and the rule of law while respecting national sovereignty; enhancing coordination and interaction between the Commission and the main United Nations bodies; promoting sustained international financial support and close collaboration between the Peacebuilding Commission and international and regional financial institutions; ensuring inclusivity and the further participation of women in peacebuilding; and addressing the structural causes of conflict, including those related to economic and social development.

At the meeting, the Council adopted a presidential statement, in which it, *inter alia*, reaffirmed that national ownership and national responsibility were key to establishing sustainable peace, recognized the importance of women's participation in peacebuilding and stressed the need for more coordinated, coherent and integrated peacebuilding efforts.<sup>1136</sup>

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<sup>1132</sup> [S/2012/746](#).

<sup>1133</sup> [S/2009/304](#).

<sup>1134</sup> [S/PV.6897](#), pp. 2-3.

<sup>1135</sup> *Ibid.*, pp. 3-5.

<sup>1136</sup> [S/PRST/2012/29](#).



## Meetings: post-conflict peacebuilding

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6805</a> and <a href="#">S/PV.6805 (Resumption 1)</a> 12 July 2012	Report of the Peacebuilding Commission on its fifth session ( <a href="#">S/2012/70</a> )  Note verbale dated 2 July 2012 from the Permanent Mission of Colombia to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/511</a> )		28 Member States <sup>a</sup>	Former Chair of the Peacebuilding Commission (Rwanda), Chair of the Peacebuilding Commission (Bangladesh), Vice President and Head of Network Operations, Policy and Country Services, World Bank, Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, all invitees <sup>b</sup>	
<a href="#">S/PV.6897</a> and <a href="#">S/PV.6897 (Resumption 1)</a> 20 December 2012	Report of the Secretary-General on Peacebuilding in the aftermath of conflict ( <a href="#">S/2012/746</a> )		25 Member States <sup>c</sup>	Chair of the Peacebuilding Commission (Bangladesh), Deputy Head of the Delegation of the European Union, Permanent Observer of the African Union to the United Nations	Secretary-General, all Council members, all invitees	<a href="#">S/PRST/2012/29</a>
<a href="#">S/PV.6954</a> 25 April 2013	Report of the Peacebuilding Commission on its sixth session ( <a href="#">S/2013/63</a> )			Former Chair of the Peacebuilding Commission (Bangladesh), Chair of the Peacebuilding Commission (Croatia)	All Council members, Former Chair of the Peacebuilding Commission (Bangladesh), Chair of the Peacebuilding Commission (Croatia)	

(Footnotes on following page)

(Footnotes to Meetings: post-conflict peacebuilding)

<sup>a</sup> Argentina, Armenia, Australia, Belgium, Brazil, Burundi, Canada, Chile, Croatia, Egypt, Indonesia, Ireland, Japan, Liberia, Luxembourg, Malaysia, Mexico, Nepal, New Zealand, Nigeria, Norway, Republic of Korea, Sierra Leone, South Sudan, Sudan, Sweden, Switzerland and Tunisia (on behalf of the Non-Aligned Movement).

<sup>b</sup> Colombia was represented by its Minister for Foreign Affairs.

<sup>c</sup> Argentina, Armenia, Australia, Belarus, Bosnia and Herzegovina, Botswana, Brazil, Croatia, Denmark, Indonesia, Iran (Islamic Republic of, on behalf of the Non-Aligned Movement), Japan, Liberia, Luxembourg, Malaysia, Netherlands, New Zealand, Nigeria, Norway, Republic of Korea, Senegal, Sweden, Switzerland, Thailand and Turkey.

## 38. Threats to international peace and security

### Overview

During the period under review, the Security Council held one meeting in connection with threats to international peace and security, and adopted a presidential statement. At the meeting, the Council explored a comprehensive, coordinated and effective response to counter the threats to international peace and security posed by illicit flows of materials and goods, as well as people, across borders.

### Securing borders against illicit flows

On 25 April 2012, the Council had before it a concept paper prepared by the President (United States) to guide its deliberations.<sup>1137</sup> The Secretary-General stressed that insufficiently protected borders enabled the trafficking of drugs, weapons, contraband, terrorist funding, materials related to weapons of mass destruction, conflict minerals, wildlife and people. Since such illicit flows undermined national sovereignty, destroyed communities and lives, fuelled terrorism and threatened peace and security, they were rightly the focus of the Council's close attention. He added that countering those illicit flows required strengthening border security, regional cooperation, ratification and implementation of legal instruments, such as the United Nations Convention against Transnational Organized Crime, and capacity-building support to Member States to overcome conditions that allowed such criminal activity to flourish. The Secretary-General committed to submitting a report to the Council within six months, providing a

comprehensive assessment of the United Nations work to help Member States counter illicit flows.<sup>1138</sup>

In the discussion that followed, members expressed deep concern over the ever more sophisticated, interconnected and evolving threats to international peace and security represented by cross-border trafficking and movement of materials, funds, goods and persons, particularly for fragile States. They noted that organized criminal networks took advantage of the opportunities presented by globalization and advances in technology and emphasized the need for concerted action at the national, regional and global levels. Several members, however, underscored the importance of striking a balance between global action and the sovereign right of States to manage borders, as well as between effective border control and facilitation of the legitimate movement of persons, funds and goods. Recognizing the legal instruments developed and wide range of activities carried out by various United Nations organs and bodies to support States that requested assistance, including the General Assembly, the Security Council and the Economic and Social Council, members welcomed the forthcoming report by the Secretary-General as opening the way for holistic, better coordinated, streamlined and more effective assistance strategies and plans of actions. A few members stressed that the Council should respect the mandates of other organs and specialized bodies and avoid duplication. It should intervene only in conflict and post-conflict situations that threatened international peace and

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<sup>1137</sup> [S/2012/195](#), annex.

<sup>1138</sup> [S/PV.6760](#), pp. 2-3. The report of the Secretary-General, dated 19 October 2012 ([S/2012/777](#)), which was prepared on the basis of contributions from 20 United Nations entities and three international agencies that cooperate closely with the United Nations, was considered by the Council on 8 November 2012 in informal consultations of the whole.

security and under restrictive measures imposed by it to restrict illicit flows across borders, including sanctions regimes established pursuant to resolutions [1267 \(1999\)](#), [1373 \(2001\)](#) and [1540 \(2004\)](#).<sup>1139</sup>

Recalling that the Council had often addressed illicit transfers individually, in specific regional contexts, the representative of the United States noted that the Council had tended to look at each trafficked item in isolation from the common feature that they shared — poorly secured borders that were too easily exploited by criminal networks. Similarly, a number of United Nations bodies involved in assisting States in border protection and in implementing their international obligations were so narrowly focused on specific threats that they might be unaware of overlapping efforts or miss opportunities to pool knowledge and expertise. There was scope to streamline and strengthen the United Nations capacity in this respect, and the Security Council could make an important contribution, but it was vital that the General Assembly and the Economic and Social Council be engaged as well.<sup>1140</sup>

During the course of the meeting, the Council adopted a presidential statement, in which it acknowledged the evolving challenges and threats to international peace and security, expressed concern that illicit cross-border trafficking and movement contributed to those threats and recognized that they involved cross-cutting issues, many of which were considered by the General Assembly and other United Nations organs and bodies. The Council called upon all Member States to improve border management to effectively constrain the spread of transnational threats. The Council also encouraged Member States as well as international organizations and relevant regional and subregional organizations to enhance efforts to assist Member States to build the capacity to secure their borders against illicit cross-border trafficking, upon request and by mutual agreement. The Council acknowledged the importance of coherent, system-wide United Nations action, and invited the Secretary-General to submit in six months a report providing an assessment of the work of the United Nations to help Member States to counter illicit cross-border trafficking and movement.<sup>1141</sup>

<sup>1139</sup> [S/PV.6760](#), p. 8 (India); p. 9 (Russian Federation); p. 11 (China); p. 17 (Pakistan); p. 27 (Argentina); and p. 29 (Cuba); [S/PV.6760 \(Resumption 1\)](#), p. 2 (Iran (Islamic Republic of)); and p. 8 (Venezuela (Bolivarian Republic of)).

<sup>1140</sup> [S/PV.6760](#), pp. 18-19.

<sup>1141</sup> [S/PRST/2012/16](#).

### Meeting: threats to international peace and security

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6760</a> and <a href="#">S/PV.6760 (Resumption 1)</a> 25 April 2012	Securing borders against illicit cross-border trafficking and movement  Letter dated 5 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/195</a> )		19 Member States <sup>a</sup>	Head of the Delegation of the European Union to the United Nations, Permanent Observer of the African Union to the United Nations	Secretary-General, all Council members, all invitees	<a href="#">S/PRST/2012/16</a>

<sup>a</sup> Argentina, Armenia, Australia, Belarus, Botswana, Brazil, Costa Rica, Cuba, Indonesia, Iran (Islamic Republic of), Israel, Jamaica (on behalf of the Caribbean Community), Japan, Libya, New Zealand, Norway, Republic of Korea, Syrian Arab Republic and Venezuela (Bolivarian Republic of).

## 39. Maintenance of international peace and security

### Overview

During the period under review, the Council held three meetings and issued two presidential statements under the item entitled “Maintenance of international peace and security”. Sub-items included: (a) nuclear non-proliferation, disarmament and security; (b) piracy; and (c) conflict prevention and natural resources.

### Nuclear non-proliferation, disarmament and security

On 19 April 2012, at the initiative of the United States, the Council held a debate on nuclear non-proliferation, disarmament and security. The Council had before it a concept note<sup>1142</sup> concerning the purpose of the meeting, which was, *inter alia*, to take stock of international efforts relating to the issues of non-proliferation, disarmament and security and renew the Council’s attention and determination to address them. The concept note also made reference to the opportunity for the Council to reaffirm its support for the work of the International Atomic Energy Agency (IAEA) and its commitment to the Committee established pursuant to resolution 1540 (2004).<sup>1143</sup>

The Secretary-General recalled that in spite of the progress achieved, much work remained to be done, given the existence of tens of thousands of nuclear weapons threatening humankind. He noted that the Comprehensive Nuclear-Test-Ban Treaty had not yet entered into force 16 years after its adoption by the General Assembly and that the Conference on Disarmament remained deadlocked. He affirmed that the current stalemate was unacceptable. He also urged the Democratic Republic of Korea to immediately comply fully with its obligations under the relevant resolutions and emphasized that, with regard to the Islamic Republic of Iran, the only acceptable outcome was a peaceful settlement that would restore international confidence in the exclusively peaceful nature of its nuclear programme, in conformity with the Treaty on the Non Proliferation of Nuclear Weapons.<sup>1144</sup>

During the debate, most speakers highlighted the threat posed by the availability of nuclear weapons to terrorist groups and non-State actors and reaffirmed the importance of a multilateral approach to nuclear security. In that regard, a number of speakers emphasized the central roles of IAEA and the Treaty on the Non-Proliferation of Nuclear Weapons in pursuing global disarmament, non-proliferation and the peaceful use of nuclear energy. Many speakers expressed concern about the lack of progress at the Conference on Disarmament and called for the negotiation of a fissile material cut-off treaty.<sup>1145</sup> Several speakers emphasized the need for Member States to ratify the Comprehensive Nuclear-Test-Ban Treaty in order to achieve a prompt entry into force.<sup>1146</sup> Many speakers advocated in favour of global nuclear disarmament and called for the promotion of nuclear-weapon-free-zones.<sup>1147</sup> Most speakers emphasized the need for a coordinated approach, and highlighted the specific role of the United Nations in nuclear non-proliferation, disarmament and security.

At the end of the meeting, the Council adopted a presidential statement, in which it expressed grave concern with regard to the threat of terrorism and the risk of weapons of mass destruction becoming available. The Council made reference in particular to resolution 1540 (2004), in connection with the obligation of Member States to take measures to prevent non-State actors from acquiring weapons of mass destruction. The Council affirmed the essential role of IAEA, called upon States parties to the Convention on the Physical Protection of Nuclear Material to ratify the Amendment to the Convention on the Physical Protection of Nuclear Material as soon as possible, and encouraged all States that had not yet done so to adhere to the Convention and adopt its amendment as soon as possible. The Council also called on Member States to become a party to the International Convention for the Suppression of Acts of

<sup>1142</sup> S/2012/194, annex.

<sup>1143</sup> For more information, see part IX, sect. I, B, “Committees established under Chapter VII of the Charter”.

<sup>1144</sup> S/PV.6753, pp. 2-3.

<sup>1145</sup> *Ibid.*, p. 4 (Colombia); p. 6 (India); p. 8 (Morocco); p. 9 (Portugal); p. 11 (Germany); p. 14 (Togo); p. 16 (France); p. 21 (United Kingdom); and p. 23 (United States).

<sup>1146</sup> *Ibid.*, p. 4 (Colombia); p. 9 (Portugal); p. 11 (Germany); p. 17 (Guatemala); and p. 23 (United States).

<sup>1147</sup> *Ibid.*, pp. 3-4 (Colombia); p. 5 (Azerbaijan); p. 6 (India); p. 8 (Morocco); p. 9 (Portugal); p. 10 (China); p. 12 (Germany); p. 15 (France); and p. 17 (Guatemala).

Nuclear Terrorism and to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials.<sup>1148</sup>

### Piracy

On 19 November 2012, on the initiative of India, the Council held an open debate on piracy under the item entitled “Maintenance of international peace and security”, having before it a concept note<sup>1149</sup> highlighting the purpose of the debate, namely, to take account of the efforts that the Council had made so far in countering piracy in a holistic manner, with a special focus on the issue of seafarers being held hostage by the pirates, including their welfare, both while in captivity and after their release.

The Deputy Secretary-General emphasized the global nature of the problem of piracy as well as its global implications. He warned that while the Secretary-General, in his report,<sup>1150</sup> had noted a sharp decline in pirate attacks in waters off the coast of Somalia in 2012 compared to 2011, those gains could be easily reversed if the causes of piracy were not addressed. He emphasized the need for a comprehensive maritime security and economic strategy for Somalia with a proper legal framework, including the proclamation of an exclusive economic zone in accordance with the United Nations Convention on the Law of the Sea. He also mentioned the need to strengthen the prosecutorial capacity against individuals suspected of piracy and the need to encourage the shipping industry to protect itself. He stated that three challenges required immediate attention: the need for better coordination and information-sharing among countries and agencies involved in counter-piracy operations; the strengthening of prosecutorial capacities; and the establishment of a framework to govern the use of privately contracted armed security personnel on board vessels.<sup>1151</sup>

During the debate, most speakers welcomed the recent positive trend towards a decrease in piracy incidents. However, many speakers warned that the situation could be reversed if attention was diverted from the problem. Speakers endorsed the need for a holistic and comprehensive approach to maritime safety that also tackled the root causes of piracy, as set out in

the concept note. Several speakers emphasized the primary responsibility of coastal States in combating piracy with the support of the international community.<sup>1152</sup> The representative of Togo noted that despite the individual or bilateral efforts to fight piracy by the countries affected, they did not have the capacity to effectively prevent or diminish the threat on their own.<sup>1153</sup> Some speakers raised concerns about the Council’s intervention in the area of piracy and emphasized its limited role, as provided for in Article 39 of the Charter.<sup>1154</sup> Other speakers mentioned the importance of targeting the crime leaders and the need to strengthen regional and international cooperation in that regard. Finally, speakers expressed the need to strengthen various legal frameworks, namely, the United Nations Convention on the Law of the Sea, the regulation on the use of armed security personnel on board vessels and the national legislation of coastal States in relation to piracy.

During the meeting, the Council adopted a presidential statement, in which it stressed the need for a comprehensive response by the international community to repress piracy and tackle its underlying causes. The Council reiterated its call upon States to criminalize piracy under their domestic law. The Council urged States and international organizations to share evidence, information and intelligence, as appropriate. The Council also encouraged Member States to continue to cooperate with each other in the fight against piracy and armed robbery at sea off the coast of Somalia, underlined the primary responsibility of Somali authorities, and requested the Somali authorities to pass a complete set of counter-piracy laws. In addition, the Council welcomed the initiatives taken by States and regional organizations to enhance maritime safety and security in the Gulf of Guinea.<sup>1155</sup>

### Conflict prevention and natural resources

On 19 June 2013, on the initiative of the United Kingdom, the Council held an open debate on conflict prevention and natural resources. The Council had before it a concept note which stated that in the light of

<sup>1148</sup> S/PRST/2012/14.

<sup>1149</sup> S/2012/814, annex.

<sup>1150</sup> S/2012/783.

<sup>1151</sup> S/PV.6865, pp. 2-3.

<sup>1152</sup> Ibid., p. 7 (Germany); p. 11 (Portugal); p. 15 (Colombia); p. 17 (Azerbaijan); and p. 18 (Morocco).

<sup>1153</sup> Ibid., p. 10.

<sup>1154</sup> S/PV.6865, p. 12 (South Africa); and S/PV.6865 (Resumption 1), p. 6 (Argentina).

<sup>1155</sup> S/PRST/2012/24.

the engagement of the Security Council in countries in which extractive industries played a major role in the economy, it was essential that the Council consider the link between conflict and natural resources and reflect on how national Governments could access the support they needed to manage their extractive industries effectively and transparently and mitigate any potential risks of conflict. The concept note mentioned specifically the need for the Council to consider the instruments at its disposal for engaging with the issues, and their comparative advantages, and for the United Nations to ensure a well-coordinated approach on the ground between Council-mandated missions, the United Nations country team, and other actors.<sup>1156</sup>

The Deputy Secretary-General opened the debate. He cautioned that unequally distributed resources were precursors of conflict, but also said that, managed wisely, extractive resources could and should be the foundation for sustainable development and lasting peace. He noted that the private sector was a key player in equitable, transparent and sustainable exploitation of extractive resources, but that civil society, national Governments and international organizations also had important roles to play. He stated that where conflict raged or was a risk, the Council had its obligations, but he stressed that the primary responsibility for preventing conflict and transparently and equitably managing resources lay with Governments. The Deputy Secretary-General echoed the report of the Secretary-General's High-level Panel of Eminent Persons on the Post-2015 Development Agenda, in which the Panel stated that there was a need for a transparency revolution in the extractive industries,<sup>1157</sup> and he called for support of that process of transparency and sharing so that the people of developing nations could benefit from their own natural resources.<sup>1158</sup>

Speaking after the Deputy Secretary-General, the Chair of the Africa Progress Panel noted that natural resources were neither a curse nor a blessing but simply a source of opportunity. He added that natural resources had become a powerful magnet for foreign investment in Africa; the challenge facing Governments in the region was to convert the temporary windfall into a permanent breakthrough in human development. He stated that natural resources did not cause war, but pointed out that competition for natural resources could often amplify and accelerate conflict, tearing apart the weak fabric of

fragile States. He suggested, therefore, that the discussion needed to focus on how natural resources could contribute to higher human development outcomes and reduce inequality. He stressed that the responsibility lay primarily with African Governments, but acknowledged that they could not resolve all governance challenges on their own and that the international community also had to shoulder its responsibility. In that connection, he noted that the Council could play an important role in ending the plunder of minerals and other natural resources that perpetuated violent conflict. He emphasized the need for a much more ambitious and comprehensive framework for transparency, fair tax practices and asset pricing so that the conditions that contributed to conflict over natural resources could be eliminated.<sup>1159</sup>

The Managing Director of the World Bank recalled the World Development Report 2011: Conflict, Security and Development, which said that slow-developing low-income economies largely dependent on natural resources were 10 times more likely than others to experience civil war. She added, however, that managed well, natural resources had the potential to transform countries and get them out of the cycle of violence and fragility and aid dependency. She emphasized the importance of a level playing field to negotiate contracts and regulate industries so that countries were not at a disadvantage in negotiating with international companies. She stated that transparency enabled a level playing field, which was good for private sector-led growth and gave citizens the tools to hold Governments accountable.<sup>1160</sup>

The Under-Secretary-General and Associate Administrator of the United Nations Development Programme indicated that over half of all countries with Security Council-mandated missions were resource-dependent, which left no doubt of the importance of the extractive sector as an international peace and stability issue that demanded a development response at the national and international levels.<sup>1161</sup>

During the debate, speakers agreed on the need for transparency and accountability in the use of natural resources. They also recalled the important role of good governance and institution-building and emphasized the need to strengthen cooperation with other organizations, both regional and specialized, as a

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<sup>1156</sup> See [S/2013/334](#), annex.

<sup>1157</sup> See [A/67/890](#), annex.

<sup>1158</sup> [S/PV.6982](#), pp. 2-4.

<sup>1159</sup> *Ibid.*, pp. 4-5.

<sup>1160</sup> *Ibid.*, pp. 6-7.

<sup>1161</sup> *Ibid.*, pp. 7-9.

means of achieving such goals. A majority of speakers called for utilizing the existing sanctions regimes as a means of preventing, or at least limiting, the abuse of natural resources to fund conflict.

Speakers were divided between those who believed that competition for natural resources could be a cause of armed conflict and supported an active role of the Council in dealing with issues of conflict and natural resources<sup>1162</sup> and those who held the view

that there was no causal link between natural resources and conflict.<sup>1163</sup> Among the latter, the representative of Argentina noted the importance of avoiding the securitization of the development agenda,<sup>1164</sup> and most cautioned against having the Council engaged in matters that were beyond its powers in relation to the maintenance of international peace and security.<sup>1165</sup>

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<sup>1162</sup> Ibid., p. 11 (Luxembourg); p. 12 (Pakistan); p. 13 (France); p. 18 (Morocco); p. 22 (Azerbaijan); p. 23 (Rwanda); p. 26 (Denmark); p. 28 (Brazil); p. 29 (Germany); p. 30 (Uganda); and p. 32 (Switzerland); [S/PV.6982 \(Resumption 1\)](#), p. 2 (New Zealand); p. 4 (Turkey); p. 5 (Botswana); p. 9 (Nigeria); and p. 11 (Malaysia).

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<sup>1163</sup> [S/PV.6982](#), p. 15 (China); and p. 20 (Argentina); [S/PV.6982 \(Resumption 1\)](#), p. 10 (Qatar); p. 14 (Gabon); p. 16 (Sudan); and p. 17 (Ecuador).

<sup>1164</sup> [S/PV.6982](#), p. 21.

<sup>1165</sup> Ibid., p. 19 (Guatemala); and p. 20 (Argentina); [S/PV.6982 \(Resumption 1\)](#), p. 7 (Bolivia (Plurinational State of)); p. 10 (Qatar); p. 15 (India); and p. 17 (Ecuador).

## Meetings: maintenance of international peace and security

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6753</a> 19 April 2012	Nuclear non-proliferation, disarmament and security  Letter dated 5 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/194</a> )	Letter dated 9 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/207</a> )			Secretary-General, all Council members	<a href="#">S/PRST/2012/14</a>
<a href="#">S/PV.6865</a> and <a href="#">S/PV.6865 (Resumption 1)</a> 19 November 2012	Piracy  Letter dated 6 November 2012 from the Permanent Representative of India to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/814</a> )	Report of the Secretary-General pursuant to resolution <a href="#">2020 (2011)</a> ( <a href="#">S/2012/783</a> )	29 Member States <sup>a</sup>	Deputy Head of the Delegation of the European Union to the United Nations	Deputy Secretary-General, all Council members, 28 invitees under rule 37, <sup>b</sup> Deputy Head of the Delegation of the European Union to the United Nations	<a href="#">S/PRST/2012/24</a>
<a href="#">S/PV.6982</a> and <a href="#">S/PV.6982 (Resumption 1)</a> 19 June 2013	Conflict prevention and natural resources  Letter dated 6 June 2013 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/334</a> )		30 Member States <sup>c</sup>	Chair of the Africa Progress Panel, Managing Director of the World Bank, Under-Secretary-General and Associate Administrator of the United Nations Development Programme, Deputy Head of the Delegation of the European Union	Deputy Secretary-General, all Council members, 27 invitees under rule 37, <sup>d</sup> all invitees under rule 39	

(Footnotes on following page)



(Footnotes to Meetings: maintenance of international peace and security)

<sup>a</sup> Argentina, Australia, Bangladesh, Brazil, Denmark, Egypt, Estonia, Indonesia, Iran (Islamic Republic of), Israel, Italy, Japan, Lithuania, Luxembourg, Malaysia, New Zealand, Nigeria, Norway, Panama, Republic of Korea, Saudi Arabia, Seychelles, Singapore, Somalia, Thailand, Ukraine, United Arab Emirates, United Republic of Tanzania and Viet Nam.

<sup>b</sup> Seychelles did not make a statement.

<sup>c</sup> Denmark (Minister for Development Cooperation), Armenia, Belgium, Bolivia (Plurinational State of), Botswana, Brazil, Canada, Chile, Cyprus, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Germany, India, Japan, Malaysia, Netherlands, New Zealand, Nigeria, Papua New Guinea, Qatar, South Africa, Sudan, Switzerland, Timor-Leste, Turkey, Uganda and Venezuela (Bolivarian Republic of).

<sup>d</sup> The representatives of Chile, Cyprus and the Bolivarian Republic of Venezuela did not make a statement.

## 40. Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

### Overview

During the period under review, the Security Council held four meetings and adopted one resolution and two presidential statements under the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”. At the meetings, the Council focused on the relationship of the United Nations with the African Union, the European Union, the Organization of Islamic Cooperation (OIC) and other regional organizations from Africa, Asia and Latin America.

### Strengthening the relationship with regional organizations, in particular the African Union

On 12 January 2012, the President of South Africa reviewed the lessons to be drawn from the situation in Libya and affirmed that greater political coherence and a common vision between the African Union and the United Nations were critical to the resolution of African conflicts.<sup>1166</sup> He noted the positive experience of 10 years of cooperation between the African Union and the United Nations and offered a series of proposals, including the institutionalization of the relationship between the Security Council and the African Union Peace and Security Council, the development and definition of modalities for cooperation and decision-making between the two

institutions, a clear division of labour and the exploration of solutions for capacity-building and sustainable resource allocation.<sup>1167</sup>

The Secretary-General said that the collective efforts of the United Nations and the African Union in conflict prevention and mediation, peacekeeping and peacebuilding were making a real difference throughout the continent, and highlighted examples of the strengthened partnership.<sup>1168</sup> The Commissioner for Peace and Security of the African Union said that both traditional and new threats required concerted responses by the two organizations and a much closer partnership, on the basis of a creative reading of the provisions of Chapter VIII of the Charter. He specifically mentioned the need for the two organizations to agree on a set of principles aimed at clarifying the relationship and anchoring it on a more solid platform, including support for African ownership and priority-setting.<sup>1169</sup> Echoing the previous speaker, the Chair of the Peace and Security Council of the African Union offered a series of reflections on innovative ways of interpreting Chapter VIII of the Charter that would add value, improve the relationship and optimize the chances of achieving sustainable peace. He highlighted issues that required measures of improvement, namely the process of decision-making, particularly in determining when and how to engage in

<sup>1166</sup> See also the concept note circulated by South Africa (S/2012/13, annex).

<sup>1167</sup> S/PV.6702, pp. 3-4.

<sup>1168</sup> Ibid., p. 5.

<sup>1169</sup> Ibid., p. 7.

specific crisis situations, the gap between the requirements of an operation and the resources available, institutional relations, differences in the approach to deployment in fragile environments and capacity-building.<sup>1170</sup>

Speakers generally acknowledged the progress made and the challenges remaining in the relationship between the United Nations and the African Union in the maintenance of international peace and security.

After the discussion, the Council adopted resolution 2033 (2012), in which it, *inter alia*, encouraged the improvement of regular interaction, consultation and coordination between the Security Council and the African Union Peace and Security Council on matters of mutual interest. Following the vote, the representative of the United Kingdom stated that while his country commended the cooperation between the United Nations and the African Union, it did not believe that such cooperation should come at the expense of the Security Council's primacy with respect to the maintenance of international peace and security or its practical capacity to speedily and effectively respond to any threat to international peace and security.<sup>1171</sup>

#### Cooperation with the European Union

In her briefing to the Council on 13 February 2012 the High Representative for Foreign Affairs and Security Policy of the European Union outlined the contribution of the European Union to international peace and security. She highlighted the ability of the European Union to marshal a comprehensive approach, exemplified by its involvement in Somalia and Mali, where security measures were accompanied by development cooperation. She also mentioned the involvement of the European Union in international negotiations, including mediation, on behalf of the international community and underlined her role in dealing with the Iranian nuclear issue and in facilitating the dialogue between Serbia and Kosovo. In addition, she noted the work of the European Union with international and regional partners, in efforts to address some of the more difficult challenges to international peace and security, such as violations of international law by the Democratic People's Republic of Korea, the conflict in

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<sup>1170</sup> *Ibid.*, pp. 9-10.

<sup>1171</sup> *S/PV.6702 (Resumption 1)*, p.10.

the Syrian Arab Republic and the Middle East peace process.<sup>1172</sup>

Most speakers welcomed the contribution of the European Union to international peace and security.<sup>1173</sup> Some speakers also highlighted the active role that it played in the issue of children and armed conflict.<sup>1174</sup> The representative of Togo cautioned against overlapping actions, and said that it was important for both the European Union and the United Nations to bear in mind what the other was doing before making a new commitment.<sup>1175</sup>

#### Open debate with regional organizations of Africa, Asia and Latin America

At the outset of the meeting of the Council, on 6 August 2013, the President of Argentina pointed out that the last time the Council had held a debate from a broader perspective on the relationship between the United Nations and regional and subregional organizations had been on 13 January 2010. She emphasized that the primary objective of the debate was to consider the role of regional and subregional organizations and explore the options to strengthen the bilateral relationships between the United Nations and a spectrum of regional and subregional organizations and arrangements.<sup>1176</sup>

The Council then adopted a presidential statement, in which it, *inter alia*, expressed its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding.<sup>1177</sup>

In his briefing after the adoption of the presidential statement, the Secretary-General expressed his belief in the value of combining the deep knowledge, unique insights and strong local networks of regional and subregional organizations with the

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<sup>1172</sup> *S/PV.6919*, pp. 2-4.

<sup>1173</sup> *Ibid.*, p. 5 (France); p. 6 (Azerbaijan); p. 7 (Luxembourg); p. 9 (Australia); p. 10 (Guatemala); p. 11 (China); p. 14 (United Kingdom); p. 18 (Morocco); pp. 19-20 (United States); and p. 21 (Republic of Korea).

<sup>1174</sup> *Ibid.*, p. 6 (France); p. 8 (Luxembourg); p. 17 (Argentina); and p. 21 (Rwanda).

<sup>1175</sup> *Ibid.*, p. 15.

<sup>1176</sup> *S/PV.7015*, p. 2. See also concept note circulated by Argentina (*S/2013/446*, annex).

<sup>1177</sup> *S/PRST/2013/12*.

universal membership and legitimacy, long experience and operational capacity of the United Nations in the area of international peace and security.<sup>1178</sup>

The representative of Cuba, speaking on behalf of the Community of Latin American and Caribbean States, said that it was the first time the organization he represented had participated in a debate of the Council. In his view, regional and subregional organizations had an essential role to play in conformity with Chapter VIII of the Charter.<sup>1179</sup> The representative of Ethiopia, speaking on behalf of the Chairperson of the African Union, noted with appreciation the increased cooperation between the African Union and the United Nations in conflict resolution, peacekeeping, post-conflict peacebuilding and reconstruction and, as examples of such cooperation, mentioned the signing and implementation of the Comprehensive Peace Agreement of 9 January 2005 in the Sudan, the African Union-United Nations Hybrid Operation in Darfur and the African Union Mission in Somalia. However, he also pointed out areas with a need for greater cooperation, namely, predictable, sustainable and flexible funding for African Union peace support missions authorized by the Council, and consultation and effective coordination between the two organizations.<sup>1180</sup> The representative of Peru spoke on behalf of the Union of South American Nations. While highlighting the activities of the Union in the field of peace and security, she recognized the primary role that the Charter had entrusted to the Council in that respect, as well as the complementary role played by regional bodies.<sup>1181</sup> Against the backdrop of the decisions adopted by the League of Arab States on a number of issues concerning the Middle East and the inability of the Council to adopt resolutions on those same issues, the Permanent Observer of the League of Arab States to the United Nations called for an end to that controversial trend and for the Council to seriously consider the decisions of regional organizations. He stressed that frequently changing situations and crises required strengthened cooperation and the accelerated adoption and implementation by the Security Council of decisions taken by regional organizations.<sup>1182</sup> After the briefings, participants in the open debate identified

success stories and challenges in the collaboration between the United Nations and regional and subregional organizations.

### **Partnership with the Organization of Islamic Cooperation**

On 28 October 2013, the Council had before it a concept note circulated by Azerbaijan.<sup>1183</sup> In his briefing to the Council, the Secretary-General said that the United Nations and the Organization of Islamic Cooperation (OIC) were working closely on issues ranging from conflict prevention and conflict resolution to counter-terrorism, from human rights and humanitarian affairs to intercultural dialogue and sustainable development. He made reference to the collaboration between the United Nations and OIC on a wide range of matters, including the conflict in the Syrian Arab Republic, the Middle East peace process, the path of reform in Myanmar, the transition in Afghanistan, the situation in Mali, the peace process in the Sudan and the issue of terrorism. He welcomed the significant progress achieved in the strategic dialogue between the two organizations, including through formal partnership agreements and joint workplans, staff exchanges and joint mediation deployments.<sup>1184</sup>

The Secretary-General of OIC informed the Council of his organization's efforts in the maintenance of peace and security, conflict prevention and conflict resolution. He also stressed the contribution of OIC to the work of the United Nations in a broad range of areas, and mentioned that the United Nations-Organization of Islamic Cooperation general biannual consultation meeting had provided an opportunity to identify all areas of cooperation with a specific time frame for implementation.<sup>1185</sup>

Council members generally welcomed the collaboration between the two organizations. Echoing the Secretary-General of the Organization of Islamic Cooperation, speakers noted that OIC was working on many issues that were also on the agenda of the Security Council.<sup>1186</sup> Several participants also

<sup>1178</sup> S/PV.7015, p. 4.

<sup>1179</sup> Ibid., pp. 4-5.

<sup>1180</sup> Ibid., pp. 6-7.

<sup>1181</sup> Ibid., p. 8.

<sup>1182</sup> Ibid., p. 11.

<sup>1183</sup> S/2013/588, annex.

<sup>1184</sup> S/PV.7050, pp. 2-3.

<sup>1185</sup> Ibid., pp. 4-5.

<sup>1186</sup> S/PV.7050, p. 7 (Azerbaijan); p. 12 (Australia); p. 13 (Pakistan); and p. 22 (Russian Federation).

mentioned the importance of dialogue between religions and of respect for religious diversity.<sup>1187</sup>

At the meeting, the Council adopted a presidential statement, in which it recognized and

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<sup>1187</sup> Ibid., p. 6 (Secretary-General of OIC); p. 8 (Azerbaijan); p. 9 (Morocco); p. 11 (Rwanda); p. 11 (Luxembourg); p. 13 (Australia); p. 13 (Pakistan); p. 15 (Guatemala); p. 17 (United Kingdom); p. 19 (Togo); p. 20 (France); and p. 22 (Russian Federation).

further encouraged the active contribution of the Organization of Islamic Cooperation in the work of the United Nations, and acknowledged the continuing dialogue between the United Nations and OIC in the fields of peacemaking, preventive diplomacy, peacekeeping and peacebuilding.<sup>1188</sup>

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<sup>1188</sup> [S/PRST/2013/16](#).

## Meetings: cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6702</a> <a href="#">S/PV.6702</a> <a href="#">(Resumption 1)</a> 12 January 2012	Strengthening the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security  Report of the Secretary-General on United Nations-African Union cooperation in peace and security ( <a href="#">S/2011/805</a> )  Letter dated 4 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General ( <a href="#">S/2012/13</a> )  Letter dated 9 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council ( <a href="#">S/2012/20</a> )	Draft resolution submitted by Colombia, India, Pakistan, South Africa, Togo ( <a href="#">S/2012/25</a> )	Ethiopia, Kenya, Nigeria <sup>a</sup>	Commissioner for Peace and Security of the African Union	Secretary-General, all Council members, <sup>b</sup> all invitees	Resolution <a href="#">2033 (2012)</a> 15-0-0
<a href="#">S/PV.6919</a> 13 February 2013	European Union			High Representative for Foreign Affairs and Security Policy of the European Union	All Council members, High Representative for Foreign Affairs and Security Policy of the European Union	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.7015</a> <a href="#">S/PV.7015</a> (Resumption 1) 6 August 2013	Letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/446</a> )	<a href="#">S/PRST/2010/1</a>	38 Member States <sup>c</sup>	Permanent Observer of the League of Arab States to the United Nations, Secretary-General of the Organization of America States, Deputy Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, <sup>d</sup> all invitees	<a href="#">S/PRST/2013/12</a>
<a href="#">S/PV.7050</a> 28 October 2013	Strengthening the partnership synergy between the United Nations and the Organization of Islamic Cooperation  Letter dated 3 October 2013 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/588</a> )			Secretary-General of the Organization of Islamic Cooperation (OIC)	Secretary-General, all Council members, Secretary-General of OIC	<a href="#">S/PRST/2013/16</a>

<sup>a</sup> Kenya (Minister for Foreign Affairs, in his capacity as Chair of the Peace and Security Council of the African Union), Ethiopia (as Chair of the Intergovernmental Authority on Development) and Nigeria (as Chair of the Economic Community of West African States).

<sup>b</sup> South Africa was represented by its President; Azerbaijan, Colombia and Guatemala were represented by their respective Ministers for Foreign Affairs; France was represented by its Minister of State responsible for French nationals abroad; Germany by its Minister of State; Portugal by its Secretary of State for Foreign Affairs and Cooperation; Togo by its Minister, Special Adviser to the President; and China by its Special Envoy for African Affairs.

<sup>c</sup> Cuba (Minister for Foreign Affairs, on behalf of the Community of Latin American and Caribbean States), Peru (Minister for Foreign Affairs, on behalf of the Union of South American Nations), Venezuela (Bolivarian Republic of) (Minister of the People's Power for Foreign Affairs, on behalf of the Southern Common Market), Armenia, Bolivia (Plurinational State of), Botswana, Brazil, Chile, Colombia, Costa Rica, Ecuador, Egypt, Ethiopia (on behalf of the Chairperson of the African Union), Fiji, Georgia, Haiti, Honduras, India, Indonesia, Japan, Kyrgyzstan (on behalf of the Collective Security Treaty Organization and the Shanghai Cooperation Organization), Lithuania, Malaysia, Mexico, New Zealand, Nigeria, Qatar, Saudi Arabia, Solomon Islands, South Africa, Sudan, Syrian Arab Republic, Thailand, Turkey, Uganda, Ukraine, Uruguay and Viet Nam (on behalf of the States members of the Association of Southeast Asian Nations).

<sup>d</sup> Argentina was represented by its President.

## **Part II**

### **Provisional rules of procedure and related procedural developments**

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## Introductory note

Part II of the *Repertoire* covers the practice of the Security Council in relation to its provisional rules of procedure and relevant Articles of the Charter of the United Nations. Since the provisional rules of procedure are routinely applied by the Council at its formal meetings, the focus of part II is on special applications of the rules in the proceedings of the Council, rather than on the standard applications of the rules.

Part II is divided into 10 sections, in the order of the relevant chapters of the provisional rules of procedure, as follows: section I, meetings and records (Article 28 of the Charter and rules 1 to 5 and 48 to 57); section II, agenda (rules 6 to 12); section III, representation and credentials (rules 13 to 17); section IV, presidency (rules 18 to 20); section V, Secretariat (rules 21 to 26); section VI, conduct of business (rules 27, 29, 30 and 33); section VII, participation (rules 37 and 39); section VIII, decision-making and voting (Article 27 of the Charter and rules 31, 32, 34 to 36, 38 and 40); section IX, languages (rules 41 to 47); and section X, provisional status of the rules of procedure (Article 30 of the Charter).

The remaining rules are covered in other parts of the present Supplement, as follows: rule 28, concerning subsidiary organs of the Council, in parts IX and X; and rule 61, regarding relations with other United Nations organs, in part IV.<sup>1</sup>

\* \* \*

During the period under review, the Council held 199 meetings in 2012, 15 of which were private meetings, and 193 meetings in 2013, 21 of which were private meetings. In 2012, the Council considered 47 agenda items, 25 of which dealt with country-specific and regional situations, and 22 concerned general, thematic and other issues; in 2013, the Council considered a total of 46 items, 25 of which dealt with country-specific and regional situations, and 21 with general, thematic and other issues. In 2012 the Council included in its agenda one new item, entitled “The situation in Mali”,<sup>2</sup> and in 2013 re-introduced the item entitled “Small arms”,<sup>3</sup> which had been deleted from the list of matters of which the Council is seized in 2012.<sup>4</sup> A total of 100 resolutions and 51 presidential statements were adopted during the period under review. The Council continued its practice of adopting most of its resolutions unanimously, 93 resolutions being adopted in this manner. Three draft resolutions put to a vote were not adopted during the reporting period: two draft resolutions were not adopted because of the negative vote of a permanent member and one was not adopted because it did not obtain the required number of affirmative votes.<sup>5</sup>

Two open debates were held under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, concerning the working methods of the Council. In 2013, the Council revived its practice of conducting wrap-up meetings at the end of the month.

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(Footnotes on following page)

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(Footnotes to Introductory note)

<sup>1</sup> There were no instances of the application of rules 58 to 60, concerning the admission of new Members, during the period under review, and therefore the present Supplement contains no material relating to those rules.

<sup>2</sup> See [S/2012/961](#).

<sup>3</sup> See [S/PV.7036](#).

<sup>4</sup> Pursuant to the note by the President of the Security Council dated 26 July 2010 ([S/2010/507](#)), the Council reviews, in January, the list of matters of which the Council is seized, in order to identify the items subject to deletion because they have not been considered by the Council at a formal meeting during the preceding three-year period. These items are deleted unless a Member State notifies the President by the end of February that it wishes the item to remain on the list, in which case the item will remain on the list for one year.

<sup>5</sup> [S/2013/660](#); see [S/PV.7060](#).

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## I. Meetings and records

### Note

Section I covers the practice of the Security Council concerning meetings, publicity and records, in relation to Article 28 of the Charter of the United Nations and rules 1 to 5 and 48 to 57 of the provisional rules of procedure of the Council.

### Article 28

1. *The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.*

2. *The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.*

3. *The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.*

### Rule 1

*Meetings of the Security Council shall, with the exception of the periodic meetings referred to in rule 4, be held at the call of the President at any time he deems necessary, but the interval between meetings shall not exceed fourteen days.*

### Rule 2

*The President shall call a meeting of the Security Council at the request of any member of the Security Council.*

### Rule 3

*The President shall call a meeting of the Security Council if a dispute or situation is brought to the attention of the Security Council under Article 35 or under Article 11 (3) of the Charter, or if the General Assembly makes recommendations or refers any question to the Security Council under Article 11 (2), or if the Secretary-General brings to the attention of the Security Council any matter under Article 99.*

### Rule 4

*Periodic meetings of the Security Council called for in Article 28 (2) of the Charter shall be held twice a year, at such times as the Security Council may decide.*

### Rule 5

*Meetings of the Security Council shall normally be held at the seat of the United Nations.*

*Any member of the Security Council or the Secretary-General may propose that the Security Council should meet at another place. Should the Security Council accept any such proposal, it shall decide upon the place and the period during which the Council shall meet at such place.*

### Rule 48

*Unless it decides otherwise, the Security Council shall meet in public. Any recommendation to the General Assembly regarding the appointment of the Secretary-General shall be discussed and decided at a private meeting.*

### Rule 49

*Subject to the provisions of rule 51, the verbatim record of each meeting of the Security Council shall be made available to the representatives on the Security Council and to the representatives of any other States which have participated in the meeting not later than 10 a.m. of the first working day following the meeting.*

### Rule 50

*The representatives of the States which have participated in the meeting shall, within two working days after the time indicated in rule 49, inform the Secretary-General of any corrections they wish to have made in the verbatim record.*

### Rule 51

*The Security Council may decide that for a private meeting the record shall be made in a single copy alone. This record shall be kept by the Secretary-General. The representatives of the States which have*

participated in the meeting shall, within a period of ten days, inform the Secretary-General of any corrections they wish to have made in this record.

*Rule 52*

*Corrections that have been requested shall be considered approved unless the President is of the opinion that they are sufficiently important to be submitted to the representatives on the Security Council. In the latter case, the representatives on the Security Council shall submit within two working days any comments they may wish to make. In the absence of objections in this period of time, the record shall be corrected as requested.*

*Rule 53*

*The verbatim record referred to in rule 49 or the record referred to in rule 51, in which no corrections have been requested in the period of time required by rules 50 and 51, respectively, or which has been corrected in accordance with the provisions of rule 52, shall be considered as approved. It shall be signed by the President and shall become the official record of the Security Council.*

*Rule 54*

*The official record of public meetings of the Security Council, as well as the documents annexed thereto, shall be published in the official languages as soon as possible.*

*Rule 55*

*At the close of each private meeting the Security Council shall issue a communiqué through the Secretary-General.*

*Rule 56*

*The representatives of the Members of the United Nations which have taken part in a private meeting shall at all times have the right to consult the record of that meeting in the office of the Secretary-General. The Security Council may at any time grant access to this*

*record to authorized representatives of other Members of the United Nations.*

*Rule 57*

*The Secretary-General shall, once each year, submit to the Security Council a list of the records and documents which up to that time have been considered confidential. The Security Council shall decide which of these shall be made available to other Members of the United Nations, which shall be made public, and which shall continue to remain confidential.*

Section I comprises four sub-sections, as follows: A. Meetings, concerning the convening of meetings pursuant to rules 1 to 5, high-level meetings and the format of meetings under rule 48; B. Informal consultations of the whole; C. Other informal meetings; and D. Records, which are maintained in accordance with rules 49 to 57.

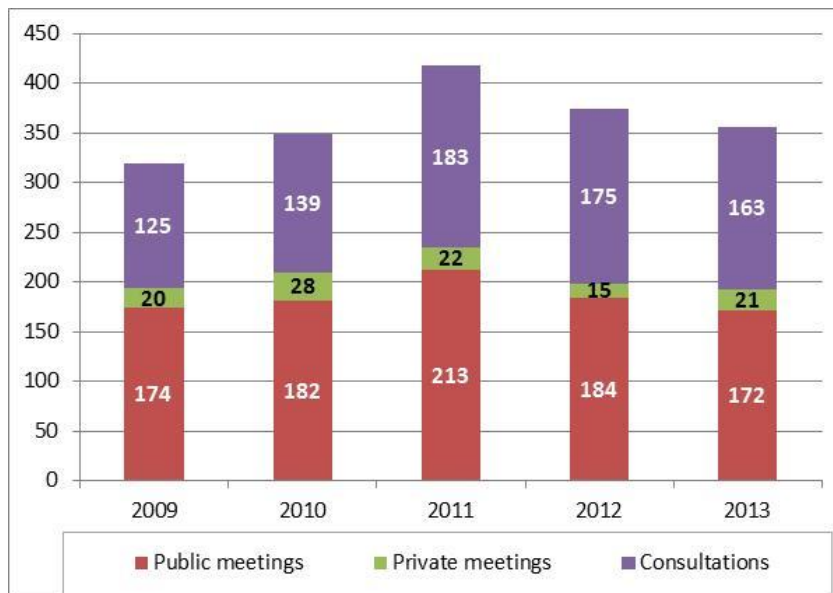
In 2012 and 2013, the Council held a total of 392 meetings<sup>6</sup> and 338 informal consultations of the whole. In 2012, the Council held 199 meetings and 175 consultations and, in 2013, 193 meetings and 163 consultations. Council members also continued to hold informal interactive dialogues and Arria-formula meetings, following past practice. In the note by the President dated 28 August 2013, Council members committed themselves to enhancing interaction and dialogue with non-members of the Council and with other bodies, through a range of measures, including making more effective use of public meetings, informal interactive dialogues and Arria-formula meetings.<sup>7</sup> In 2013, the Council revived the practice of holding “wrap-up” discussions on its work at the end of the month.

Figure I shows the total number of meetings and informal consultations of the whole held during the five-year period from 2009 to 2013.

<sup>6</sup> A resumption of a meeting is not counted as a separate meeting.

<sup>7</sup> S/2013/515.

Figure I  
Number of meetings and informal consultations of the whole, 2009-2013



## A. Meetings

### 1. Application of rules relating to meetings

In a note by the President of the Council dated 5 June 2012,<sup>8</sup> in the context of the optimum use of conference resources, the Council members agreed that, while ensuring the capacity to hold Council meetings at any time and at short notice, in accordance with rules 1 and 2 of its provisional rules of procedure, the members of the Security Council, during their respective presidencies, should ordinarily request the Secretariat to plan not more than four days per week of Council business, Fridays normally being reallocated to facilitate the work of the subsidiary organs of the Council. There was no discussion concerning the interpretation of rules 1 to 5.

#### *Interval between meetings*

During the period under review, there were two instances of the interval between the meetings of the Council exceeding 14 days, deviating from the provision of rule 1: in one instance, the interval between two meetings was 19 days;<sup>9</sup> and in another instance, the

<sup>8</sup> S/2012/402, para. 2.

<sup>9</sup> Between the 6699th meeting on 22 December 2011 and the 6700th meeting on 11 January 2012.

interval was 21 days.<sup>10</sup> The Council also continued its practice of convening, on occasion, more than one meeting a day. For example, on both 19 December 2012 and 25 April 2013, the Council held five meetings.<sup>11</sup>

#### *Meetings requested in accordance with rules 2 or 3*

Pursuant to rules 2 and 3 of the provisional rules of procedure, the President shall call a meeting of the Council at the request of a member and if a dispute or situation is brought to the attention of the Council under Article 35 of the Charter. During the reporting period, no communications were received from Member States requesting the Council to convene a meeting which explicitly cited rule 2 or 3 as the basis of the request, but some communications were received in which Member States made explicit references to Article 35<sup>12</sup> (see table 1).

<sup>10</sup> Between the 6898th meeting on 20 December 2012 and the 6899th meeting on 11 January 2013.

<sup>11</sup> On 19 December 2012, the 6892nd, 6893rd, 6894th, 6895th and 6896th meetings; and on 25 April 2013, the 6951st, 6952nd, 6953rd, 6954th and 6955th meetings..

<sup>12</sup> For information on referral by States of disputes or situations to the Security Council, see part VI, sect. I.

Table 1  
**Letters from Member States requesting a meeting in accordance with rule 3 and Article 35, 2012-2013**

<i>Letter addressed to the President of the Council</i>	<i>Explicit reference to rule or Article</i>	<i>Summary</i>	<i>Meeting convened on basis of request, date and item</i>
Letter dated 14 November 2012 from the representative of Egypt (S/2012/840)	Article 35	In accordance with Article 35 of the Charter, request for an urgent meeting of the Security Council to consider the ongoing unlawful Israeli military operation against the Palestinian people, and to assume its responsibilities in maintaining international peace and security by taking all necessary measures to stop the aggression immediately	S/PV.6863 (closed) 14 November 2012  The situation in the Middle East, including the Palestinian question
Letter dated 19 November 2012 from the representative of the Democratic Republic of the Congo (S/2012/857)		Request to the Security Council to convene an urgent open meeting to consider the question of the town of Goma, which had been subjected to continuing attacks by troops of the Rwandan regular army	S/PV.6866 20 November 2012  The situation concerning the Democratic Republic of the Congo
Letter dated 25 April 2013 from the representative of Jordan (S/2013/247)	Article 35	With reference to the grave humanitarian “situation” facing Jordan as a result of the influx of Syrian refugees, and invoking Article 35 (1), formal request that the Security Council make a determination that this “situation” constituted a threat to international peace and security if left unchecked and in the absence of the financial assistance required to enable Jordan to cope; and that Jordan be invited to participate in a private meeting of the Security Council	S/PV.6957 (closed) 30 April 2013  The situation in the Middle East

*Note:* Only communications in response to which the Security Council held a formal meeting are listed.

*Periodic meetings and meetings away from Headquarters*

During the period under review, there were no special instances of the application of rules 4 and 5, concerning periodic meetings and meetings away from Headquarters.

**2. Format**

*Public meetings*

The Council continued to convene public or open meetings as provided for in rule 48, mainly for the purposes of (a) receiving briefings on country-specific or regional situations, or thematic issues under its

consideration; (b) holding debates on particular agenda items; and (c) adopting decisions. During the period under review, there were a total of 356 public meetings: 184 in 2012 and 172 in 2013.<sup>13</sup>

*High-level meetings*

During the review period, the Council held 16 high-level meetings at which five or more Council members were represented at the ministerial or higher levels, 5 on thematic issues and 11 on regional and country-specific items (see table 2).

<sup>13</sup> For a complete list and records of the public meetings of the Security Council, see [www.un.org/en/sc/meetings/](http://www.un.org/en/sc/meetings/).

Table 2  
High-level meetings, 2012-2013

<i>Meeting record and date</i>	<i>Item</i>	<i>High-level participation</i>
<a href="#">S/PV.6702</a> 12 January 2012	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	<p>Heads of State or Government (1) South Africa (President)</p> <p>Ministerial level (9) Azerbaijan (Minister for Foreign Affairs), China (Special Envoy for African Affairs), Colombia (Minister for Foreign Affairs), France (Minister of State responsible for French nationals abroad), Germany (Minister of State), Guatemala (Minister for Foreign Affairs), Portugal (Secretary of State for Foreign Affairs and Cooperation), Togo (Minister, Special Adviser to the President), United States (Permanent Representative to the United Nations and member of the President's Cabinet)</p>
<a href="#">S/PV.6710</a> 31 January 2012	The situation in the Middle East	<p>Ministerial level (7) France (Minister for Foreign Affairs), Germany (Minister of State), Guatemala (Minister for Foreign Affairs), Morocco (Minister Delegate for Foreign Affairs and Cooperation), Portugal (Minister of State and Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State)</p>
<a href="#">S/PV.6717</a> 21 February 2012	Peace and security in Africa	<p>Heads of State or Government (1) Togo (President)</p> <p>Ministerial level (4) France (Minister of State responsible for French nationals abroad), Morocco (Minister Delegate for Foreign Affairs and Cooperation), Russian Federation (Special Envoy of the President on countering terrorism and organized crime), United States (Permanent Representative to the United Nations and member of the President's Cabinet)</p>
<a href="#">S/PV.6733</a> 12 March 2012	The situation in Libya	<p>Ministerial level (6) France (Minister for Foreign Affairs), Germany (Minister for Foreign Affairs), Guatemala (Minister for Foreign Affairs), Portugal (Minister of State and Foreign Affairs), South Africa (Minister for International Relations and Cooperation), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs)</p>
<a href="#">S/PV.6734</a> 12 March 2012	The situation in the Middle East	<p>Ministerial level (7) France (Minister for Foreign Affairs), Germany (Minister for Foreign Affairs), Guatemala (Minister for Foreign Affairs), Portugal (Minister of State and Foreign Affairs), Russian Federation (Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State)</p>
<a href="#">S/PV.6765</a> 4 May 2012	Threats to international peace and security caused by terrorist acts	<p>Heads of State or Government (1) Azerbaijan (President)</p> <p>Ministerial level (6) Colombia (Vice-Minister for Multilateral Affairs), Germany (Minister for Foreign Affairs), Morocco (Minister Delegate for Foreign Affairs and Cooperation), Russian Federation (Special Envoy of the President on countering terrorism and organized crime), Togo (Minister of State, Minister for Foreign Affairs and Cooperation), United States (Permanent Representative to the United Nations and member of the President's Cabinet)</p>



<i>Meeting record and date</i>	<i>Item</i>	<i>High-level participation</i>
<a href="#">S/PV.6826</a> 30 August 2012	The situation in the Middle East	Ministerial level (6) Colombia (Minister for Foreign Affairs), France (Minister for Foreign Affairs), Morocco (Minister for Foreign Affairs and Cooperation), Togo (Minister of State, Minister for Foreign Affairs and Cooperation), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Permanent Representative to the United Nations and member of the President's Cabinet)
<a href="#">S/PV.6841</a> 26 September 2012	The situation in the Middle East	Ministerial level (14) Azerbaijan (Minister for Foreign Affairs), China (Minister for Foreign Affairs), Colombia (Minister for Foreign Affairs), France (Minister for Foreign Affairs), Germany (Minister for Foreign Affairs), Guatemala (Minister for Foreign Affairs), India (Minister of State for External Affairs), Morocco (Minister for Foreign Affairs and Cooperation), Pakistan (Foreign Secretary), Russian Federation (Minister for Foreign Affairs), South Africa (Minister for International Relations and Cooperation), Togo (Minister of State, Minister for Foreign Affairs and Cooperation), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State)
<a href="#">S/PV.6882</a> 10 December 2012	Peace and security in Africa	Ministerial level (6) Azerbaijan (Ambassador-at-Large, Ministry for Foreign Affairs), Colombia (Minister for Foreign Affairs), Morocco (Minister for Foreign Affairs and Cooperation), Togo (Minister of State, Minister for Foreign Affairs and Cooperation), United Kingdom (Special Envoy of the United Kingdom for the Sahel), United States (Permanent Representative to the United Nations and member of the President's Cabinet)
<a href="#">S/PV.6900</a> 15 January 2013	Threats to international peace and security caused by terrorist acts	Ministerial level (11) Argentina (Under-Secretary for Foreign Affairs), Azerbaijan (Ambassador-at-Large, Ministry for Foreign Affairs), China (Vice Minister for Foreign Affairs), Luxembourg (Deputy Prime Minister and Minister for Foreign Affairs), Morocco (Deputy Minister for Foreign Affairs and Cooperation), Pakistan (Minister for Foreign Affairs), Russian Federation (Special Representative of the President for international cooperation in the fight against terrorism and transnational organized crime), Rwanda (Minister of State in Charge of Cooperation and Permanent Representative to the United Nations), Togo (Minister, Senior Adviser to the President for diplomatic matters and cooperation), United Kingdom (Senior Minister of State), United States (Permanent Representative to the United Nations and member of the President's Cabinet)
<a href="#">S/PV.6965</a> 13 May 2013	Peace and security in Africa	Heads of State or Government (1) Togo (President)  Ministerial level (5) Argentina (Secretary for Foreign Affairs), Luxembourg (Deputy Prime Minister and Minister for Foreign Affairs), Morocco (Minister for Foreign Affairs and Cooperation), Republic of Korea (Vice Minister for Foreign Affairs), United States (Permanent Representative to the United Nations and member of the President's Cabinet)

## Repertoire of the Practice of the Security Council, 2012-2013

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<i>Meeting record and date</i>	<i>Item</i>	<i>High-level participation</i>
<a href="#">S/PV.6984</a> 24 June 2013	Women and peace and security	Ministerial level (5) France (Minister for Women's Rights and Government Spokesperson), Guatemala (Minister for Foreign Affairs), Morocco (Deputy Minister for Foreign Affairs and Cooperation), Rwanda (Minister of State in Charge of Cooperation and Permanent Representative to the United Nations), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs)
<a href="#">S/PV.7011</a> 25 July 2013	The situation in the Great Lakes region	Ministerial level (6) France (Deputy Minister for Development), Guatemala (Minister for Foreign Affairs), Luxembourg (Deputy Prime Minister and Minister for Foreign Affairs), Rwanda (Minister for Foreign Affairs and Cooperation), Togo (Minister, Senior Adviser to the President for diplomatic matters and cooperation), United States (Secretary of State)
<a href="#">S/PV.7036</a> 26 September 2013	Small arms	Heads of State or Government (1) Guatemala (President)  Ministerial level (10) Australia (Minister for Foreign Affairs), Azerbaijan (Minister for Foreign Affairs), France (Minister for Foreign Affairs), Luxembourg (Deputy Prime Minister and Minister for Foreign Affairs), Morocco (Minister for Foreign Affairs and Cooperation), Pakistan (Adviser to the Prime Minister on National Security), Republic of Korea (Minister for Foreign Affairs), Rwanda (Minister for Foreign Affairs and Cooperation), United Kingdom (Deputy Prime Minister), United States (Permanent Representative to the United Nations and member of the President's Cabinet)
<a href="#">S/PV.7037</a> 27 September 2013	The situation in the Middle East	Ministerial level (10) Argentina (Secretary for Foreign Affairs), Australia (Minister for Foreign Affairs), Azerbaijan (Minister for Foreign Affairs), Guatemala (Minister for Foreign Affairs), Luxembourg (Deputy Prime Minister and Minister for Foreign Affairs), Morocco (Minister for Foreign Affairs and Cooperation), Pakistan (Minister of State, Special Assistant to the Prime Minister on Foreign Affairs), Republic of Korea (Deputy Minister for Multilateral and Global Affairs), United Kingdom (Parliamentary Under Secretary of State at the Foreign and Commonwealth Office), United States (Permanent Representative and member of the President's Cabinet)
<a href="#">S/PV.7038</a> 27 September 2013	The situation in the Middle East	Ministerial level (13) Argentina (Minister for Foreign Affairs and Worship), Azerbaijan (Minister for Foreign Affairs), China (Minister for Foreign Affairs), France (Minister for Foreign Affairs), Guatemala (Minister for Foreign Affairs), Luxembourg (Deputy Prime Minister and Minister for Foreign Affairs), Morocco (Minister for Foreign Affairs and Cooperation), Pakistan (Adviser to the Prime Minister on National Security), Republic of Korea (Minister for Foreign Affairs), Russian Federation (Minister for Foreign Affairs), Rwanda (Minister of State in Charge of Cooperation and Permanent Representative to the United Nations), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State)

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*Private meetings*

During the period under review, the Council continued to meet in private, in accordance with rule 48. There were a total of 36 private meetings, or approximately 10 per cent of the total number of meetings. Twenty-seven of the private meetings

(or 75 per cent) were meetings with troop- and police-contributing countries, six (17 per cent) were wrap-up meetings, two (5 per cent) concerned country-specific situations; and one (3 per cent) consisted of a briefing by the President of the International Court of Justice (see figure II and table 3).

Figure II  
Private meetings, by subject, 2012-2013

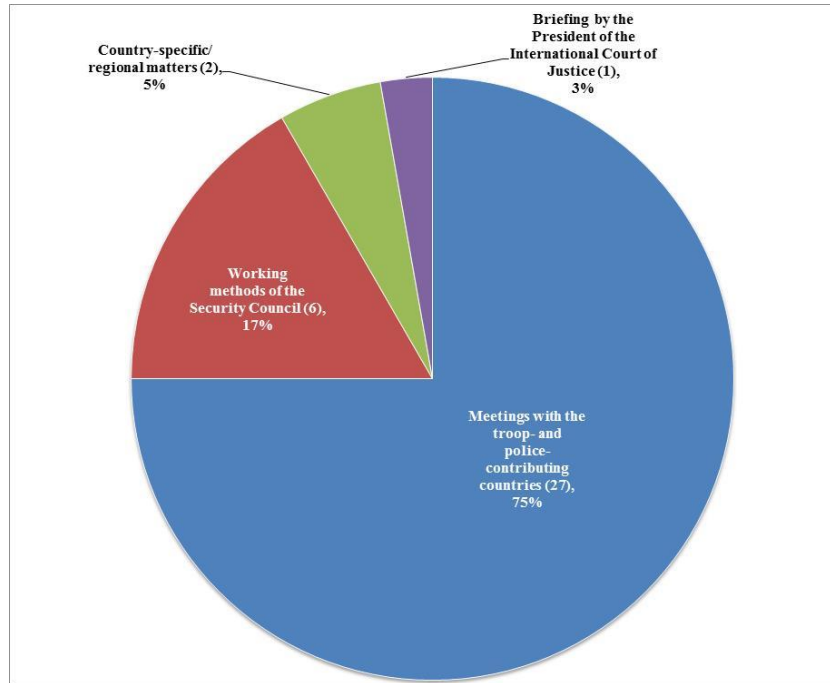


Table 3  
Private meetings, 2012-2013

Item	Meeting record and date
<b>Meetings with troop- and police-contributing countries (27 meetings)</b>	
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B	S/PV.6714, 9 February 2012; S/PV.6750, 12 April 2012; S/PV.6779, 6 June 2012; S/PV.6787, 14 June 2012; S/PV.6797, 29 June 2012; S/PV.6801, 5 July 2012; S/PV.6802 and S/PV.6803, 10 July 2012; S/PV.6806, 18 July 2012; S/PV.6821, 9 August 2012; S/PV.6823, 21 August 2012; S/PV.6828, 6 September 2012; S/PV.6833, 12 September 2012; S/PV.6883, 12 December 2012; S/PV.6901, 16 January 2013; S/PV.6923, 21 February 2013; S/PV.6931, 6 March 2013; S/PV.6945, 11 April 2013; S/PV.6978, 13 June 2013; S/PV.6989, 27 June 2013; S/PV.6996 and S/PV.6997, 10 July 2013; S/PV.7005, 18 July 2013; S/PV.7018, 14 August 2013; S/PV.7021, 22 August 2013; S/PV.7023, 26 August 2013; S/PV.7079, 10 December 2013

<i>Item</i>	<i>Meeting record and date</i>
Working methods of the Security Council (6 meetings)	
Implementation of the note by the President of the Security Council (S/2010/507)	S/PV.6914, 31 January 2013; S/PV.6927, 28 February 2013; S/PV.6958, 30 April 2013; S/PV.6972, 30 May 2013; S/PV.6992, 27 June 2013; S/PV.7027, 29 August 2013
Country-specific or regional situations (2 meetings)	
The situation in the Middle East, including the Palestinian question	S/PV.6863, 14 November 2012
The situation in the Middle East	S/PV.6957, 30 April 2013
Briefing by the President of the International Court of Justice (one meeting)	
Briefing by the President of the International Court of Justice	S/PV.7051, 28 October 2013

In January 2013, the presidency (Pakistan) of the Council revived the practice of holding “wrap-up” meetings,<sup>14</sup> after a lapse of nearly eight years.<sup>15</sup> Five other Council presidencies continued the practice throughout the year.<sup>16</sup> In 2013, the Council held six such meetings in private under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”. Those meetings had previously been held under the item entitled “Wrap-up discussion on the work of the Security Council for the current month”. The Council held discussions on wrap-up meetings at its 7052nd meeting, on 29 October 2013 (see case 1).

**Case 1**  
**Implementation of the note by the President of the Security Council (S/2010/507)**

At the 7052nd meeting, on 29 October 2013, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, many speakers welcomed the revival of the practice of

the President convening a wrap-up meeting at the end of the presidency.<sup>17</sup>

The representative of Guatemala said that the wrap-up meetings and the briefings at the end of each presidency were useful mechanisms to increase the transparency of the work of the Council.<sup>18</sup> The representative of Australia was of the opinion that the practice should be institutionalized.<sup>19</sup> Several speakers added that wrap-up meetings should become more interactive, allowing non-members to participate.<sup>20</sup> The representative of Portugal suggested that those meetings would benefit from being more future-oriented, more concise or else focused on specific issues of relevance and timeliness in the Council,<sup>21</sup> while the representative of the Islamic Republic of Iran, speaking on behalf of the Non-Aligned Movement, argued that they should be limited to the items and issues discussed within the

<sup>14</sup> At the 6914th (closed) meeting.

<sup>15</sup> Prior to 2013, the last wrap-up meeting was held on 30 March 2005 under the item entitled “Wrap-up discussion on the work of the Security Council for the current month” (see S/PV.5156). Brazil held the presidency of the Council (see also S/2005/188).

<sup>16</sup> See S/PV.6927, S/PV.6958, S/PV.6972, S/PV.6992 and S/PV.7027.

<sup>17</sup> S/PV.7052, pp. 2-3 (Argentina); p. 5 (United Kingdom); p. 7 (Guatemala); p. 11 (Rwanda); pp. 11-12 (Republic of Korea); p. 17 (Australia); p. 20 (Switzerland, on behalf of the Accountability, Coherence and Transparency group); p. 21 (Portugal); p. 23 (Brazil); p. 26 (Sweden); p. 28 (Egypt); p. 30 (Estonia); S/PV.7052 (Resumption 1), p. 5 (Bosnia and Herzegovina); p. 9 (Belgium, on behalf also of the Netherlands); p. 10 (Turkey); p. 12 (Spain); p. 18 (Germany); and p. 20 (Maldives).

<sup>18</sup> S/PV.7052, p. 7.

<sup>19</sup> Ibid, p. 17.

<sup>20</sup> Ibid, p. 21 (Portugal); p. 23 (Brazil); and p. 26 (Sweden).

<sup>21</sup> Ibid, p. 21.

programme of work.<sup>22</sup> The representative of Spain opined that those meetings were “like a two-faced Janus, keeping the Council’s focus on the recent past in order to draw lessons for the immediate future”.<sup>23</sup> The representative of Egypt added that wrap-up meetings complemented the briefing by the presidency on the programme of work to the wider membership at the beginning of the month,<sup>24</sup> a practice that was also welcomed by several speakers.<sup>25</sup>

## B. Informal consultations of the whole

Informal consultations of the whole are not official meetings of the Council, but gatherings of its members for the purpose of holding discussions, and also to receive briefings from the Secretariat and representatives of the Secretary-General in private. During the period under review, members of the Council continued to convene informal consultations of the whole: 175 times in 2012 and 163 times in 2013 (see figure I).

On 5 June 2012, in a note by the President,<sup>26</sup> the members of the Council encouraged the President of the Council, with the assistance of the Secretariat, to actively promote additional appropriate measures to increase interactivity and efficiency in briefings during informal consultations, including the use of videoconferencing for briefing the Council, while preserving a balanced approach between videoconferencing and briefings in person; the Council members encouraged briefers to be succinct and invited the Secretariat to circulate the briefing texts at briefings, in particular where the statements contained extensive or complicated factual information; encouraged briefers to circulate written summaries of that information, whenever possible in advance, to allow for a more focused discussion during informal consultations; and stated their plan to minimize, to the extent possible, the

reading out of lengthy prepared statements in informal consultations of the whole. In the note by the President, the Council members encouraged the use of measures such as those set out above, which would make it feasible to hold informal consultations on two issues in a three-hour meeting, promoting efficiency in the work of the Council. In the same note, the Council reiterated that Council members and the Secretariat would continue to use the “any other business” item during informal consultations to raise issues of concern.

Pursuant to the previous practice, no official records of informal consultations were made, and non-members of the Council were not invited. However, in several instances, the President of the Council issued statements to the press following informal consultations.<sup>27</sup>

## C. Other informal meetings

During the period under review, the Council continued to hold informal interactive dialogues and Arria-formula meetings. In practice, informal interactive dialogues have been convened with the participation of all Council members, while Arria-formula meetings have been convened with the participation of either all or several Council members. Informal interactive dialogues and Arria-formula meetings are convened at the initiative of a member, or members, of the Council, but neither is considered a meeting of the Council, and no official records are made.

### *Informal interactive dialogues*

During the reporting period, the Council held 16 informal interactive dialogues whereby Council members exchanged views with concerned States and interested parties on situations that affected them directly. Most of the informal interactive dialogues held in 2012 and 2013 concerned country-specific or regional situations (see table 4).

<sup>22</sup> S/PV.7052 (Resumption 1), p. 13.

<sup>23</sup> Ibid, p. 12.

<sup>24</sup> S/PV.7052, p. 28.

<sup>25</sup> Ibid., p. 30 (Estonia); S/PV.7052 (Resumption 1), p. 12 (Spain); p. 14 (Italy); and p. 20 (Maldives).

<sup>26</sup> S/2012/402, paras. 4-9.

<sup>27</sup> For a complete list of press statements issued during the period under review, see: <http://www.un.org/en/sc/documents/press/2012.shtml> and <http://www.un.org/en/sc/documents/press/2013.shtml>.

Table 4  
**Informal interactive dialogues, 2012-2013**

<i>Subject and date</i>	<i>Participants, including non-members of the Council</i>	<i>Source</i>
Sudan and South Sudan 27 February 2012	Former President of South Africa (as Chair of the African Union High-level Implementation Panel); former President of Burundi and former President of Nigeria (as members of the Implementation Panel); Special Envoy for the Sudan and South Sudan (via videoconference); Under-Secretary-General for Peacekeeping Operations	Assessment of the work of the Security Council during the presidency of Togo (S/2012/341)
Sudan and South Sudan 17 April 2012	Former President of South Africa (as Chair of the African Union High-level Implementation Panel, via videoconference); Special Envoy for the Sudan and South Sudan	United Nations, Department of Public Information website
Guinea-Bissau 7 May 2012	Minister for External Relations of Angola (as Chair of the Community of Portuguese-speaking Countries); Minister for Foreign Affairs of Guinea-Bissau; Brazil (as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission); Commissioner for Political Affairs, Peace and Security of the Economic Community of West African States (ECOWAS); Special Representative of the Secretary-General and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau	Council statement to the press dated 8 May 2012; annual report of the Security Council to the General Assembly, 2011/12 (A/67/2, introduction)
Guinea-Bissau 5 June 2012	Former Prime Minister of Guinea-Bissau; Angola (as Chair of the Community of Portuguese-speaking Countries); Brazil (as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission); Côte d'Ivoire (on behalf of ECOWAS); Permanent Observer of the African Union to the United Nations; Assistant Secretary-General for Political Affairs	Assessment of the work of the Security Council during the presidency of China (S/2012/628); annual report of the Security Council to the General Assembly, 2011/12 (A/67/2, introduction)
Syrian Arab Republic 7 June 2012	Secretary-General of the League of Arab States; Joint United Nations-League of Arab States Special Envoy; Under-Secretary-General for Political Affairs; Under-Secretary-General for Peacekeeping Operations	Assessment of the work of the Security Council during the presidency of China (S/2012/628); annual report of the Security Council to the General Assembly, 2011/12 (A/67/2, introduction)
Mali 15 June 2012	Ministers for Foreign Affairs of Benin and Burkina Faso; Minister of Defence of Côte d'Ivoire; Minister Delegate for Foreign Affairs of Nigeria; Mali; Niger; President of the ECOWAS Commission	Assessment of the work of the Security Council during the presidency of China (S/2012/628); annual report of the Security Council to the General Assembly, 2011/12 (A/67/2, introduction)
Post-conflict peacebuilding 13 July 2012	Bangladesh (as Chair of the Peacebuilding Commission); Switzerland (as Chair of the Burundi configuration); Luxembourg (as Chair of the Guinea configuration); Brazil (as Chair of the Guinea-Bissau configuration); Sweden (as Chair of the Liberia	Assessment of the work of the Security Council during the presidency of Colombia (S/2012/629); annual report of the Security Council to the General Assembly, 2011/12 (A/67/2, introduction)

<i>Subject and date</i>	<i>Participants, including non-members of the Council</i>	<i>Source</i>
	configuration); Canada (as Chair of the Sierra Leone configuration); Japan (as Chair of the Working Group on Lessons Learned), Guinea; Under-Secretary-General for Political Affairs; Under-Secretary-General for Peacekeeping Operations; Officer-in-Charge of the Peacebuilding Support Office	
Sudan and South Sudan 9 August 2012	Former President of South Africa (as Chair of the African Union High-level Implementation Panel, via videoconference); Special Envoy for the Sudan and South Sudan (via videoconference)	Assessment of the work of the Security Council during the presidency of France (S/2012/953); annual report of the Security Council to the General Assembly, 2012/13 (A/68/2, introduction)
Democratic Republic of the Congo 29 August 2012	Minister for Foreign Affairs and Cooperation of Rwanda	Assessment of the work of the Security Council during the presidency of France (S/2012/953); annual report of the Security Council to the General Assembly, 2012/13 (A/68/2, introduction)
Democratic Republic of the Congo 29 August 2012	Minister for Foreign Affairs of the Democratic Republic of the Congo	Assessment of the work of the Security Council during the presidency of France (S/2012/953); annual report of the Security Council to the General Assembly, 2012/13 (A/68/2, introduction)
Afghanistan 26 November 2012	Chairman of the High Peace Council of Afghanistan	Assessment of the work of the Security Council during the presidency of India (S/2012/957)
Sudan and South Sudan 27 March 2013	Former President of South Africa (as Chair of the African Union High-level Implementation Panel); former President of Nigeria (as a member of the Implementation Panel)	Assessment of the work of the Security Council during the presidency of the Russian Federation (S/2013/380); annual report of the Security Council to the General Assembly, 2012/13 (A/68/2, introduction)
Post-conflict peacebuilding 26 April 2013	Croatia (as Chair of the Peacebuilding Commission); Switzerland (as Chair of the Burundi configuration); Luxembourg (as Chair of the Guinea configuration); Brazil (as Chair of the Guinea-Bissau configuration); Sweden (as Chair of the Liberia configuration); Canada (as Chair of the Sierra Leone configuration); Japan (as Chair of the Working Group on Lessons Learned); Liberia; Assistant Secretary-General for Peacebuilding Support	Assessment of the work of the Security Council during the presidency of Rwanda (S/2013/382); annual report of the Security Council to the General Assembly, 2012/13 (A/68/2, introduction)
Libya/International Criminal Court 7 May 2013	Prosecutor of the International Criminal Court; Head of Jurisdiction, Complementarity and Cooperation of the Court; International Cooperation Adviser in the Office of the Prosecutor of the Court	Assessment of the work of the Security Council during the presidency of Togo (S/2013/481)
Kenya/International Criminal Court 23 May 2013	Kenya	Assessment of the work of the Security Council during the presidency of Togo (S/2013/481)

## Repertoire of the Practice of the Security Council, 2012-2013

<i>Subject and date</i>	<i>Participants, including non-members of the Council</i>	<i>Source</i>
Kenya/International Criminal Court 31 October 2013	Minister for Foreign Affairs of Ethiopia (as Chair of the Executive Council of the African Union, on behalf of the Contact Group on the International Criminal Court); Ministers for Foreign Affairs of Kenya, Senegal and Uganda; Minister of Presidential Affairs of Namibia; Burundi; Mauritania; African Union (Deputy Legal Counsel)	Assessment of the work of the Security Council during the presidency of Azerbaijan (S/2013/770)

### *“Arria-formula” meetings*

As set out in the note by the President of the Council (S/2010/507), “Arria-formula” meetings may be utilized by Council members as a flexible and informal forum for enhancing their deliberations and their contact with civil society and non-governmental

organizations. Council members may invite on an informal basis any Member State, relevant organization or individual to participate in “Arria-formula” informal meetings. No official records are issued. Some of the “Arria-formula” meetings held during the reporting period are listed in table 5.

Table 5  
**Arria-formula meetings, 2012-2013\***

<i>Date</i>	<i>Subject</i>	<i>Organizer(s)</i>	<i>Participants (other than Council members)</i>
8 March 2012	Women’s role in mediation and conflict resolution	Portugal, United Kingdom	State Minister for Water Resources of Uganda; Special Adviser to the Secretary-General on Yemen; President of the Aceh Women’s League
30 May 2012	Peaceful settlement of disputes, conflict prevention and resolution: mediation, judicial settlement and justice	Azerbaijan	Malcolm Shaw, Senior Fellow at the Lauterpacht Centre for International Law, University of Cambridge; Elise Keppler, Senior Counsel for the International Justice Program of Human Rights Watch
22 June 2012	Lord’s Resistance Army	Portugal, United Kingdom	Special Representative of the Secretary-General and Head of the United Nations Regional Office for Central Africa; Angélique Namaika, Mama Bongisa Center for Reintegration and Development, Dungu, Democratic Republic of the Congo; Benoît Kinalegu, Dungu-Doruma Diocesan Commission for Justice and Peace, Dungu; Michael Poffenberger, Executive Director, The Resolve
9 July 2012	Children and armed conflict, with a focus on accountability for persistent perpetrators	France, Germany	Special Representative of the Secretary-General for Children and Armed Conflict; Cecile Aptel, Professor at the Fletcher School of Law and Diplomacy; Bijaya Sainju, representative of a non-governmental organization in Nepal
12 October 2012	Syrian Arab Republic	Portugal	Assistant Secretary-General for Human Rights; Paulo Pinheiro, Chair; and Karen AbuZayd of the Independent International Commission of Inquiry on the Syrian Arab Republic established by the Human Rights Council



<i>Date</i>	<i>Subject</i>	<i>Organizer(s)</i>	<i>Participants (other than Council members)</i>
17 May 2013	Women and peace and security: gender practitioners deployed with United Nations peacekeeping operations	Australia, Guatemala	Under-Secretary-General for Peacekeeping Operations; gender protection adviser, United Nations Mission in South Sudan; senior gender adviser, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; police adviser, United Nations Stabilization Mission in Haiti
26 July 2013	The situation in the Middle East: Syrian National Coalition	United Kingdom	Ahmad Jarba, head of the Syrian National Coalition; Najid Ghadbian, representative of the Coalition to the United States; other representatives of the Coalition
1 November 2013	The situation in the Central African Republic: human rights and the humanitarian situation in the Central African Republic	France, Rwanda	Special Adviser to the Secretary-General on the Prevention of Genocide; Office for the Coordination of Humanitarian Affairs; Assistant Secretary-General for Human Rights; Brigitte Balipou, legal expert from the Central African Republic

\* Only meetings on which information is available to the Secretariat are included.

#### *Other informal meetings*

During the period under review, the Council held several informal meetings of an ad hoc nature. Following the practice established in 2007, meetings were held once a year with the Peace and Security Council of the African Union.<sup>28</sup>

The format of meetings of members of the Council was discussed during the two debates on the working methods of the Council.<sup>29</sup> Case 2 features discussions held on the format of meetings during one of those debates.

#### **Case 2 Implementation of the note by the President of the Security Council (S/2010/507)**

At the 6870th meeting, held on 26 November 2012 under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, meetings of members of the Council were discussed.

<sup>28</sup> The meetings were held on 13 June 2012 (New York) and on 8 October 2013 (Addis Ababa).

<sup>29</sup> Held on 26 November 2012 (see [S/PV.6870](#)) and 29 October 2013 (see [S/PV.7052](#)).

Many speakers welcomed the increase in the number of public meetings, including open debates.<sup>30</sup> The representative of the United States said that in the previous year less than 10 per cent of the meetings of the Council were private meetings, compared with almost 30 per cent in 2002.<sup>31</sup> The representative of Egypt stated that public meetings, including briefings and debates, should take into account the contributions of non-members of the Council,<sup>32</sup> particularly those directly affected by the decisions of the Council. Some speakers were of the opinion that the use of private meetings and consultations should be minimized.<sup>33</sup> The representative of Pakistan, citing rule 48, stated that closed consultations should be kept to a minimum,<sup>34</sup> while the representative of the Russian Federation underlined the importance of consultations.<sup>35</sup>

<sup>30</sup> [S/PV.6870](#), p. 5 (Colombia); p. 6 (Russian Federation); p. 7 (Azerbaijan, Germany); p. 9 (United Kingdom); p. 10 (Pakistan); p. 12 (Togo); p. 14 (Morocco); p. 16 (South Africa); p. 18 (Guatemala); p. 32 (Islamic Republic of Iran, on behalf of the Non-Aligned Movement); [S/PV.6870 \(Resumption 1\)](#), p. 12 (Cuba).

<sup>31</sup> [S/PV.6870](#), p. 19.

<sup>32</sup> *Ibid.*, p. 29.

<sup>33</sup> *Ibid.*, p. 29 (Egypt); [S/PV.6870 \(Resumption 1\)](#), p. 12 (Cuba).

<sup>34</sup> [S/PV.6870](#), p. 11.

<sup>35</sup> *Ibid.*, p. 6.

Many speakers also welcomed the increase in the use of Arria-formula meetings<sup>36</sup> and informal interactive dialogues.<sup>37</sup> The representative of South Africa noted that the use of the informal interactive dialogue format had allowed the Council to interact informally with individual Member States, the Peacebuilding Commission and, subregional and regional organizations.<sup>38</sup> The representative of Luxembourg opined that such dialogues were useful insofar as adequate follow-up was ensured, and hoped that non-members that were in a position to bring added value would be invited to participate in consultations of the Council.<sup>39</sup>

Regarding Arria-formula meetings, the representative of the United States highlighted their importance as a tool for the Council to hear the views of

interested Member States and of civil society.<sup>40</sup> The representative of Luxembourg stressed that the insights and field experience of civil society and non-governmental organizations could have particular relevance for the deliberations of the Council.<sup>41</sup> The representative of New Zealand added that the use of Arria-formula meetings should be commonplace.<sup>42</sup>

## D. Records

During the period under review, verbatim records were issued following each public meeting of the Council, in accordance with rule 49, and communiqués were issued following private meetings, in accordance with rule 55. There were no instances of questions being raised at Council meetings regarding the application of rules 49 to 57 in connection with the preparation, access and issuance of verbatim records, communiqués or other documents. However, at the 6870th meeting, on 26 November 2012, the representative of Egypt expressed the view that private meetings and informal consultations should have written records, which could be made publicly available, at least after a certain period of time, for the sake of transparency and as a historical record for the benefit of future generations.<sup>43</sup>

<sup>36</sup> Ibid., p. 3 (Portugal); p. 6 (Russian Federation); p. 7 (Azerbaijan, Germany); p. 9 (United Kingdom); p. 10 (China); p. 11 (Pakistan); p. 13 (Togo); p. 15 (France); p. 19 (United States); p. 24 (New Zealand); p. 25 (Argentina, Luxembourg); p. 32 (Islamic Republic of Iran, on behalf of the Non-Aligned Movement); [S/PV.6870 \(Resumption 1\)](#), p. 4 (Republic of Korea); p. 6 (Netherlands, also on behalf of Belgium); and p. 8 (Slovenia).

<sup>37</sup> [S/PV.6870](#), p. 3 (Portugal); p. 7 (Azerbaijan); p. 9 (United Kingdom); p. 10 (China); p. 11 (Pakistan); p. 13 (Togo); p. 16 (South Africa); p. 21 (Brazil); p. 24 (New Zealand); p. 25 (Luxembourg); p. 26 (Japan); [S/PV.6870 \(Resumption 1\)](#), p. 3 (Republic of Korea); p. 6 (Netherlands, also on behalf of Belgium); and p. 9 (Senegal).

<sup>38</sup> [S/PV.6870](#), p. 16.

<sup>39</sup> Ibid., pp. 25-26.

<sup>40</sup> Ibid., p. 19.

<sup>41</sup> Ibid., p. 25.

<sup>42</sup> Ibid., p. 24.

<sup>43</sup> Ibid., p. 29.

## II. Agenda

### Note

Section II deals with the practice of the Security Council concerning the agenda, in relation to rules 6 to 12 of the provisional rules of procedure of the Security Council.

#### Rule 6

*The Secretary-General shall immediately bring to the attention of all representatives on the Security Council all communications from States, organs of the United Nations, or the Secretary-General concerning any matter for the consideration of the Security Council in accordance with the provisions of the Charter.*

#### Rule 7

*The provisional agenda for each meeting of the Security Council shall be drawn up by the Secretary-General and approved by the President of the Security Council.*

*Only items which have been brought to the attention of the representatives on the Security Council in accordance with rule 6, items covered by rule 10, or matters which the Security Council had previously decided to defer, may be included in the provisional agenda.*

*Rule 8*

*The provisional agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.*

*Rule 9*

*The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda.*

*Rule 10*

*Any item on the agenda of a meeting of the Security Council, consideration of which has not been completed at that meeting, shall, unless the Security Council otherwise decides, automatically be included in the agenda of the next meeting.*

*Rule 11*

*The Secretary-General shall communicate each week to the representatives on the Security Council a summary statement of matters of which the Security Council is seized and of the stage reached in their consideration.*

*Rule 12*

*The provisional agenda for each periodic meeting shall be circulated to the members of the Security Council at least twenty-one days before the opening of the meeting. Any subsequent change in or addition to the provisional agenda shall be brought to the notice of the members at least five days before the meeting. The Security Council may, however, in urgent circumstances, make additions to the Agenda at any time during a periodic meeting.*

*The provisions of rule 7, paragraph 1, and of rule 9, shall apply also to periodic meetings.*

During the period under review, the Secretary-General continued the practice of distributing communications from States, organs of the United Nations, or from himself concerning any matter for the consideration of the Council in accordance with the provisions of the Charter and pursuant to rule 6. The

Secretary-General also continued to draw up a provisional agenda for each meeting of the Council, and communicated the provisional agenda to the representatives of Council members, in accordance with rules 7 and 8. On no occasion was the question of the circulation of communications, or the preparation of the provisional agenda, discussed. Furthermore, rule 12 was not applied during the period under review, as no periodic meeting was held. Consequently, the present Supplement contains no material relating to rules 6, 7, 8 and 12.

This section comprises three sub-sections, as follows: A. Adoption of the agenda (rule 9); B. Matters of which the Security Council is seized (rules 10 and 11); C. Discussions concerning the agenda.

### **A. Adoption of the agenda (rule 9)**

In accordance with rule 9, the first item on the provisional agenda for each meeting of the Council is the adoption of the agenda. During the period under review, there was no instance of a procedural motion being raised concerning the adoption of the agenda. There were also no motions raised, or discussions held, on the substance of items included in the provisional agenda.

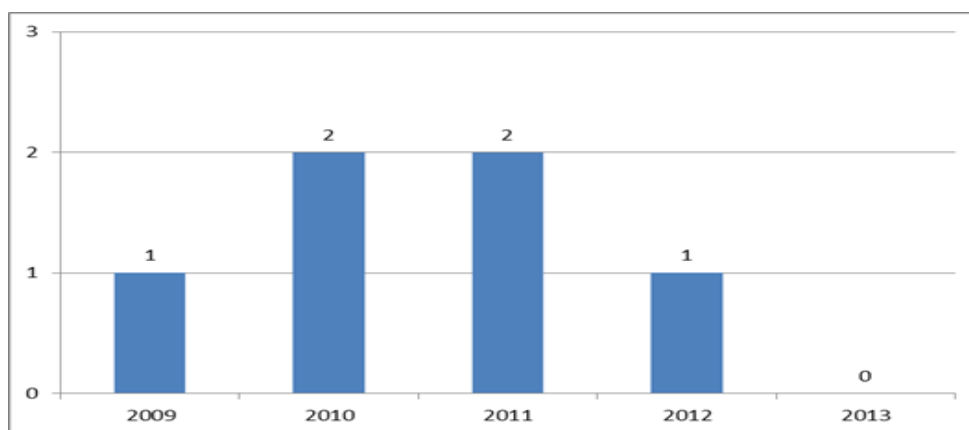
#### *Newly introduced agenda items*

During the period under review, the Council added one new item to the list of matters before it by adopting the agenda item “The situation in Mali” at its 6898th meeting, on 20 December 2012.<sup>44</sup> The earlier consideration by the Council of issues pertaining to Mali was under the item entitled “Peace and security in Africa”.

Since 2008-2009, the number of newly introduced items remained extremely small, at a minimum of none and a maximum of two new items per year (see figure III); whereas in the period from 1997 to 2007 the Council had added a minimum of 8 and a maximum of 23 new items each year. The decline in the number of new items can be explained in part by the modification of existing regional or country-specific items and the use of new sub-items.

<sup>44</sup> See [S/PV.6898](#); see also [S/2012/961](#).

Figure III  
Number of newly introduced items, 2009-2013



*Modification of agenda item*

Pursuant to the note by the President of the Security Council dated 11 November 2013,<sup>45</sup> as from that date, the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”. From 11 November 2013 onwards, the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Interim Security Force for Abyei (UNISFA), the United Nations Mission in South Sudan (UNMISS) and Council resolution [2046 \(2012\)](#) would be considered under the item entitled “Reports of the Secretary-General on the Sudan and South Sudan.” The 7062nd meeting, on 18 November 2013, was the first meeting held under that item.

*Consideration of country-specific situations under existing items of a regional nature*

During the period under review, the Council continued the practice of considering evolving country-

specific situations under existing items of a regional nature. For example, as from the 6723rd meeting, held on 27 February 2012, the Council considered the issue of piracy in the Gulf of Guinea under the item entitled “Peace consolidation in West Africa”, while continuing to consider the United Nations Office for West Africa (UNOWA) under that item. Similarly, during the reporting period, the Council continued to consider the situations in the Syrian Arab Republic and Yemen under the item entitled “The situation in the Middle East”.

*Addition of new sub-items under existing items*

During the period under review, the Council continued its recent practice of considering evolving general and cross-border threats to peace and security under existing items, at times with the addition of new sub-items. Under the existing thematic item entitled “Maintenance of international peace and security”, for example, two new sub-items were added, as reflected in table 6.

<sup>45</sup> [S/2013/657](#).

Table 6  
New sub-items added, 2012-2013

<i>Meeting record and date</i>	<i>Item</i>	<i>New sub-item</i>
<a href="#">S/PV.6760</a> 25 April 2012	Threats to international peace and security	Securing borders against illicit cross-border trafficking and movement
<a href="#">S/PV.6865</a> 19 November 2012	Maintenance of international peace and security	Piracy
<a href="#">S/PV.6882</a> 10 December 2012	Peace and security in Africa	The Sahel: Towards a more comprehensive and coordinated approach
<a href="#">S/PV.6965</a> 13 May 2013	Peace and security in Africa	The challenges of the fight against terrorism in Africa in the context of maintaining international peace and security
<a href="#">S/PV.6982</a> 19 June 2013	Maintenance of international peace and security	Conflict prevention and natural resources

## B. Matters of which the Security Council is seized (rules 10 and 11)

During the period under review, pursuant to rule 11 of the provisional rules of procedure and in accordance with the note by the President dated 26 July 2010,<sup>46</sup> the Secretary-General continued to communicate each week to the representatives on the Council a summary statement of matters of which the Council was seized and of the stage reached in their consideration. The practice of including an agenda item in the summary statement upon its adoption at a formal meeting of the Council remained unchanged.

<sup>46</sup> [S/2010/507](#).

In 2012, the Council considered at its meetings a total of 46 agenda items, 24 dealing with country-specific and regional situations and 22 with thematic and other issues. In 2013, the Council considered at its meetings a total of 46 agenda items, 25 dealing with country-specific and regional situations and 21 with thematic and other issues.<sup>47</sup> In 2012 and 2013, after the deletion of several items, the Council remained seized of 80 items and 77 items respectively. For the breakdown of items by year, see table 7.

<sup>47</sup> See [S/2013/10](#) and [S/2014/10](#), and *Resolutions and Decisions of the Security Council* ([S/INF/67](#), [S/INF/68](#) and [S/INF/69](#)).

Table 7  
Items considered at formal meetings, 2012-2013

<i>Item</i>	<i>Year</i>	
	<i>2012</i>	<i>2013</i>
<b>Country-specific and regional situations</b>		
<b>Africa</b>		
The situation in Burundi	•	•
The situation in the Central African Republic	•	•
The situation in Côte d'Ivoire	•	•
The situation concerning the Democratic Republic of the Congo	•	•
The situation in Guinea-Bissau	•	•
The situation in Liberia	•	•
The situation in Libya	•	•
The situation in Mali	•	•
The situation in Sierra Leone	•	•
The situation in Somalia	•	•
Reports of the Secretary-General on the Sudan	•	
Reports of the Secretary-General on the Sudan and South Sudan		•
The situation concerning Western Sahara	•	•
Central African region	•	•
The situation in the Great Lakes region		•
Peace and security in Africa	•	•
Peace consolidation in West Africa	•	•
<b>Americas</b>		
The question concerning Haiti	•	•
<b>Asia</b>		
The situation in Afghanistan	•	•
The situation in Timor-Leste	•	
<b>Europe</b>		
Security Council resolutions <a href="#">1160 (1998)</a> , <a href="#">1199 (1998)</a> , <a href="#">1203 (1998)</a> , <a href="#">1239 (1999)</a> and <a href="#">1244 (1999)</a>	•	•
The situation in Bosnia and Herzegovina	•	•
The situation in Cyprus	•	•

<i>Item</i>	<i>Year</i>	
	<i>2012</i>	<i>2013</i>
<b>Middle East</b>		
The situation concerning Iraq	•	•
The situation between Iraq and Kuwait		•
The situation in the Middle East	•	•
The situation in the Middle East, including the Palestinian question	•	•
<b>Total, country-specific and regional situations</b>	<b>24 items</b>	<b>25 items</b>
<b>Thematic and other issues</b>		
Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe	•	•
Briefing by the President of the International Court of Justice		•
Briefings by Chairmen of subsidiary bodies of the Security Council	•	•
Children and armed conflict	•	•
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	•	•
International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	•	
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	•	•
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; International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	•	•
Maintenance of international peace and security	•	•
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution <a href="#">1353 (2001)</a> , annex II, sections A and B	•	•
Non-proliferation	•	•
Non-proliferation/Democratic People's Republic of Korea	•	•
Non-proliferation of weapons of mass destruction	•	
Post-conflict peacebuilding	•	•

## Repertoire of the Practice of the Security Council, 2012-2013

Item	Year	
	2012	2013
Protection of civilians in armed conflict	•	•
Security Council mission	•	•
Small arms		•
The promotion and strengthening of the rule of law in the maintenance of international peace and security	•	•
Threats to international peace and security	•	
Threats to international peace and security caused by terrorist acts	•	•
United Nations peacekeeping operations	•	•
Women and peace and security	•	•
<b>Total, thematic issues</b>	<b>20 items</b>	<b>19 items</b>
<b>Other matters</b>		
Consideration of the draft report of the Security Council to the General Assembly	•	•
Election of members of the International Court of Justice	•	
Implementation of the note by the President of the Security Council ( <a href="#">S/2010/507</a> )	•	•
<b>Total, other matters</b>	<b>2 items<sup>a</sup></b>	<b>2 items</b>
<b>Total number of items discussed per year</b>	<b>46 items</b>	<b>46 items</b>

<sup>a</sup> Following established practice, items relating to the election of members of the International Court of Justice were not included in the list of matters of which the Council was seized.

### *Deletion and retention of items*

In accordance with rule 11 and the note by the President dated 26 July 2010,<sup>48</sup> the Council continued the practice of reviewing the summary statement in January of each year in order to identify items which had not been considered in the preceding three years and were therefore subject to deletion. Those items are deleted unless a Member State notifies the President of the Council by the end of February that it wishes the item to remain on the statement, in which case such item will remain on the statement for one year.

In 2012, 7 of the 31 items that had been identified in January as subject to deletion were deleted in

<sup>48</sup> [S/2010/507](#).

March, while the remaining items were retained for one additional year at the request of Member States.<sup>49</sup> In 2013, 4 of the 29 items identified in January for deletion were deleted in March, and the remaining items were retained for one additional year at the request of Member States (see table 8).<sup>50</sup>

The deletion of an item does not imply that such an item cannot be taken up by the Security Council as it deems necessary in the future. For example, at its 7036th meeting, on 26 September 2013, the Council reintroduced the item entitled “Small arms”, which had been deleted from the summary statement in 2012.

<sup>49</sup> See [S/2012/10/Add.9](#).

<sup>50</sup> See [S/2013/10/Add.9](#).



Table 8  
Items proposed for deletion from the summary statement, 2012-2013

<i>Item</i>	<i>Date of first and last consideration</i>	<i>Proposed for deletion in 2012</i>	<i>Status in March 2012</i>	<i>Proposed for deletion in 2013</i>	<i>Status in March 2013</i>
The Palestine question	9 December 1947; 25 November 1966	●	Retained	●	Retained
The India-Pakistan question	6 January 1948; 5 November 1965	●	Retained	●	Retained
The Hyderabad question	16 September 1948; 24 May 1949	●	Retained	●	Retained
Letter dated 20 February 1958 from the Sudan	21 February 1958; 21 February 1958	●	Retained	●	Retained
Letter dated 11 July 1960 from Cuba	18 July 1960; 5 January 1961	●	Retained	●	Retained
Letter dated 31 December 1960 from Cuba	4 January 1961; 5 January 1961	●	Retained	●	Retained
The situation in the India/Pakistan subcontinent	4 December 1971; 27 December 1971	●	Retained	●	Retained
Letter dated 3 December 1971 from Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen	9 December 1971; 9 December 1971	●	Retained	●	Retained
Complaint by Cuba	17 September 1973; 18 September 1973	●	Retained	●	Retained
Arrangements for the proposed Peace Conference on the Middle East	15 December 1973; 15 December 1973	●	Retained	●	Retained
The Middle East problem, including the Palestinian question	12 January 1976; 11 October 1985	●	Retained	●	Retained
The situation in the occupied Arab territories	4 May 1976; 13 July 1998	●	Retained	●	Retained
The question of the exercise by the Palestinian people of its inalienable rights	9 June 1976; 30 April 1980	●	Retained	●	Retained
The situation between Iran and Iraq	26 September 1980; 31 January 1991	●	Retained	●	Retained
Letter dated 1 October 1985 from Tunisia	2 October 1985; 4 October 1985	●	Retained	●	Retained
Letter dated 4 February 1986 from the Syrian Arab Republic	4 February 1986; 6 February 1986	●	Retained	●	Retained

## Repertoire of the Practice of the Security Council, 2012-2013

<i>Item</i>	<i>Date of first and last consideration</i>	<i>Proposed for deletion in 2012</i>	<i>Status in March 2012</i>	<i>Proposed for deletion in 2013</i>	<i>Status in March 2013</i>
Letter dated 15 April 1986 from the Libyan Arab Jamahiriya	15 April 1986; 24 April 1986	•	Retained	•	Retained
Letter dated 15 April 1986 from Burkina Faso					
Letter dated 15 April 1986 from the Syrian Arab Republic					
Letter dated 15 April 1986 from Oman					
Letter dated 19 April 1988 from Tunisia	21 April 1988; 25 April 1988	•	Retained	•	Retained
Letter dated 2 February 1990 from Cuba	9 February 1990; 9 February 1990	•	Retained	•	Retained
The situation between Iraq and Kuwait	2 August 1990; 11 April 2005	•	Retained	•	Retained
The situation in Georgia	8 October 1992; 15 June 2009			•	Retained
Complaint by Ukraine regarding the decree of the Supreme Soviet of the Russian Federation concerning Sevastopol	20 July 1993; 20 July 1993	•	Retained	•	Deleted
The situation between Eritrea and Ethiopia	26 June 1998; 30 July 2008	•	Deleted		
Small arms	24 September 1999; 30 April 2008	•	Deleted		
Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones	9 February 2000; 26 August 2003	•	Retained	•	Deleted
General issues relating to sanctions	17 April 2000; 21 December 2006	•	Retained	•	Retained
Kimberley Process Certification Scheme	28 January 2003; 28 January 2003	•	Deleted		
Briefing by the United Nations High Commissioner for Refugees	10 November 2000; 8 January 2009			•	Retained
Letter dated 5 October 2003 from the Syrian Arab Republic (S/2003/939)	5 October 2003; 5 October 2003	•	Retained	•	Retained
Letter dated 5 October 2003 from Lebanon (S/2003/943)					
The situation in Chad and the Sudan	25 April 2006; 3 December 2008	•	Deleted		
Briefing by the Chairman of the African Union	31 May 2006; 31 May 2006	•	Deleted		

<i>Item</i>	<i>Date of first and last consideration</i>	<i>Proposed for deletion in 2012</i>	<i>Status in March 2012</i>	<i>Proposed for deletion in 2013</i>	<i>Status in March 2013</i>
Letter dated 5 April 2007 from the United Kingdom of Great Britain and Northern Ireland ( <a href="#">S/2007/186</a> )	17 April 2007; 17 April 2007	•	Deleted		
Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	6 December 2007; 25 February 2008	•	Deleted		
The situation in Myanmar	15 September 2006; 13 July 2009			•	Retained
Maintenance of international peace and security: role of the Security Council in supporting security sector reform	20 February 2007; 12 May 2008			•	Deleted
Letter dated 22 September 2009 from Brazil ( <a href="#">S/2009/487</a> )	25 September 2009; 25 September 2009			•	Deleted

### C. Discussions concerning the agenda

Discussions relating to the agenda and the matters of which the Security Council is seized arose during the two debates on the working methods of the Council.<sup>51</sup> One of those debates included discussions relating to the introduction of new items in the list of matters before the Council (case 3). At another meeting, the Council discussed the question of the Syrian Arab Republic in connection with the item entitled “The situation in the Middle East, including the Palestinian question”. The related case study (case 4) features the discussions held on the deviation from the adopted agenda.

#### **Case 3 Implementation of the note by the President of the Security Council ([S/2010/507](#))**

At the 6870th meeting, held on 26 November 2012 under the item entitled “Implementation of the note by the President of the Security Council ([S/2010/507](#))”, the representative of the United Kingdom said that not a single new item had been introduced into the formal agenda in the previous 18 months and described as “bizarre” the fact that the list of items of which the Council was seized included one regional issue not discussed since 1949, but did not

include the Syrian Arab Republic or Yemen, both of which had been major Council preoccupations during 2012.<sup>52</sup> The representative of India opined that the Council should amend its procedures so that items did not permanently remain on its agenda.<sup>53</sup>

#### **Case 4 The situation in the Middle East, including the Palestinian question**

At the 6757th meeting, held on 23 April 2012 under the item entitled “The situation in the Middle East, including the Palestinian question”, the representative of the Islamic Republic of Iran, while expressing his delegation’s belief that the situation in the Syrian Arab Republic was not relevant to the agenda of the meeting, noted that, since some delegations had touched upon the issue, he would also speak of the developments in that country.<sup>54</sup>

The representative of the Syrian Arab Republic stated his view that the representative of the Secretariat did not understand “the very essence” of the item on the agenda of the meeting. He stated his concern about the deliberate attempts made by a number of delegations to divert the general discussion of the

<sup>51</sup> Held on 26 November 2012 (see [S/PV.6870](#)) and 29 October 2013 (see [S/PV.7052](#)).

<sup>52</sup> [S/PV.6870](#), p. 9.

<sup>53</sup> *Ibid.*, p. 20. The representative of India later made the same point ([S/PV.7052](#), p. 23).

<sup>54</sup> [S/PV.6757 \(Resumption 1\)](#), p. 21.

situation in the Middle East from the original aims for which the agenda item was first established. He regretted that the Under-Secretary-General had chosen to begin his briefing by referring to the situation in the Syrian Arab Republic instead of the actual item, “The situation in the Middle East, including the

Palestinian question”, and further regretted that a number of Arab delegations had also “fallen into the trap” of addressing other issues, thus taking part in the altering and undermining of the agenda item.<sup>55</sup>

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<sup>55</sup> Ibid., pp. 23-24.

### III. Representation and credentials

#### Note

Section III covers the practice of the Security Council concerning representation and credentials of its members, in relation to rules 13 to 17 of the provisional rules of procedure.

#### Rule 13

*Each member of the Security Council shall be represented at the meetings of the Security Council by an accredited representative. The credentials of a representative on the Security Council shall be communicated to the Secretary-General not less than twenty-four hours before he takes his seat on the Security Council. The credentials shall be issued either by the Head of the State or of the Government concerned or by its Minister of Foreign Affairs. The Head of Government or Minister of Foreign Affairs of each member of the Security Council shall be entitled to sit on the Security Council without submitting credentials.*

#### Rule 14

*Any Member of the United Nations not a member of the Security Council and any State not a Member of the United Nations, if invited to participate in a meeting or meetings of the Security Council, shall submit credentials for the representative appointed by it for this purpose. The credentials of such a representative shall be communicated to the Secretary-General not less than twenty-four hours before the first meeting which he is invited to attend.*

#### Rule 15

*The credentials of representatives on the Security Council and of any representative appointed in*

*accordance with rule 14 shall be examined by the Secretary-General who shall submit a report to the Security Council for approval.*

#### Rule 16

*Pending the approval of the credentials of a representative on the Security Council in accordance with rule 15, such representative shall be seated provisionally with the same rights as other representatives.*

#### Rule 17

*Any representative on the Security Council, to whose credentials objection has been made within the Security Council, shall continue to sit with the same rights as other representatives until the Security Council has decided the matter.*

During the period under review, in accordance with rule 13, the credentials of representatives of members of the Council were communicated to the Secretary-General, who submitted his reports to the Council pursuant to rule 15. Such reports were transmitted to the Council when representatives of the newly elected non-permanent members of the Council were designated prior to the beginning of each term,<sup>56</sup> and when there were changes in the representation of members of the Council.<sup>57</sup> No discussions or special cases arose during the period under review regarding the interpretation and application of rules 13 to 17.

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<sup>56</sup> For the reports of the Secretary-General concerning the credentials of the representatives and deputies and alternate representatives of the members of the Council elected for the periods 2012-2013 and 2013-2014, see [S/2011/777](#) and [S/2012/951](#), respectively.

<sup>57</sup> See, for example, [S/2012/152](#), [S/2012/290](#), [S/2012/602](#), [S/2013/235](#), [S/2013/504](#), and [S/2013/584](#).

## IV. Presidency

### Note

Section IV covers the practice of the Security Council concerning the monthly rotation of the presidency, the role of the President, and temporary cession of the chair by the President during the consideration of a particular question with which the Member State he or she represents is directly connected, under rules 18 to 20 of the provisional rules of procedure. During the period under review, there were no instances of the application of rule 20.

#### Rule 18

*The presidency of the Security Council shall be held in turn by the members of the Security Council in the English alphabetical order of their names. Each President shall hold office for one calendar month.*

#### Rule 19

*The President shall preside over the meetings of the Security Council and, under the authority of the Security Council, shall represent it in its capacity as an organ of the United Nations.*

#### Rule 20

*Whenever the President of the Security Council deems that for the proper fulfilment of the responsibilities of the presidency he should not preside over the Council during the consideration of a particular question with which the member he represents is directly connected, he shall indicate his decision to the Council. The presidential chair shall then devolve, for the purpose of the consideration of that question, on the representative of the member next in English alphabetical order, it being understood that the provisions of this rule shall apply to the representatives on the Security Council called upon successively to preside. This rule shall not affect the representative capacity of the President as stated in rule 19, or his duties under rule 7.*

### Role of the President of the Security Council (rules 18 and 19)

During the period under review, in accordance with rule 18, the presidency of the Council was held in turn by the members of the Council in the English alphabetical order, on a monthly basis. The President of the Council, in addition to presiding over meetings of the Council, informal consultations of the whole and informal interactive dialogues, continued to perform several functions under the authority of the Council, in accordance with rule 19. These included (a) briefing non-members of the Council and the media on the monthly programme of work of the Council at the beginning of the month; (b) representing and delivering statements on behalf of the Council, including the presentation of the annual report of the Council to the General Assembly;<sup>58</sup> and (c) delivering statements or remarks to the press, following informal consultations of the whole or whenever Council members reached an agreement on a text. Representatives of Council members, in their national capacities, continued to submit monthly assessments at the end of their respective presidencies, providing as much information as possible on the main aspects of the work of the Council during that month.<sup>59</sup>

Increasingly, during their presidency, Council members have taken the initiative of bringing to the attention of the Council emerging general and cross-border threats to peace and security, at times adding new sub-items to existing thematic items with a view to refining the approach. In several such instances, to frame the discussion, concept papers prepared by the

<sup>58</sup> For example, at the 46th plenary meeting of the sixty-eighth session of the General Assembly, on 7 November 2013, the President of the Council for the month of November (China) introduced the annual report of the Council covering the period from 1 August 2012 to 31 July 2013 (A/68/2).

<sup>59</sup> See S/2012/922, para. 13. A list of the monthly assessments for the period under review is provided in the annual reports of the Council to the General Assembly (A/67/2, A/68/2 and A/69/2).

presidency have been circulated in advance of the meetings.<sup>60</sup>

Following previous practice and in accordance with the note by the President dated 26 July 2010,<sup>61</sup> the

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<sup>60</sup> For example, [S/2012/83](#), prepared for the 6717th meeting, held on 21 February 2012, and [S/2013/536](#), prepared for the 7036th meeting, held on 26 September 2013.

<sup>61</sup> [S/2010/507](#), para. 71 (a).

Council members that held the presidency during the months of July 2012 and July 2013 prepared the introduction to the annual reports of the Council to the General Assembly.<sup>62</sup> The presidencies for those two months continued the practice, initiated in 2008, of convening informal meetings with Member States to exchange views on the annual report.

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<sup>62</sup> For information on the adoption of the annual report, see [S/PV.6856](#) and [S/PV.7053](#).

## V. Secretariat

### Note

Section V covers the practice of the Security Council concerning the functions and powers of the Secretary-General in connection with meetings of the Council, pursuant to rules 21 to 26 of its provisional rules of procedure.

#### Rule 21

*The Secretary-General shall act in that capacity in all meetings of the Security Council. The Secretary-General may authorize a deputy to act in his place at meetings of the Security Council.*

#### Rule 22

*The Secretary-General, or his deputy acting on his behalf, may make either oral or written statements to the Security Council concerning any question under consideration by it.*

#### Rule 23

*The Secretary-General may be appointed by the Security Council, in accordance with rule 28, as rapporteur for a specified question.*

#### Rule 24

*The Secretary-General shall provide the staff required by the Security Council. This staff shall form a part of the Secretariat.*

#### Rule 25

*The Secretary-General shall give to representatives on the Security Council notice of*

*meetings of the Security Council and of its commissions and committees.*

#### Rule 26

*The Secretary-General shall be responsible for the preparation of documents required by the Security Council and shall, except in urgent circumstances, distribute them at least forty-eight hours in advance of the meeting at which they are to be considered.*

### Functions of the Secretariat with regard to meetings (rules 21-26)

During the period under review, the Secretary-General and senior officials of the Secretariat continued to attend Council meetings and to provide briefings to the Council as requested. The Secretariat also assisted in the organization of Council meetings and informal consultations, including the preparation and dissemination of documents. On 4 October 2012, the Secretariat launched a redesigned and improved Security Council website, simplifying public access to information about the Council and its work (see case 5).

Several notes by the President of the Council, adopted during the reporting period, concerned various aspects of the administrative functions of the Secretariat. In the note by the President of the Council of 5 June 2012 it was stated that Council members should ordinarily request the Secretariat to plan not more than four days per week of Council business, with Fridays normally being reallocated to facilitate the work of the subsidiary organs of the Council. By the same note, the Council invited the Secretariat to

follow the practice of circulating the texts of briefings and, in particular, where the statements contained extensive or complicated information, whenever possible in advance, to allow for a more focused discussion during informal consultations.<sup>63</sup> With regard to consultations between the Council and troop- and police-contributing countries, by the note by the President of the Council of 28 October 2013, Council members encouraged the Secretariat to make the broadest possible call for contributions to a peacekeeping operation prior to its constitution, and to provide potential contributors with all necessary information in order to facilitate their decision-making regarding participation in the operation.<sup>64</sup>

The question of the various aspects of the functions of the Secretariat, including those concerning briefings by the Secretariat at meetings, was raised during the debates concerning the working methods of the Council (case 6).

**Case 5**  
**Implementation of the note by the President of the Security Council (S/2010/507)**

At the 6870th meeting, held on 26 November 2012 in connection with the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, many speakers commended the work of the Secretariat in revamping the website of the Council and in increasing the availability of information and updated documents.<sup>65</sup> The representative of China cited the revamped official website of the Security Council as an example of how, with the assistance of the Secretariat, various information and communications technologies had been extensively applied to the work of the Council.<sup>66</sup> The representative of Pakistan also praised the efforts by the Secretariat to enhance the availability of information and data, including through the website of the Council.<sup>67</sup> The representatives of Morocco and France also noted with satisfaction the efforts of the

Secretariat, in particular with regard to setting up the Council website in the six official languages.<sup>68</sup>

**Case 6**  
**Implementation of the note by the President of the Security Council (S/2010/507)**

At the 7052nd meeting, held on 29 October 2013 in connection with the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, the representative of Egypt stated that issues to be covered at any briefing by the Secretariat should be determined in coordination with the concerned State and approved by all members of the Security Council.<sup>69</sup>

On the topic of “horizon-scanning” briefings provided by the Department of Political Affairs in informal consultations on situations of emerging concern, the representative of Luxembourg expressed her conviction that greater recourse to such briefings provided by the Department would make it possible for the Council to more resolutely take a preventive approach.<sup>70</sup> Several other speakers welcomed “horizon-scanning” briefings.<sup>71</sup> The representative of the United Kingdom added that the Council should take full advantage of mechanisms such as “horizon-scanning” briefings to exercise a preventative function.<sup>72</sup> The representative of Australia said that he saw great benefit in the Council receiving “horizon-scanning” briefings from the Department of Political Affairs, while regretting that the one convened under the presidency of Australia in September 2013 was only the second one of that year.<sup>73</sup> The representative of Belgium encouraged the Council to hold “horizon-scanning” meetings on a regular basis, as an integral part of efforts with regard to preventive diplomacy.<sup>74</sup> The representative of Turkey also welcomed the “horizon-scanning” briefings provided by the Secretariat and expressed his wish to see such meetings

<sup>63</sup> S/2012/402, paras. 2 and 6.

<sup>64</sup> S/2013/630, para. 1.

<sup>65</sup> S/PV.6870, p. 15 (France); p. 16 (South Africa); p. 22 (Brazil); p. 26 (Japan).

<sup>66</sup> Ibid., p. 10.

<sup>67</sup> Ibid., p. 11.

<sup>68</sup> Ibid., p. 14 (Morocco); p. 15 (France).

<sup>69</sup> S/PV.7052, p. 28.

<sup>70</sup> Ibid., p. 4.

<sup>71</sup> Ibid., p. 5 (United Kingdom); p. 20 (Switzerland, on behalf of the Accountability, Coherence and Transparency group); S/PV.7052 (Resumption 1), p. 12 (Spain).

<sup>72</sup> S/PV.7052, p. 6.

<sup>73</sup> Ibid., p. 16.

<sup>74</sup> S/PV.7052 (Resumption 1), p. 9.

in all upcoming programmes of work of the Council.<sup>75</sup> The representative of the Russian Federation warned however against confusing “horizon-scanning” with the consideration by the Council of topical questions not on its agenda that concerned specific members. He

<sup>75</sup> Ibid., p. 10.

added that “horizon-scanning” had evolved into provisional discussions of issues that Council members planned to discuss at a later time, or that were beyond the purview of the Council.<sup>76</sup>

<sup>76</sup> S/PV.7052, p. 14.

## VI. Conduct of business

### Note

Section VI covers the practice of the Security Council with regard to the conduct of business at its meetings, pursuant to rules 27, 29, 30 and 33 of its provisional rules of procedure. There were no developments relating to rules 30 and 33 during the review period.

#### Rule 27

*The President shall call upon representatives in the order in which they signify their desire to speak.*

#### Rule 29

*The President may accord precedence to any rapporteur appointed by the Security Council.*

*The Chairman of a commission or committee, or the rapporteur appointed by the commission or committee to present its report, may be accorded precedence for the purpose of explaining the report.*

#### Rule 30

*If a representative raises a point of order, the President shall immediately state his ruling. If it is challenged, the President shall submit his ruling to the Security Council for immediate decision and it shall stand unless overruled.*

#### Rule 33

*The following motions shall have precedence in the order named over all principal motions and draft resolutions relative to the subject before the meeting:*

1. *To suspend the meeting;*
2. *To adjourn the meeting;*

3. *To adjourn the meeting to a certain day or hour;*

4. *To refer any matter to a committee, to the Secretary-General or to a rapporteur;*

5. *To postpone discussion of the question to a certain day or indefinitely; or*

6. *To introduce an amendment.*

*Any motion for the suspension or for the simple adjournment of the meeting shall be decided without debate.*

While there was no special application of the provisional rules of procedure concerning the conduct of business, the Council continued to implement measures aimed at improving the efficiency, effectiveness and transparency of its meetings and work. For example, in accordance with the note by the President dated 19 July 2006,<sup>77</sup> the President frequently requested speakers to limit the length of their statements, usually to four minutes, to circulate the full text of their statements in the Council chamber and to deliver a condensed version when speaking in the Council chamber.<sup>78</sup> For instance, at the 6983rd meeting, on 20 June 2013, under the item entitled “The situation in Afghanistan”, following a request by the President to all speakers to limit their statements to no more than four minutes, the representative of Canada distributed the full text and limited his delivered statement to a few key points.<sup>79</sup> At other meetings

<sup>77</sup> S/2006/507, para. 27.

<sup>78</sup> See, for example, S/PV.6705, p. 22.

<sup>79</sup> S/PV.6983, p. 29.



speakers delivered a brief version of their statements without a request by the President.<sup>80</sup>

With regard to open debates, the note by the President dated 12 December 2012 set out the understanding of Council members that open debates could benefit from the contributions of both Council members and the wider membership; and it was decided that the dates of open debates should be

announced with sufficient time to allow for adequate preparation by all participants.<sup>81</sup>

With regard to ensuring more efficient use of meeting time and allowing more time for consideration of emerging situations that were not on its agenda, the Council made progress in clustering similar issues together and spreading out its workload more evenly throughout the year.<sup>82</sup> With regard to efficient use of time in briefings, in the note by the President dated 5 June 2012 briefers were encouraged to be succinct and to focus on key themes, and to circulate written summaries of complicated factual information.<sup>83</sup> Having in that note expressed its intention to resort more often to the use of videoconferencing for briefings, while maintaining a balance between videoconferencing and live briefings, the Council significantly increased its use of videoconferencing, from once in 2009 to 44 times in 2012 and 41 times in 2013 (see figure IV).

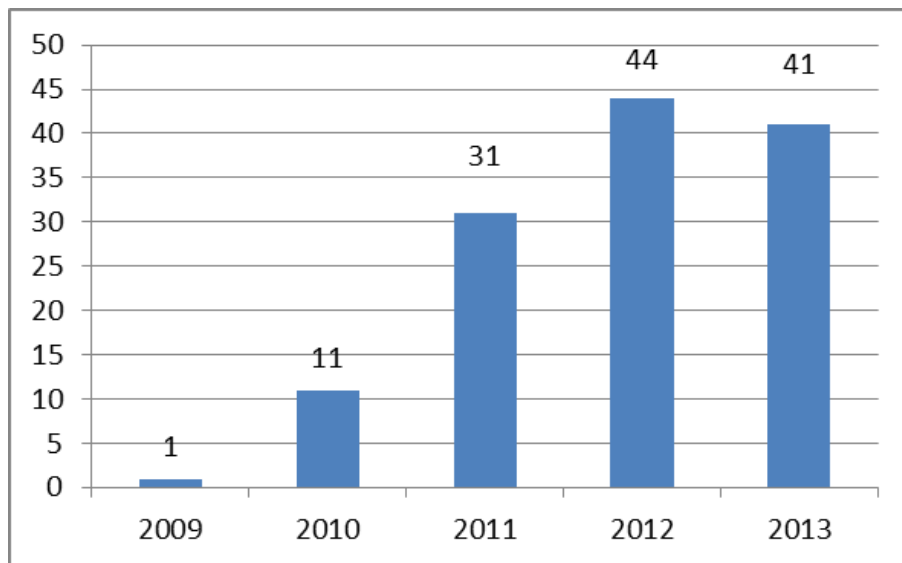
<sup>80</sup> For example, at the meetings held on 10 May and 14 November 2012, under the item entitled “Briefings by Chairman of subsidiary bodies of the Security Council”, several speakers distributed the full statement to the members of the Council and delivered a summarized version: see *S/PV.6767*, p. 2 (Germany, on behalf of the Chairs of the Committee pursuant to resolutions *1267 (1999)* and *1989 (2011)* and the Committees established pursuant to resolutions *1373 (2001)* and *1540 (2004)*); and p. 3 (Chair of the Committee pursuant to resolutions *1267 (1999)* and *1989 (2011)*); and *S/PV.6862*, p. 2 (President, on behalf of the Chairs of the three above-mentioned Committees); and p. 8 (Chair of the Committee pursuant to resolutions *1267 (1999)* and *1989 (2011)*).

<sup>81</sup> *S/2012/922*, paras. 3 and 4.

<sup>82</sup> See *S/2012/625*, p. 14.

<sup>83</sup> *S/2012/402*, paras. 4-6.

Figure IV  
Meetings at which videoconferencing was used, 2009-2013



## VII. Participation

### Note

Section VII covers the practice of the Security Council concerning the extension of invitations to non-members of the Council to participate in meetings of the Council. Articles 31 and 32 of the Charter of the United Nations, and rules 37 and 39 of the provisional rules of procedure describe instances where invitations can be extended to non-members of the Council to participate, without vote, when the Council so decides.

#### Article 31

*Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.*

#### Article 32

*Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.*

#### Rule 37

*Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.*

#### Rule 39

*The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information*

*or to give other assistance in examining matters within its competence.*

During the period under review, the Council continued to invite non-members to participate in its meetings. The invitations were extended by the President at the beginning or during Council meetings either under the “relevant provisions” of the Charter without an explicit reference to a specific Article or rule, or under rule 37 or rule 39 of the provisional rules of procedure of the Council. Specifically, Member States continued to be invited under rule 37, while representatives of the Secretariat, subsidiary organs of the Security Council, other United Nations organs, specialized agencies, funds and programmes, regional and other intergovernmental organizations, or other invitees, including representatives of non-governmental organizations, were invited under rule 39.

While Member States requested invitations in letters addressed to the President of the Council, in most cases these were not issued as documents of the Council.

This section is divided into four subsections: A. Invitations extended under rule 37; B. Invitations extended under rule 39; C. Invitations not expressly extended under rule 37 or rule 39; D. Discussions relating to participation.

### A. Invitations extended under rule 37

In accordance with the relevant Articles and rules, all States, whether or not Members of the United Nations, can be invited to participate in Council meetings when (a) the interests of a Member State are “specially affected” (Article 31 and rule 37); (b) a Member State or a non-Member State is a party to a dispute under consideration by the Council (Article 32); and (c) a Member State brings a matter to the attention of the Council in accordance with Article 35 (1) (rule 37).<sup>84</sup>

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<sup>84</sup> For information on referral by States of disputes or situations to the Security Council, see part VI, sect. I.

During the period under review, there were no changes to the procedure for extending invitations to Member States to participate in the proceedings of the Council. On 12 December 2012, the Council adopted a note by the President in which members of the Council, by consensus on a case-by-case basis and when they considered it appropriate for certain open debates, agreed to invite non-members to alternate their interventions with those of Council members. In such situations, those Council members who wished to do so would give up their slot on the speakers' list to non-members.<sup>85</sup>

Following previous practice, Member States invited under rule 37 spoke occasionally in other capacities, for example on behalf of regional or international organizations or groups of States.<sup>86</sup>

*Requests for invitations denied or not acted upon*

There was no instance during the period under review of a request from a Member State to participate

<sup>85</sup> S/2012/922, para. 5.

<sup>86</sup> For example, at the 6706th meeting, on 24 January 2012, the representative of Egypt, invited under rule 37, spoke on behalf of the Non-Aligned Movement. At the 6917th meeting, on 12 February 2013, the representative of Switzerland spoke on behalf of the Group of Friends of the Protection of Civilians.

in a Council meeting being put to a vote or denied at a public meeting.

**B. Invitations extended under rule 39**

In accordance with rule 39 of the provisional rules of procedure, members of the Secretariat or other persons may be invited to supply the Council with information or give other assistance in examining matters within its competence.

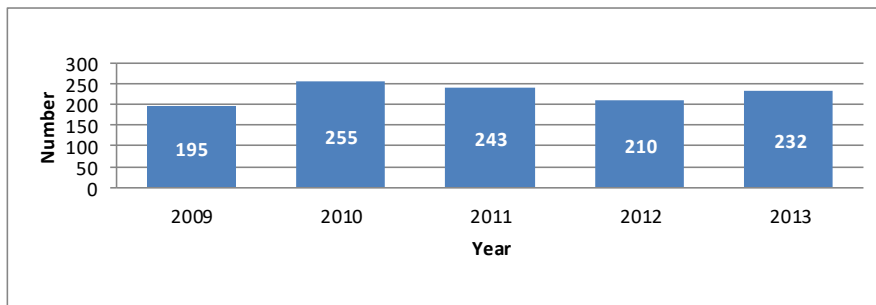
Following previous practice, invitations under rule 39 were extended to a representative of a Member State, on an exceptional basis, only if the participation was in a role other than that of representative of a State, for example, as Chair of the Peacebuilding Commission or its country-specific configurations.<sup>87</sup>

*Invitations under rule 39*

During the period under review, a total of 442 invitations were extended under rule 39, 210 in 2012 and 232 in 2013 (see figure V).

<sup>87</sup> For example, at the 6954th meeting, on 25 April 2013, the representative of Bangladesh and former Chair of the Peacebuilding Commission and the representative of Croatia and Chair of the Peacebuilding Commission were invited under rule 39.

Figure V  
Invitations extended under rule 39, 2009-2013



Invitations under rule 39 are extended to five categories of persons or entities, namely (a) the Secretariat and subsidiary bodies of the Council;<sup>88</sup>

(b) other organs of the United Nations, subsidiary bodies or agencies;<sup>89</sup> (c) regional and other intergovernmental

<sup>88</sup> For example, at the 6703rd meeting, on 16 January 2012, the Special Representative of the Secretary-General and Head of the United Nations Office for West Africa was invited under rule 39; and at the 6947th meeting, on 16 April 2013, the Assistant Secretary-General for Peacekeeping Operations was invited under rule 39.

<sup>89</sup> For example, at the 6707th meeting, on 25 January 2012, the United Nations High Commissioner for Human Rights was invited under rule 39; and at the 7090th meeting, on 18 December 2013, the Executive Director of the United Nations Office on Drugs and Crime was invited under rule 39.

organizations;<sup>90</sup> (d) other persons;<sup>91</sup> and (e) persons holding joint appointments by the United Nations and

the African Union<sup>92</sup> (see figure VI for a breakdown of invitations under rule 39 during the period).

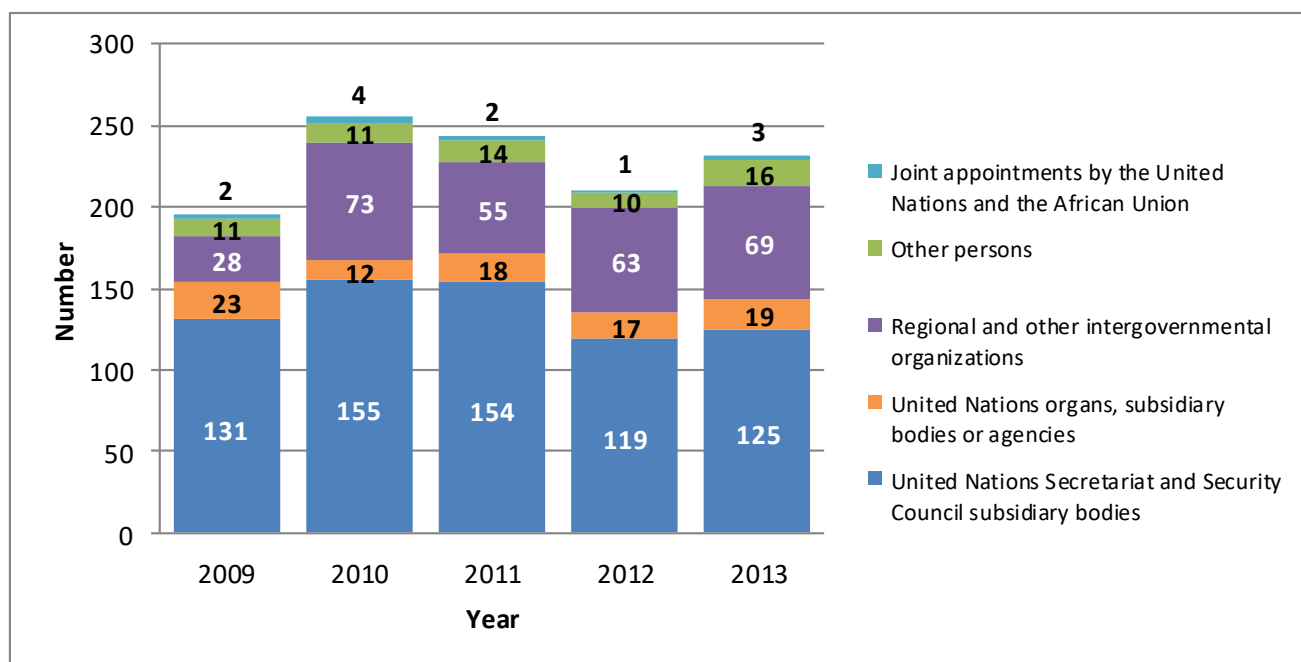
<sup>90</sup> For example, at the 6766th meeting, on 7 May 2012, the Commissioner for Political Affairs, Peace and Security of the Economic Community of West African States was invited under rule 39; and at the 6983rd meeting, on 20 June 2013, the Deputy Head of the Delegation of the European Union to the United Nations was invited under rule 39.

<sup>91</sup> For example, at the 6838th meeting, on 19 September 2012, the President of the International Center for Transitional Justice was invited under rule 39; and at the 6948th meeting, on 17 April 2013, the representative of the NGO Working Group on Women, Peace and Security was invited under rule 39.

In 2012, the number of invitations under rule 39 extended to category (a) decreased from 154 in 2011 to 119 in 2012, and then increased again to 125 in 2013. Invitations extended for category (c) increased from 55 in 2011 to 63 in 2012; and further to 69 in 2013. During the review period, invitations under rule 39 were most frequently extended to representatives of the United Nations Secretariat and subsidiary bodies of the Council.

<sup>92</sup> For example, at the 6813th meeting, on 24 July 2012, the Joint African Union-United Nations Special Representative for Darfur was invited under rule 39.

Figure VI  
**Invitees under rule 39, by category,  
 2012-2013**



### *Videoconferencing*

During the period under review, videoconferencing continued to be utilized at meetings of the Council. Generally, videoconferencing was used for briefings by the representatives of the Secretary-General and other personnel located in the field, on the issue under consideration by the Council.<sup>93</sup> The Council was briefed via videoconferencing at meetings and consultations 44 times in 2012 and 41 times in 2013 (see figure IV).

<sup>93</sup> For example, at the 6728th meeting, on 29 February 2012, the Special Representative of the Secretary-General for Libya briefed the Council from Tripoli. At the 6848th meeting, on 16 October 2012, the Special Representative of the Secretary-General for Somalia briefed the Council from Mogadishu. At the 7019th meeting, on 19 August 2013, the United Nations High Commissioner for Human Rights and the Under-Secretary-General for Humanitarian Affairs briefed the Council from Geneva and Rio de Janeiro, respectively.

### **C. Invitations not expressly extended under rule 37 or rule 39**

During the period under review, the Council extended several invitations not expressly under rule 37 or rule 39 (see table 9).

Invitations to representatives of the Holy See and Palestine to participate in meetings of the Council were routinely extended, without reference to any rule and “in accordance with the provisional rules of procedure and the previous practice in this regard”. In the case of Palestine, subsequent to the General Assembly decision, on 29 November 2012, to accord Palestine non-member observer State status,<sup>94</sup> while the basis of the invitation remained the same, the formulation of the invitation was changed slightly, from “I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in this meeting” to “I propose that the Council invite the Permanent Observer of the Observer State of Palestine to participate in the meeting”.

<sup>94</sup> Resolution 67/19.

Table 9  
**Invitations not expressly extended under rule 37 or rule 39, 2012-2013**

<i>Invitee</i>	<i>Item</i>	<i>Meeting record and date</i>
Palestine	The situation in the Middle East, including the Palestinian question	<a href="#">S/PV.6706</a> , 24 January 2012; <a href="#">S/PV.6757</a> , 23 April 2012; <a href="#">S/PV.6816</a> , 25 July 2012; <a href="#">S/PV.6847</a> , 15 October 2012; <a href="#">S/PV.6863</a> (closed), 14 November 2012; <a href="#">S/PV.6906</a> , 23 January 2013; <a href="#">S/PV.6950</a> , 24 April 2013; <a href="#">S/PV.7007</a> , 23 July 2013; <a href="#">S/PV.7047</a> , 22 October 2013
	Implementation of the note by the President of the Security Council ( <a href="#">S/2010/507</a> )	<a href="#">S/PV.6958</a> (closed), 30 April 2013; <a href="#">S/PV.7027</a> (closed), 29 August 2013
Holy See	The situation in the Middle East, including the Palestinian question	<a href="#">S/PV.6906</a> , 23 January 2013; <a href="#">S/PV.7007</a> , 23 July 2013; <a href="#">S/PV.7047</a> , 22 October 2013
	Women and peace and security	<a href="#">S/PV.6948</a> , 17 April 2013; <a href="#">S/PV.6984</a> , 24 June 2013
	Implementation of the note by the President of the Security Council ( <a href="#">S/2010/507</a> )	<a href="#">S/PV.6958</a> (closed), 30 April 2013; <a href="#">S/PV.6972</a> (closed), 30 May 2013; <a href="#">S/PV.6992</a> (closed), 27 June 2013; <a href="#">S/PV.7027</a> (closed), 29 August 2013

## D. Discussions relating to participation

During the period under review, when non-members of the Council were invited to participate in a meeting, Council members generally spoke before Member States invited under rule 37 of the provisional rules of procedure and before those not expressly invited under any rule, except in some instances when parties directly involved in the matter under consideration took the floor before Council members. For example, at the 7080th meeting, on 11 December 2013, under the item entitled “Reports of the Secretary-General on the Sudan and South Sudan”, the representative of the Sudan, invited under rule 37, spoke immediately after the briefing by the Prosecutor of the International Criminal Court, invited under rule 39, and before Council members.<sup>95</sup>

On one occasion, at the 6842nd meeting, held on 3 October 2012 on the item entitled “The question concerning Haiti”, the President of the Council decided to deviate from past practice by delivering a statement in his national capacity at the beginning of the debate instead of the end, after all other Council members, saying that his presiding over that meeting was a historic event for his country, it being the first time that Guatemala had assumed the presidency of the Security Council since the founding of the United Nations.<sup>96</sup>

The question of the participation of non-members in Council meetings, in particular that of Member States directly involved in or specially affected by situations under consideration by the Council, was discussed during two debates on the working methods of the Council.<sup>97</sup> For example, at the 7052nd meeting, on 29 October 2013, the representative of Pakistan,

stating that additional efforts should be made to increase the number of public meetings as compared to closed consultations, said that it would serve the Council well to implement Articles 31 and 32 of the Charter in order to enhance the participation by non-members in the work of the Council and its subsidiary bodies.<sup>98</sup> The following case study (case 7) features the discussions held on the participation of the Chair of the Peacebuilding Commission and non-members in Council meetings and consultations during one of the debates.

### Case 7 Implementation of the note by the President of the Security Council (S/2010/507)

At the 6870th meeting, on 26 November 2012, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, a few speakers expressed the view that the Chairs of the Peacebuilding Commission and the various country-specific configurations should be invited to participate in meetings of the Council, when situations in the countries concerned were being considered.<sup>99</sup> The representative of the United States noted the importance of such interaction, which he said helped the Council to mitigate and prevent the recurrence of the conflicts on its agenda and also to consider new threats.<sup>100</sup> The representative of South Africa welcomed the increased interaction between the Council and the Peacebuilding Commission, in particular through the use of the informal interactive dialogue.<sup>101</sup> The representative of Luxembourg argued, however, that such interactions were useful insofar as adequate follow-up was ensured, and expressed the hope that Chairs of country-specific configurations would be invited to join the consultations of the Council.<sup>102</sup> The representative of Germany also opined that the Council should consider inviting the Chairs of the country-specific configurations to Council consultations, in order to ensure a broader peacebuilding perspective in the Council.<sup>103</sup> Similarly,

<sup>95</sup> See S/PV.7080. See also, for example, the 6735th meeting, on 20 March 2012, when, after the briefing by the Special Representative of the Secretary-General and Head of the United Nations Assistance Mission in Afghanistan, the representative of Afghanistan spoke before Council members. At the 7007th meeting, on 23 July 2013, after the briefing by the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, the Permanent Observer of the Observer State of Palestine and the representative of Israel spoke before Council members and other Member States invited under rule 37.

<sup>96</sup> See S/PV.6842.

<sup>97</sup> Held on 26 November 2012 (see S/PV.6870) and 29 October 2013 (see S/PV.7052).

<sup>98</sup> S/PV.7052, p. 15.

<sup>99</sup> S/PV.6870, p. 29 (Egypt); and S/PV.6870 (Resumption 1), p. 7 (Sweden).

<sup>100</sup> S/PV.6870, p. 19.

<sup>101</sup> Ibid., p. 16.

<sup>102</sup> Ibid., pp. 25-26.

<sup>103</sup> Ibid., p. 8.

the representative of Morocco said that the Council should systematically invite the Peacebuilding Commission and its various country-specific configurations to participate in the work of the Council in order to take into full account their contributions and proposals.<sup>104</sup> The representative of New Zealand urged the Council to adapt the Commission's model of country-specific configurations to extend participation to those with a real interest in the issues under discussion in the Council.<sup>105</sup>

On the participation of non-members, the representative of Colombia opined that their participation in open debates would illustrate and enrich the background on the basis of which Council members take decisions.<sup>106</sup> The representative of Egypt said that after briefings by the Secretariat the parties concerned should be given the opportunity to express their views.<sup>107</sup> The representative of the Netherlands,

speaking also on behalf of Belgium, pleaded for improving country-specific debates by inviting the country at stake in the discussion, and said that countries that were being debated, but were not members of the Council, should be given the opportunity to contribute to Council debates and a "fair and decent chance" to put their points of view forward. He added that, after hearing from the country in question, the Council should still discuss the issue in a restricted debate among its members without the country concerned being present.<sup>108</sup> The representative of Cuba, citing Articles 31 and 32 of the Charter, said that States concerned should be allowed to participate in the deliberations of the Council on questions affecting them directly.<sup>109</sup> The representatives of India and Pakistan also cited Articles 31 and 32 in calling for improved access and participation for non-members in the work of the Council.<sup>110</sup>

<sup>104</sup> Ibid., p. 14.

<sup>105</sup> Ibid., p. 24.

<sup>106</sup> Ibid., p. 5.

<sup>107</sup> Ibid., p. 29.

<sup>108</sup> S/PV.6870 (Resumption 1), p. 6.

<sup>109</sup> Ibid., pp. 12-13.

<sup>110</sup> S/PV.6870, p. 11 (Pakistan); and p. 20 (India).

## VIII. Decision-making and voting

### Note

Section VIII covers the practice of the Security Council concerning decision-making, including voting. Article 27, together with rule 40, governs voting in the Council; it provides that decisions on procedural matters shall be made by an affirmative vote of nine members, and that decisions on all other matters shall be made by an affirmative vote of nine members including all the permanent members.

The section also covers rules 31, 32, 34 to 36 and 38, which govern the conduct of business in the context of voting on draft resolutions, amendments and substantive motions.

#### Article 27

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

#### Rule 31

Proposed resolutions, amendments and substantive motions shall normally be placed before the representatives in writing.

#### Rule 32

Principal motions and draft resolutions shall have precedence in the order of their submission.

Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects.

*Rule 34*

*It shall not be necessary for any motion or draft resolution proposed by a representative on the Security Council to be seconded before being put to a vote.*

*Rule 35*

*A motion or draft resolution can at any time be withdrawn so long as no vote has been taken with respect to it.*

*If the motion or draft resolution has been seconded, the representative on the Security Council who has seconded it may require that it be put to the vote as his motion or draft resolution with the same right of precedence as if the original mover had not withdrawn it.*

*Rule 36*

*If two or more amendments to a motion or draft resolution are proposed, the President shall rule on the order in which they are to be voted upon. Ordinarily, the Security Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed until all amendments have been put to the vote, but when an amendment adds to or deletes from the text of a motion or draft resolution, that amendment shall be voted on first.*

*Rule 38*

*Any Member of the United Nations invited in accordance with the preceding rule, or in application of Article 32 of the Charter, to participate in the discussions of the Security Council may submit proposals and draft resolutions. These proposals and draft resolutions may be put to a vote only at the request of a representative on the Security Council.*

*Rule 40*

*Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice.*

This section comprises five sub-sections: A. Decisions of the Council; B. Sponsorship in accordance with rule 38; C. Decision-making by voting;

D. Decision-making without a vote; E. Discussions concerning the decision-making process.

During the period under review, rule 31 was routinely applied at the meetings of the Council. At the 6810th meeting, held on 19 July 2012 on the item entitled “The situation in the Middle East”, the President of the Council invoked rule 32 at the beginning of the meeting when bringing to the attention of the Council two draft resolutions to be voted upon: one submitted by France, Germany, Portugal, the United Kingdom and the United States;<sup>111</sup> and one submitted by the Russian Federation. The President stated that, in accordance with rule 32, under which principal motions and draft resolutions should have precedence in the order of their submission, he would put the draft resolution submitted by France, Germany, Portugal, the United Kingdom and the United States to the vote first.<sup>112</sup> At the same meeting, the President announced that, upon the request of the Russian Federation, the Council would not take action on the second draft resolution, a practice consistent with rule 35.<sup>113</sup> There were no instances of rules 34 to 36 being invoked.

## **A. Decisions of the Council**

During the period under review, the Council continued to adopt, at its meetings, resolutions and statements by the President, in addition to taking procedural decisions. Decisions of the Council also took the form of notes or letters by the President, which were seldom adopted at meetings and in most cases issued as documents of the Council.<sup>114</sup>

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<sup>111</sup> S/2012/538.

<sup>112</sup> S/PV.6810, p. 2.

<sup>113</sup> Ibid., p.15.

<sup>114</sup> For the text of all resolutions, statements and procedural decisions adopted at Council meetings, as well as notes or letters issued by the President during the period under review, see *Resolutions and Decisions of the Security Council* (S/INF/67, S/INF/68 and S/INF/69). For a complete list of resolutions adopted during the review period, see [www.un.org/en/sc/documents/resolutions/](http://www.un.org/en/sc/documents/resolutions/) and for a complete list of presidential statements, see [www.un.org/en/sc/documents/statements/](http://www.un.org/en/sc/documents/statements/).



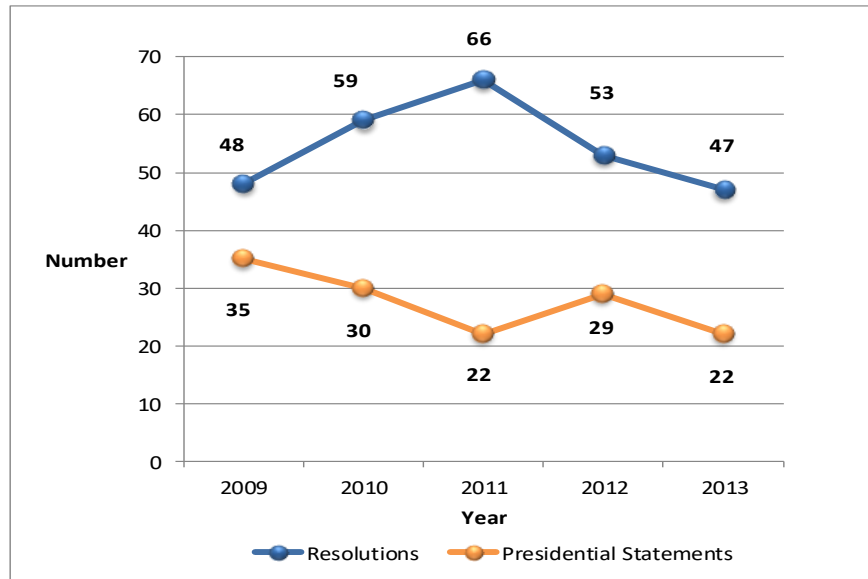
*Number of resolutions and statements by the President*

During the two-year period under review, the Council adopted a total of 100 resolutions and 51 statements by the President. In 2012, the Council adopted 53 resolutions and 29 statements by the

President; in 2013, the Council adopted 47 resolutions and 22 statements by the President.

Figure VII shows the total number of resolutions and statements by the President adopted during the five-year period from 2009 to 2013.

Figure VII  
Resolutions and statements by the President, 2009-2013



*Multiple decisions at one meeting*

While the standard practice of the Council was to adopt a single decision at a meeting, on one occasion during the period under review the Council adopted more than one decision at a single meeting. At the 6890th meeting, held on 17 December 2012 on the item entitled “Threats to international peace and security caused by terrorist acts”, the Council adopted resolutions [2082 \(2012\)](#) and [2083 \(2012\)](#).

**B. Sponsorship in accordance with rule 38**

Under rule 38 of the provisional rules of procedure, any Member of the United Nations which is

not a member of the Council may submit a proposal, which may be put to the vote only at the request of a Council member. A draft resolution may be submitted by any member of the Council, which becomes its sponsor. A draft resolution becomes a presidential text if all Council members agree to be co-sponsors.

During the period under review, a total of 103 draft resolutions were considered by the Council: 100 of them were sponsored texts, and three were presidential texts.<sup>115</sup> Twenty-two draft resolutions were sponsored by non-members of the Council (see table 10).

<sup>115</sup> Resolutions [2034 \(2012\)](#), [2086 \(2013\)](#) and [2118 \(2013\)](#).

Table 10  
 Draft resolutions sponsored by non-members of the Council, 2012-2013

<i>Draft resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Resolution</i>	<i>Council member sponsors</i>	<i>Non-member sponsors</i>
<a href="#">S/2012/77</a>	The situation in the Middle East	<a href="#">S/PV.6711</a> 4 February 2012	Not adopted owing to negative votes of China and Russian Federation	Colombia, France, Germany, Morocco, Portugal, Togo, United Kingdom, United States	11 Member States <sup>a</sup>
<a href="#">S/2012/106</a>	The situation in Timor-Leste	<a href="#">S/PV.6721</a> 23 February 2012	<a href="#">2037 (2012)</a>	France, Germany, Guatemala, Portugal, South Africa, United Kingdom, United States	Australia, Brazil, Japan, Malaysia, New Zealand
<a href="#">S/2012/122</a>	Peace consolidation in West Africa	<a href="#">S/PV.6727</a> 29 February 2012	<a href="#">2039 (2012)</a>	Colombia, France, Germany, Guatemala, India, Morocco, South Africa, Togo, United States	Benin
<a href="#">S/2012/249</a>	The situation concerning Western Sahara	<a href="#">S/PV.6758</a> 24 April 2012	<a href="#">2044 (2012)</a>	France, Russian Federation, United Kingdom, United States	Spain
<a href="#">S/2012/673</a>	The situation in the Middle East	<a href="#">S/PV.6825</a> 30 August 2012	<a href="#">2064 (2012)</a>	France, Germany, United Kingdom, United States	Italy, Spain
<a href="#">S/2012/708</a>	The situation in Somalia	<a href="#">S/PV.6837</a> 18 September 2012	<a href="#">2067 (2012)</a>	France, Germany, Morocco, Portugal, South Africa, United Kingdom	Italy
<a href="#">S/2012/713</a>	Children and armed conflict	<a href="#">S/PV.6838</a> 19 September 2012	<a href="#">2068 (2012)</a>	France, Germany, Portugal, United Kingdom, United States	25 Member States <sup>b</sup>
<a href="#">S/2012/743</a>	The question concerning Haiti	<a href="#">S/PV.6845</a> 12 October 2012	<a href="#">2070 (2012)</a>	Colombia, France, Guatemala, United States	Argentina, Brazil, Canada, Chile, Paraguay, Peru, Spain, Uruguay
<a href="#">S/2012/830</a>	The situation in Bosnia and Herzegovina	<a href="#">S/PV.6861</a> 14 November 2012	<a href="#">2074 (2012)</a>	Azerbaijan, France, Germany, Portugal, Russian Federation, United Kingdom, United States	Italy
<a href="#">S/2012/861</a>	The situation in Somalia	<a href="#">S/PV.6867</a> 21 November 2012	<a href="#">2077 (2012)</a>	France, Germany, India, United States	Greece, Italy, Spain, Ukraine

**Part II. Provisional rules of procedure and  
related procedural developments**

<i>Draft resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Resolution</i>	<i>Council member sponsors</i>	<i>Non-member sponsors</i>
<a href="#">S/2012/946</a>	The situation in Mali	<a href="#">S/PV.6898</a> 20 December 2012	<a href="#">2085 (2012)</a>	Colombia, France, Germany, Morocco, Portugal, South Africa, Togo, United Kingdom, United States	Luxembourg
<a href="#">S/2013/136</a>	Non-proliferation/ Democratic People's Republic of Korea	<a href="#">S/PV.6932</a> 7 March 2013	<a href="#">2094 (2013)</a>	Australia, France, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States	Belgium, Canada, Denmark, Japan, Netherlands, Philippines
<a href="#">S/2013/243</a>	The situation concerning Western Sahara	<a href="#">S/PV.6951</a> 25 April 2013	<a href="#">2099 (2013)</a>	France, Russian Federation, United States	Spain
<a href="#">S/2013/368</a>	Women and peace and security	<a href="#">S/PV.6984</a> 24 June 2013	<a href="#">2106 (2013)</a>	Argentina, Australia, France, Guatemala, Luxembourg, Republic of Korea, Togo, United Kingdom, United States	37 Member States <sup>c</sup>
<a href="#">S/2013/511</a>	The situation in the Middle East	<a href="#">S/PV.7025</a> 29 August 2013	<a href="#">2115 (2013)</a>	France	Spain
<a href="#">S/2013/570</a>	Small arms	<a href="#">S/PV.7036</a> 26 September 2013	<a href="#">2117 (2012)</a>	11 Member States <sup>d</sup>	15 Member States <sup>e</sup>
<a href="#">S/2013/597</a>	The question concerning Haiti	<a href="#">S/PV.7040</a> 10 October 2013	<a href="#">2119 (2013)</a>	Argentina, France, Guatemala, Morocco, Rwanda, Togo, United States	Brazil, Canada, Chile, Peru, Uruguay
<a href="#">S/2013/614</a>	Women and peace and security	<a href="#">S/PV.7044</a> 18 October 2013	<a href="#">2122 (2013)</a>	Argentina, Australia, France, Luxembourg, Republic of Korea, United Kingdom, United States	39 Member States <sup>f</sup>
<a href="#">S/2013/652</a>	The situation in Bosnia and Herzegovina	<a href="#">S/PV.7055</a> 12 November 2013	<a href="#">2123 (2013)</a>	Azerbaijan, France, Luxembourg, Russian Federation, United Kingdom, United States	Germany, Italy
<a href="#">S/2013/660</a>	Peace and security in Africa	<a href="#">S/PV.7060</a> 15 November 2013	Not adopted having failed to obtain the required number of votes	Azerbaijan, Morocco, Rwanda, Togo	Burundi, Ethiopia, Gabon, Ghana, Kenya, Mauritania, Mauritius, Namibia, Senegal, Uganda

## Repertoire of the Practice of the Security Council, 2012-2013

<i>Draft resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Resolution</i>	<i>Council member sponsors</i>	<i>Non-member sponsors</i>
<a href="#">S/2013/673</a>	The situation in Somalia	<a href="#">S/PV.7061</a> 18 November 2013	<a href="#">2125 (2013)</a>	Australia, France, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States	Spain
<a href="#">S/2013/717</a>	The situation in the Central African Republic	<a href="#">S/PV.7072</a> 5 December 2013	<a href="#">2127 (2013)</a>	France, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States	Congo, Gabon

<sup>a</sup> Bahrain, Egypt, Jordan, Kuwait, Libya, Oman, Qatar, Saudi Arabia, Tunisia, Turkey, United Arab Emirates.

<sup>b</sup> Australia, Austria, Belgium, Canada, Costa Rica, Cyprus, Czech Republic, Denmark, Estonia, Finland, Greece, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Montenegro, Netherlands, New Zealand, Norway, Republic of Korea, Slovenia, Sweden, Switzerland.

<sup>c</sup> Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liberia, Lithuania, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Ukraine.

<sup>d</sup> Argentina, Australia, France, Guatemala, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom, United States.

<sup>e</sup> Costa Rica, Côte d'Ivoire, Germany, Japan, Liberia, Lithuania, New Zealand, Norway, Papua New Guinea, Sierra Leone, Slovenia, Spain, Switzerland, Timor-Leste, Trinidad and Tobago.

<sup>f</sup> Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Costa Rica, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Finland, Germany, Greece, Hungary, Iceland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Montenegro, Namibia, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Uruguay, Viet Nam.

### C. Decision-making by voting

According to Article 27 (2) and (3) of the Charter, decisions of the Council on procedural matters shall be made by an affirmative vote of nine members, while an affirmative vote of nine members, including the concurring votes of the permanent members, is required for decisions on all other matters, that is, substantive or non-procedural matters. However, the result of a vote in the Council often does not in itself indicate whether the Council considers the matter voted upon as procedural or substantive. For example, whether a vote is procedural or substantive cannot be determined when a proposal is (a) adopted by a unanimous vote; (b) adopted by an affirmative vote of all permanent members; or (c) not adopted, having failed to obtain the required nine affirmative votes.

When a proposal is adopted, having obtained nine or more affirmative votes, with one or more permanent members casting a negative vote, that indicates that the vote is considered procedural. Conversely, if the proposal is not adopted, the vote is considered substantive. On certain occasions, in its early years, the

Council found it necessary to decide, by vote, the question whether the matter under consideration was procedural within the meaning of Article 27 (2). This procedure is known as the “preliminary question”, after the language used in the San Francisco Statement on Voting Procedure. In recent years, however, there have been no instances in which the Council decided to examine the preliminary question. Furthermore, procedural motions, such as the adoption of the agenda, the extension of invitations, and the suspension or adjournment of a meeting, have generally been decided upon by the Council without a vote. When such motions were voted upon, the vote was considered procedural. During the period under review, no vote was taken that was considered procedural.

#### *Adoption of resolutions*

During the period under review, the majority of resolutions (92 of 100) were adopted unanimously. Eight resolutions were adopted without a unanimous vote but in no case was a negative vote cast; there were only abstentions (see table 11).

Table 11  
Resolutions adopted without a unanimous vote, 2012-2013

<i>Resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Vote (for-against-abstaining)</i>	<i>Abstention</i>
2058 (2012)	The situation in Cyprus	S/PV.6809 19 July 2012	13-0-2	Azerbaijan, Pakistan
2063 (2012)	Reports of the Secretary-General on the Sudan	S/PV.6819 31 July 2012	14-0-1	Azerbaijan
2068 (2012)	Children and armed conflict	S/PV.6838 19 September 2012	11-0-4	Azerbaijan, China, Pakistan, Russian Federation
2081 (2012)	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	S/PV.6889 17 December 2012	14-0-1	Russian Federation
2089 (2013)	The situation in Cyprus	S/PV.6908 24 January 2013	14-0-1	Azerbaijan
2114 (2013)	The situation in Cyprus	S/PV.7014 30 July 2013	13-0-2	Azerbaijan, Pakistan

**Repertoire of the Practice of the Security Council, 2012-2013**

<i>Resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Vote (for-against-abstaining)</i>	<i>Abstention</i>
<a href="#">2117 (2013)</a>	Small arms	<a href="#">S/PV.7036</a> 26 September 2013	14-0-1	Russian Federation
<a href="#">2130 (2013)</a>	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	<a href="#">S/PV.7088</a> 18 December 2013	14-0-1	Russian Federation

*Draft resolutions not adopted*

Under Article 27 (3) of the Charter, a draft resolution on a non-procedural matter is not adopted when it fails to obtain the necessary nine votes in favour, or when a negative vote is cast by a permanent member. During the period under review, there was one instance of a draft resolution being rejected for lack of

the necessary nine affirmative votes,<sup>116</sup> and two instances of draft resolutions rejected owing to the negative vote of a permanent member (see table 12).

<sup>116</sup> At the 7060th meeting, held on 15 November 2013 on the item entitled “Peace and security in Africa”, eight Council members abstained in the voting on draft resolution [S/2013/660](#) (Argentina, Australia, France, Guatemala, Luxembourg, Republic of Korea, United Kingdom and United States).

Table 12

**Draft resolutions not adopted owing to the negative vote of a permanent member or for lack of the requisite number of votes, 2012-2013**

<i>Draft resolution</i>	<i>Item</i>	<i>Meeting record and date</i>	<i>Vote (for-against-abstaining)</i>	<i>Permanent member(s) casting a negative vote</i>
<a href="#">S/2012/77</a>	The situation in the Middle East	<a href="#">S/PV.6711</a> 4 February 2012	13-2-0	China, Russian Federation
<a href="#">S/2012/538</a>	The situation in the Middle East	<a href="#">S/PV.6810</a> 19 July 2012	11-2-2	China, Russian Federation
<a href="#">S/2013/660</a>	Peace and security in Africa	<a href="#">S/PV.7060</a> 15 November 2013	7-0-8	

## D. Decision-making without a vote

A procedural motion or a substantive motion may be adopted in the Council without a vote or by consensus.

During the period under review, there was one instance of a resolution being adopted without a vote: at the 6704th meeting, on 19 January 2012, resolution 2034 (2012) concerning the date of an election to fill a vacancy in the International Court of Justice was adopted without a vote, in accordance with previous practice.

Statements by the President continued to be adopted by consensus. A total of 51 statements by the President were adopted during the period under review.<sup>117</sup> Most of the statements adopted were read out at meetings, while some were adopted without the text being read out, the President announcing only that the statement would be issued as a document of the Council.<sup>118</sup> Resolutions and statements by the President were sometimes adopted in the course of a meeting rather than at the beginning or the end.<sup>119</sup>

No votes were taken concerning notes by or letters from the President of the Council that were issued as documents of the Council. During the reporting period, the Council issued 31 notes by the President and 87 letters.<sup>120</sup> On two occasions the issuance of the notes was announced at a formal meeting; the purpose in both cases was to make known that the Council had adopted its annual report to the

General Assembly without a vote. During the period under review, the Council adopted five notes on working methods building upon the provisions of the note by the President of 26 July 2010<sup>121</sup> and covering various aspects of the working methods of the Council, including the format of meetings,<sup>122</sup> the appointment of Chairs of subsidiary organs,<sup>123</sup> the annual report of the Security Council and monthly assessments by the Presidents and informal briefing sessions on the monthly programme of work,<sup>124</sup> the interaction between the Security Council, the Secretariat and troop- and police-contributing countries,<sup>125</sup> and enhancing interactivity and the use of available resources in the conduct of business of the Council.<sup>126</sup> The notes were not adopted at formal meetings of the Council, but during the course of the work of its Informal Working Group on Documentation and Other Procedural Questions.

## E. Discussions concerning the decision-making process

During the period under review, the question of the negative vote of permanent members of the Council was discussed during the two debates on the working methods of the Council.<sup>127</sup> The following case study (case 8) features the discussion on that subject during one of those debates.

### Case 8 Implementation of the note by the President of the Security Council (S/2010/507)

At the 7052nd meeting, held on 29 October 2013 under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, the representative of France spoke about the importance of creating a code of conduct that would establish guidelines for the use of the right of veto by the five permanent members of the Council. It would

<sup>117</sup> For a complete list of presidential statements adopted during the period under review, see: <http://www.un.org/en/sc/documents/statements/2012.shtml> and <http://www.un.org/en/sc/documents/statements/2013.shtml>.

<sup>118</sup> For example, at the 6717th meeting, on 21 February 2012, and the 7050th meeting, on 28 October 2013, the presidential statements adopted were not read out (S/PRST/2012/2 and S/PRST/2013/16, respectively).

<sup>119</sup> See, for example, S/PV.6717; S/PV.6760; S/PV.6935; S/PV.7036; and S/PV.7090.

<sup>120</sup> For complete lists of the notes by the President of the Security Council and the letters from the President issued in 2012 and 2013, see part I, sect. XIV, and appendix IV, respectively, of the reports of the Security Council to the General Assembly at its sixty-seventh, sixty-eighth and sixty-ninth sessions (A/67/2, A/68/2 and A/69/2), or [www.un.org/en/sc/documents/notes/](http://www.un.org/en/sc/documents/notes/) and [www.un.org/en/sc/documents/letters/](http://www.un.org/en/sc/documents/letters/).

<sup>121</sup> S/2010/507.

<sup>122</sup> S/2013/515.

<sup>123</sup> S/2012/937.

<sup>124</sup> S/2012/922.

<sup>125</sup> S/2013/630.

<sup>126</sup> S/2012/402.

<sup>127</sup> Held on 26 November 2012 (see S/PV.6870) and 29 October 2013 (see S/PV.7052).

involve their collective and voluntarily suspension of their right of veto when a situation involving a crime on a massive scale was considered to have occurred, although the criteria for such self-management and an alert mechanism to trigger it would have to be defined by the permanent members themselves.<sup>128</sup> Many speakers welcomed, in principle, the French initiative.<sup>129</sup>

The representative of Switzerland, speaking on behalf of Accountability, Coherence and Transparency, a cross-regional group of 22 States, noted his conviction that this initiative indicated the need to find new avenues to respond efficiently to crises and to live up to the responsibilities deposited in the hands of the Council.<sup>130</sup>

The representative of Egypt said that African countries believed the veto should be abolished; as long as it continued to exist, however, it should be extended to all permanent members of a prospective enlarged Council.<sup>131</sup> Several speakers expressed the

view that the permanent members should explain their reasons for using the veto.<sup>132</sup>

The representative of the Russian Federation stated, on the other hand, that weakening the right of veto would not have the intended effect of improving the effectiveness of the Council; rather, the result would be the “rubber-stamping” of points of view reflecting the opinions of only one group of States, which was not why the United Nations was created.<sup>133</sup>

#### *Abstention, non-participation or absence*

Under Article 27 (3) of the Charter, a party to a dispute shall abstain from voting in decisions under Chapter VI of the Charter. Such an abstention is defined as an obligatory abstention, while an abstention that does not fall under Article 27 (3) is defined as a voluntary abstention.

During the period under review, there were no obligatory abstentions. As listed in table 11, there were eight instances of voluntary abstentions by Council members. In four of those instances, at least one permanent member voluntarily abstained from voting. The abstention of a permanent member did not however affect the adoption of draft resolutions.

There were no instances of non-participation by any Council members. There were also no instances of votes taken in the absence of a Council member.

<sup>128</sup> S/PV.7052, p. 13.

<sup>129</sup> Ibid., p. 4 (Luxembourg); p. 10 (Rwanda); p. 17 (Australia); p. 20 (Switzerland, on behalf of the Accountability, Coherence and Transparency group); p. 24 (Brazil); p. 27 (Mexico); p. 28 (Egypt); p. 29 (Hungary); p. 30 (Estonia); p. 33 (Slovenia); S/PV.7052 (Resumption 1), p. 2 (Ukraine); p. 3 (Liechtenstein); p. 4 (Chile); p. 12 (Spain); p. 16 (Singapore); p. 18 (Germany); p. 19 (Ireland); and p. 20 (Maldives).

<sup>130</sup> S/PV.7052, p. 20.

<sup>131</sup> Ibid, p. 28.

<sup>132</sup> Ibid., p.31 (Indonesia); S/PV.7052 (Resumption 1), p. 12 (Spain); p. 16 (Singapore); and p. 20 (Maldives).

<sup>133</sup> S/PV.7052, p. 14.

## IX. Languages

### Note

Section IX covers rules 41 to 47 of the provisional rules of procedure of the Security Council, relating to the official and working languages of the Council, interpretation and the languages of meeting records and published resolutions and decisions.

#### *Rule 41*

*Arabic, Chinese, English, French, Russian and Spanish shall be both the official and the working languages of the Security Council.*

#### *Rule 42*

*Speeches made in any of the six languages of the Security Council shall be interpreted into the other five languages.*

#### *Rule 43*

*[Deleted]*

#### *Rule 44*

*Any representative may make a speech in a language other than the languages of the Security*



*Council. In this case, he shall himself provide for interpretation into one of those languages. Interpretation into the other languages of the Security Council by the interpreters of the Secretariat may be based on the interpretation given in the first such language.*

*Rule 45*

*Verbatim records of meetings of the Security Council shall be drawn up in the languages of the Council.*

*Rule 46*

*All resolutions and other documents shall be published in the languages of the Security Council.*

*Rule 47*

*Documents of the Security Council shall, if the Security Council so decides, be published in any language other than the languages of the Council.*

During the period under review, rules 41 to 47 were consistently applied. At several meetings speakers delivered their statements in a language other than one of the six official languages of the Security Council in accordance with rule 44.<sup>134</sup>

<sup>134</sup> For example, at the 6720th meeting, on 22 February 2012, the representative of Angola spoke in Portuguese, on behalf of the Community of Portuguese-speaking Countries, and the English text was provided by the delegation. At the 6754th meeting, on 19 April 2012, the Minister for Foreign Affairs of Guinea-Bissau delivered his statement in Portuguese and the English text was provided by the delegation. At the 6822nd meeting, on 21 August 2012, and the 6979th meeting, on 14 June 2013, the Prime Minister of Serbia spoke in Serbian while Mr. Hashim Thaçi spoke in Albanian; the English translations of the statements were made available by the respective delegations. At the 6859th meeting, on 12 November 2012, the Permanent Representative of Portugal delivered his statement in Portuguese and the text in English was provided by the delegation.

## X. Provisional status of the rules of procedure

### Note

Section X covers the deliberations of the Security Council concerning the status of the provisional rules of procedure of the Council, last amended in 1982.<sup>135</sup> Article 30 of the Charter provides that the Council shall adopt its own rules of procedure. Since their adoption by the Council at its first meeting, held on 17 January 1946, the rules of procedure have remained provisional.

<sup>135</sup> The provisional rules of procedure of the Council were amended 11 times between 1946 and 1982: five times during the Council's first year, at its 31st, 41st, 42nd, 44th and 48th meetings, on 9 April, 16 and 17 May and 6 and 24 June 1946; twice in its second year, at the 138th and 222nd meetings, on 4 June and 9 December 1947; and at its 468th meeting, on 28 February 1950; 1463rd meeting, on 24 January 1969; 1761st meeting, on 17 January 1974; and 2410th meeting, on 21 December 1982. Previous versions of the provisional rules were issued under the symbols [S/96](#) and Rev.1-6, the current version under the symbol [S/96/Rev.7](#).

### Article 30

*The Security Council shall adopt its own rules of procedure, including the method of selecting its President.*

During the period under review, the question of the provisional status of the rules of procedure, including with reference to Article 30 of the Charter, was raised at the two debates concerning the working methods of the Council.<sup>136</sup> For example, at the 6870th meeting, on the item "Implementation of the note by the President of the Security Council ([S/2010/507](#))", several speakers opined that the provisional status of the rules of procedure should be ended and an agreement should be reached on them for the effective functioning of the Council.<sup>137</sup> The representative of Malaysia explicitly invoked Article 30 and noted that 30 years had passed since the provisional rules of procedure had last been

<sup>136</sup> Held on 26 November 2012 (see [S/PV.6870](#)) and 29 October 2013 (see [S/PV.7052](#)).

<sup>137</sup> [S/PV.6870](#), p. 16 (South Africa); p. 28 (Egypt); p. 33 (Ireland); [S/PV.6870 \(Resumption 1\)](#), pp. 10-11 (Senegal); and p.13 (Cuba).

amended. He said that more positive changes could be made to the working methods of the Council if its members interpreted Article 30 with a view to making the Council more democratic and to further improving the efficiency of its work.<sup>138</sup> The representative of India said that the Council had shown little interest in adopting transparent and inclusive rules of procedure, which remained provisional after six and a half

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<sup>138</sup> S/PV.6870 (Resumption 1), p. 2.

decades of the existence of the Council.<sup>139</sup> The representative of the United States noted that the Council must be able to act quickly and with a high level of flexibility while remaining mindful that Article 30 of the Charter mandated the Council to adopt its own rules of procedure.<sup>140</sup>

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<sup>139</sup> S/PV.6870, p. 20.

<sup>140</sup> Ibid., p. 19.

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**United Nations**

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**Supplement 2012-2013**

**Volume II**



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**Department of Political Affairs**

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## Introduction

The present publication constitutes the eighteenth supplement to the *Repertoire of the Practice of the Security Council, 1946-1951*, which was issued in 1954. It covers the proceedings of the Security Council from the 6700th meeting, on 11 January 2012, to the 7091st meeting, on 24 December 2013. The original *Repertoire* and previous supplements may be consulted at [www.un.org/en/sc/repertoire](http://www.un.org/en/sc/repertoire).

The *Repertoire* was mandated by the General Assembly in its resolution 686 (VII) of 5 December 1952, entitled “Ways and means for making the evidence of customary international law more readily available”. It is a guide to the proceedings of the Council and sets forth in a readily accessible form the practices and procedures to which the Council has had recourse. The *Repertoire* is not intended as a substitute for the records of the Council, which constitute the only comprehensive and authoritative account of its deliberations.

The categories employed to arrange the material are not intended to suggest the existence of procedures or practices that have not been clearly or demonstrably established by the Council itself. The Council is at all times, within the framework of the Charter of the United Nations, its own provisional rules of procedure, and practice established through notes by the President of the Security Council, master of its own procedure. For ease of reference, this introduction contains a table indicating the membership of the Security Council during the period under review.

In recording the Council’s practice, the headings under which the practices and procedures of the Council were presented in the original volume issued in 1954, have been largely retained. Where necessary, however, adjustments have been made to better reflect the Council’s practice. For example, the studies contained in part I of the present publication are organized according to region or thematic issues.

The *Repertoire of the Practice of the Security Council* covers four primary areas, namely the application of the provisional rules of procedure, the application of Articles of the Charter of the United Nations, the subsidiary organs of the Security Council, including peacekeeping and peacebuilding missions, and an overview of Council activities for each item on its agenda. From 1946 to 2007, each Supplement to the *Repertoire*, generally covering a period of two to four years, comprised 12 chapters. Since 2008, each Supplement to the *Repertoire*, covering a period of two years, has been organized into 10 parts.

From 1946 to 2007, the 12 chapters cover the following topics:

- |             |   |
|-------------|---|
| Chapter I   | Provisional rules of procedure of the Security Council (Articles 28, 30, 98; rules 1-5, 13-36, 40-67 of the rules of procedure) |
| Chapter II  | Agenda (rules 6-12 of the rules of procedure)   |
| Chapter III | Participation in the proceedings of the Security Council (Articles 31, 32, 35 (1); rules 37-39 of the rules of procedure)       |
| Chapter IV  | Voting (Article 27; rule 40 of the rules of procedure)  |
| Chapter V   | Subsidiary organs of the Security Council   |

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Chapter VI	Relations with other United Nations organs
Chapter VII	Practice relative to recommendations to the General Assembly regarding membership in the United Nations
Chapter VIII	Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (overview by agenda item)
Chapter IX	Decisions taken by the Security Council in the exercise of its other functions and powers
Chapter X	Consideration of the provisions of Chapter VI of the Charter
Chapter XI	Consideration of the provisions of Chapter VII of the Charter
Chapter XII	Consideration of the provisions of other Articles (Articles 1 (2), 2 (4), 2 (5), 2 (6), 2 (7), 24, 25, 52-54, 102, 103)

From 2008 onwards, the 10 parts of the *Repertoire* cover the following topics:

Part I	Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (by agenda item)
Part II	Provisional rules of procedure and related procedural developments
Part III	Purposes and principles of the Charter of the United Nations (Chapter I of the Charter)
Part IV	Relations with other United Nations organs
Part V	Functions and powers of the Security Council (Chapter V of the Charter)
Part VI	Consideration of the provisions of Chapter VI of the Charter
Part VII	Action with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter)
Part VIII	Regional arrangements (Chapter VIII of the Charter)
Part IX	Subsidiary organs of the Security Council: committees, tribunals and other bodies
Part X	Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions

The *Repertoire* is based on published documents of the Security Council. Symbols of United Nations documents are composed of letters combined with figures. Security Council documents are indicated by a symbol that includes the year and a sequential number (e.g. [S/2012/33](#)). References to the verbatim records of meetings of the Council are given in the form [S/PV.6700](#), meetings being numbered consecutively, starting with the first meeting in 1946. As in previous recent supplements, reference is

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made in this Supplement only to the provisional verbatim records of Security Council meetings, as the practice of publishing the meeting records in the Official Records has been discontinued.

The resolutions and other decisions adopted by the Security Council, including statements and notes issued by the President of the Council and relevant exchanges of letters between the President and the Secretary-General, are published in the yearly volumes of *Resolutions and Decisions of the Security Council*. Resolutions are identified by a number followed by the year of adoption in parentheses, for example resolution 2033 (2012). References to the statements by the President on behalf of the Council are given in the form S/PRST/2012/1, for example.

Readers who wish to consult the full record of a meeting or the text of a Security Council document referred to in the *Repertoire* may do so on the official United Nations Documentation Centre website, [www.un.org/en/documents](http://www.un.org/en/documents). Security Council documents can be accessed on the website by selecting “Official Document System (ODS)” or one of the direct links to specific categories of documents. The volumes of *Resolutions and Decisions* may be accessed by symbol (S/INF/67 for 2011/12, S/INF/68 for 2012/13 and S/INF/69 for 2013/14).



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## Members of the Security Council, 2012-2013

<b>2012</b>	Azerbaijan	<b>2013</b>	Argentina
	China		Australia
	Colombia		Azerbaijan
	France		China
	Germany		France
	Guatemala		Guatemala
	India		Luxembourg
	Morocco		Morocco
	Pakistan		Pakistan
	Portugal		Republic of Korea
	Russian Federation		Russian Federation
	South Africa		Rwanda
	Togo		Togo
	United Kingdom of Great Britain and Northern Ireland		United Kingdom of Great Britain and Northern Ireland
	United States of America		United States of America



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## **Part III**

# **Purposes and principles of the Charter of the United Nations**

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## **Introductory note**

Part III covers the consideration by the Security Council of Articles contained in Chapter I of the Charter of the United Nations pertaining to the purposes and principles of the United Nations, namely, Articles 1 (2), 2 (4), 2 (5) and 2 (7), and consists accordingly of four sections. In section I, material relating to the principle of self-determination of peoples under Article 1 (2) is considered; section II covers material relevant to the prohibition of the threat or use of force as enshrined in Article 2 (4); section III deals with the obligation of States to refrain from assisting a target of the Council's enforcement action as stipulated in Article 2 (5); and section IV concerns the Council's consideration of the principle of non-intervention by the United Nations in the internal affairs of States, as regulated in Article 2 (7).

In 2012 and 2013, on a few occasions, the Council discussed the application and interpretation of Articles 1 (2), 2 (4), 2 (5) and 2 (7) in discharging its function of the maintenance of international peace and security. For instance, the Council discussed the difference between the commission of terrorist acts and the struggle of peoples in exercising their right to self-determination. The Council also monitored and addressed incidents of cross-border violence between the Sudan and South Sudan. In addition, the Council deliberated on non-interference in the internal affairs of States in the context of the situation in the Syrian Arab Republic.

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## I. The principle of equal rights and self-determination of peoples under Article 1, paragraph 2

*Article 1, paragraph 2*

*[The Purposes of the United Nations are:]*

*To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.*

### Note

Section I concerns the practice of the Security Council with regard to the principle of equal rights and self-determination of peoples as enshrined in Article 1 (2) of the Charter of the United Nations. Its main focus is on actions taken by the Council during the period under review that were linked with that underlying principle. Subsection A features decisions relevant to the principle enshrined in Article 1 (2). Since there were no constitutional discussions relating to Article 1 (2),

subsection B provides a brief overview of relevant deliberations of the Council in which the principle of self-determination was invoked. Subsection C sets out instances in which the principle of self-determination was invoked in the official correspondence of the Council.

### A. Decisions relating to Article 1 (2)

During the period under review, the Security Council did not explicitly invoke Article 1 (2) in its decisions. However, several references found in decisions could be considered as having an implicit bearing on Article 1 (2), as reflected in table 1. Those implicit references were made in connection with the holding of the referendum on self-determination in Southern Sudan from 9 to 15 January 2011 and the envisaged referendum in Western Sahara.

Table 1

#### Decisions containing implicit references to Article 1 (2)

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*Decision and date*

*Provision*

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#### Reports of the Secretary-General on the Sudan and South Sudan<sup>a</sup>

Resolution [2046 \(2012\)](#)  
2 May 2012

Welcoming the continuing efforts of the African Union to support the Sudan and South Sudan in addressing the legacy of conflict and bitterness in the Sudan, notably through the conclusion of the Comprehensive Peace Agreement, its implementation, in particular the holding of the referendum on self-determination of South Sudan, and the negotiations on post-secession relations (nineteenth preambular paragraph)

#### The situation concerning Western Sahara

Resolution [2044 \(2012\)](#)  
24 April 2012

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect (third preambular paragraph)

*See also resolution [2099 \(2013\)](#), third preambular paragraph*

Calls upon the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect (para. 7)

*See also resolution 2099 (2013), para. 7*

<sup>a</sup> Pursuant to a note by the President of the Security Council dated 11 November 2013 (S/2013/657), as from that date, the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

## B. Constitutional discussion relating to Article 1 (2)

During the period under review, Article 1 (2) was not explicitly invoked in the deliberations of the Security Council. While the principle of self-determination was mentioned quite frequently,<sup>1</sup> such references seldom gave rise to a constitutional discussion. For instance, at the 6900th meeting, on 15 January 2013, under the item entitled “Threats to international peace and security caused by terrorist acts”, several speakers stated that terrorism should not be equated with the struggle of peoples in exercise of their right to self-determination.<sup>2</sup>

<sup>1</sup> See, for example, in connection with the situation in the Middle East, including the Palestinian question, S/PV.6706, p. 6 (Palestine); p. 11 (United States); p. 20 (Pakistan); pp. 24-25 (Azerbaijan); S/PV.6706 (Resumption 1), p. 3 (Australia); p. 11 (Bangladesh); p. 15 (Iceland); p. 22 (Kazakhstan, on behalf of the Organization of Islamic Cooperation (OIC)); p. 26 (Saudi Arabia); p. 30 (Benin); and S/PV.7007, p. 7 (Palestine); p. 14 (Argentina); p. 40 (Syrian Arab Republic); p. 42 (Japan); p. 44 (Djibouti, on behalf of OIC); p. 45 (Islamic Republic of Iran, on behalf of the Non-Aligned Movement); p. 51 (Qatar); p. 55 (Cuba); and p. 56 (Peru); in connection with the situation in Timor-Leste, S/PV.6859, p. 7 (South Africa); and in connection with the situation concerning Western Sahara, S/PV.6758, pp. 2-3 (South Africa); and p. 3 (Morocco).

<sup>2</sup> S/PV.6900 (Resumption 1), p. 10 (Islamic Republic of Iran, on behalf of the Non-Aligned Movement); p. 24 (Armenia); p. 34 (Cuba); and p. 37 (Saudi Arabia).

## C. Invocation of the principle enshrined in Article 1 (2) in other instances

During the period under review, one explicit reference was made to Article 1 (2) in communications to the Security Council. In response to a letter dated 5 October 2012 from the representative of Argentina addressed to the President of the Security Council,<sup>3</sup> the representative of the United Kingdom conveyed in a letter dated 18 October 2012<sup>4</sup> that his Government attached great importance to the principle of self-determination, as set out in Article 1 (2) of the Charter, and that the principle underlay the position of the United Kingdom in the context of the sovereignty of the Falkland Islands (Malvinas). Therefore, there could be no negotiations on the sovereignty of the Islands unless and until such time as the Islanders so wished.

A few references were made to the right to self-determination in the report of the Secretary-General on the situation concerning Western Sahara<sup>5</sup> and in the report of the Security Council mission to the Sudan conducted in May 2011.<sup>6</sup> The principle of self-determination was also invoked in a large number of communications addressed to or brought to the attention of the Council, including communications from Member States in connection with the situation in

<sup>3</sup> S/2012/763.

<sup>4</sup> S/2012/776.

<sup>5</sup> S/2012/197.

<sup>6</sup> See S/2013/221.

the Middle East, including the Palestinian question,<sup>7</sup> and Nagorno-Karabakh.<sup>8</sup>

<sup>7</sup> See, for example, identical letters dated 30 March 2012 and 14 June 2013 from the representative of Palestine to the Secretary-General and the President of the Security Council (S/2012/188 and S/2013/353, respectively).

<sup>8</sup> See, for example, letter dated 29 May 2012 from the representative of Armenia to the Secretary-General (S/2012/377, annex) and letter dated 16 August 2013 from the representative of Azerbaijan to the Secretary-General (S/2013/501).

## II. Prohibition of the threat or use of force under Article 2, paragraph 4

### Article 2, paragraph 4

*All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.*

### Note

Section II deals with the practice of the Security Council concerning the principle of the prohibition of the threat or use of force under Article 2 (4) of the Charter. The section comprises three subsections: subsection A covers decisions adopted by the Council which may have an implicit bearing on Article 2 (4); subsection B covers constitutional discussions relating to the use or threat of use of force; and subsection C contains material relevant to the principle enshrined in Article 2 (4) found in the official correspondence of the Council.

### A. Decisions relating to Article 2 (4)

In 2012 and 2013, the Security Council adopted no decisions containing an explicit reference to Article 2 (4). In a number of its decisions, however, the Council reaffirmed the principle of non-threat or non-use of force in international relations; reiterated the importance of good-neighbourliness and non-interference by States in the internal affairs of others; called for the cessation of support by States to armed groups engaged in destabilizing peace and security; and called on parties to withdraw from a disputed area, as illustrated below.

#### Affirmation of the principle of the non-threat or non-use of force in international relations

In the period 2012-2013, the Council stressed the importance of the principle of the non-threat or non-use of force among States in several decisions concerning peace and security in Africa, cross-border violence between the Sudan and South Sudan and threats to international peace and security caused by terrorist acts (see table 2).

Table 2

#### Decisions affirming the principle of the non-threat or non-use of force in international relations

Decision and date	Provision
<b>Peace and security in Africa</b>	
<a href="#">S/PRST/2013/4</a> 15 April 2013	... The Council recalls Articles 33 and 34 of the Charter and reaffirms its commitment to the settlement of disputes by peaceful means and the promotion of necessary preventive action in response to disputes or situations, the continuation of which is likely to endanger the maintenance of international peace and security (first paragraph)
<a href="#">S/PRST/2013/5</a> 13 May 2013	The Council also reaffirms that Member States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State ... (eighth paragraph)



<i>Decision and date</i>	<i>Provision</i>
<b>Reports of the Secretary-General on the Sudan and South Sudan<sup>a</sup></b>	
<a href="#">S/PRST/2012/5</a> 6 March 2012	... The Council urges the two countries to implement and respect the letter and spirit of their Memorandum of Understanding on Non-aggression and Cooperation of 10 February 2012, <sup>b</sup> which was agreed under the auspices of the African Union High-level Implementation Panel (first paragraph)
Resolution <a href="#">2046 (2012)</a> 2 May 2012	... reiterating that the territorial boundaries of States shall not be altered by force and that any territorial disputes shall be settled exclusively by peaceful means (third preambular paragraph)  <i>See also resolution <a href="#">2047 (2012)</a>, third preambular paragraph; resolution <a href="#">2075 (2012)</a>, third preambular paragraph; resolution <a href="#">2104 (2013)</a>, third preambular paragraph; and resolution <a href="#">2126 (2013)</a>, third preambular paragraph</i>
<b>Threats to international peace and security caused by terrorist acts</b>	
<a href="#">S/PRST/2012/17</a> 4 May 2012	The Security Council reaffirms that Member States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State ... (ninth paragraph)  <i>See also <a href="#">S/PRST/2013/1</a>, eighth paragraph</i>

<sup>a</sup> Pursuant to a note by the President of the Security Council dated 11 November 2013 ([S/2013/657](#)), as from that date, the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

<sup>b</sup> [S/2012/135](#), enclosure.

**Reiteration of the principles of good-neighbourliness, non-interference and regional cooperation among States**

During the two-year period under review, the Council underlined the principle enshrined in Article 2 (4) by recalling the principles of good-neighbourliness,

non-interference and regional cooperation in several decisions concerning the Central African Republic, Côte d’Ivoire, the Democratic Republic of the Congo, South Sudan and the Sudan, while reaffirming its commitment to the sovereignty, independence and territorial integrity of those States (see table 3).

Table 3

**Decisions affirming the principle of good-neighbourliness, non-interference and regional cooperation among States**

<i>Decision and date</i>	<i>Provision</i>
<b>The situation in the Central African Republic</b>	
Resolution <a href="#">2127 (2013)</a> 5 December 2013	Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of the Central African Republic, and recalling the importance of the principles of good-neighbourliness and regional cooperation (second preambular paragraph)
<b>The situation in Côte d’Ivoire</b>	
Resolution <a href="#">2045 (2012)</a> 26 April 2012	Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d’Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation (second preambular paragraph)  <i>See also resolution <a href="#">2062 (2012)</a>, second preambular paragraph; resolution <a href="#">2101 (2013)</a>, second preambular paragraph; and resolution <a href="#">2112 (2013)</a>, second preambular paragraph</i>

**The situation concerning the Democratic Republic of the Congo**

Resolution [2053 \(2012\)](#)  
27 June 2012

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo (second preambular paragraph)

*See also resolution [2076 \(2012\)](#), second preambular paragraph; resolution [2078 \(2012\)](#), second preambular paragraph; and resolution [2098 \(2013\)](#), third preambular paragraph*

**Reports of the Secretary-General on the Sudan and South Sudan<sup>a</sup>**

Resolution [2035 \(2012\)](#)  
17 February 2012

Reaffirming its commitment to the cause of peace throughout the Sudan, to the sovereignty, independence, unity and territorial integrity of the Sudan and to the full and timely resolution of outstanding Comprehensive Peace Agreement<sup>b</sup> issues, welcoming the Doha Document for Peace in Darfur,<sup>c</sup> and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations among States in the region (second preambular paragraph)

*See also resolution [2046 \(2012\)](#), fourth preambular paragraph; resolution [2063 \(2012\)](#), third preambular paragraph; resolution [2075 \(2012\)](#), second preambular paragraph; [S/PRST/2012/12](#), second paragraph; [S/PRST/2012/19](#), second paragraph; resolution [2091 \(2013\)](#), second preambular paragraph; resolution [2104 \(2013\)](#), second preambular paragraph; resolution [2113 \(2013\)](#), third preambular paragraph; and resolution [2126 \(2013\)](#), second preambular paragraph.*

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<sup>a</sup> Pursuant to a note by the President of the Security Council dated 11 November 2013 ([S/2013/657](#)), as from that date, the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

<sup>b</sup> [S/2005/78](#), annex.

<sup>c</sup> [S/2011/449](#), enclosure 2.

**Calls for the cessation of support by States to armed groups engaged in destabilizing national and regional peace and security**

In several decisions adopted in 2012 concerning the Democratic Republic of the Congo, South Sudan and the Sudan, the Council called upon Governments to cease support for illegal armed groups engaged in undermining peace and stability (see table 4).

Table 4

**Decisions calling for the cessation of support by States to armed groups engaged in destabilizing national and regional peace and security**

<i>Decision and date</i>	<i>Provision</i>
<b>The situation concerning the Democratic Republic of the Congo</b>	
Resolution <a href="#">2053 (2012)</a> 27 June 2012	Condemns the recent mutiny led by Mr. Bosco Ntaganda and all outside support to all armed groups, and demands that all forms of support to them cease immediately (para. 19)
<a href="#">S/PRST/2012/22</a> 19 October 2012	[The Security Council] reiterates its strong condemnation of any and all external support to the 23 March Movement. In this regard, the Council expresses deep concern at reports indicating that such support continues to be provided to the 23 March Movement by neighbouring countries. The Council demands that any and all outside support to the 23 March Movement as well as other armed groups cease immediately (fifth paragraph)
Resolution <a href="#">2076 (2012)</a> 20 November 2012	Expresses deep concern at reports indicating that external support continues to be provided to the 23 March Movement, including through troop reinforcement, tactical advice and the supply of equipment, causing a significant increase in the military abilities of the 23 March Movement, and demands that any and all outside support to the 23 March Movement cease immediately (para. 4)
	<i>See also resolution <a href="#">2078 (2012)</a>, para. 8</i>
Resolution <a href="#">2098 (2013)</a> 28 March 2013	Taking note also of the report of the Secretary-General of 15 February 2013, <sup>a</sup> and reiterating its strong condemnation of any and all external support to the 23 March Movement, including through troop reinforcement, tactical advice and the supply of equipment and materiel (eleventh preambular paragraph)
<b>Reports of the Secretary-General on the Sudan and South Sudan</b>	
<a href="#">S/PRST/2012/5</a> 6 March 2012	The Security Council expresses grave concern about reports of repeated incidents of cross-border violence between the Sudan and South Sudan, including troop movements, support to proxy forces and aerial bombardments, and views the situation as a serious threat to international peace and security ... (first paragraph)
Resolution <a href="#">2046 (2012)</a> 2 May 2012	Condemning the repeated incidents of cross-border violence between the Sudan and South Sudan, including troop movements, the seizure and occupation of Heglig, support to proxy forces and aerial bombardments by the Sudanese Armed Forces (sixth preambular paragraph)
<b>Threats to international peace and security</b>	
<a href="#">S/PRST/2012/16</a> 25 April 2012	... The Council reaffirms that Member States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, and shall also give the United Nations every assistance in any action it takes in accordance with the Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action (fifth paragraph)

<sup>a</sup> [S/2013/96](#).

### **Calls on parties to withdraw all military forces from a disputed area**

During the period under review, and following the seizure and occupation of the town of Heglig and its oilfields in the Sudan by the Sudan People's Liberation Army, at its 6749th meeting, on 12 April 2012, the Council adopted a presidential statement by which it demanded a complete, immediate and unconditional end to all fighting, withdrawal of the Sudan People's Liberation Army from Heglig, end to aerial bombardments by the Sudanese Armed Forces, end to repeated incidents of cross-border violence between the Sudan and South Sudan, and an end to support by both sides to proxies in the other country.<sup>9</sup> Subsequently, in resolution [2046 \(2012\)](#) of 2 May 2012, acting under Chapter VII of the Charter, the Council decided that the Sudan and South Sudan should unconditionally withdraw all of their armed forces to their side of the border, in accordance with previously adopted agreements, including the Agreement on the Border Monitoring Support Mission of 30 July 2011.<sup>10</sup> On 31 August 2012, the Council adopted a presidential statement by which it commended the Government of South Sudan for its formal acceptance of the African Union administrative and security map of November 2011 but called upon it to withdraw any forces located to the north of the centre line of the Safe Demilitarized Border Zone.<sup>11</sup>

### **B. Constitutional discussion relating to Article 2 (4)**

During the period under review, Article 2 (4) of the Charter was explicitly invoked twice. At a meeting held on 17 October 2012 concerning the promotion and strengthening of the rule of law in the maintenance of international peace and security, the representative of Argentina noted that in the evolution of the international community towards a permanent international criminal justice system based on the International Criminal

<sup>9</sup> [S/PRST/2012/12](#).

<sup>10</sup> [S/2011/510](#), annex. See also resolutions [2047 \(2012\)](#), para. 5, and [2075 \(2012\)](#) para. 5.

<sup>11</sup> [S/PRST/2012/19](#).

Court, the crime of aggression was nothing but the corollary of the prohibition of the threat or the use of force, as provided for in Article 2 (4) of the Charter.<sup>12</sup> At a meeting held on 20 November 2012 in connection with the situation concerning the Democratic Republic of the Congo, in the context of the alleged involvement of troops of the armed forces of Rwanda in the deteriorating situation in North Kivu, the representative of the Democratic Republic of the Congo called upon the Council to state that once again Rwanda had circumvented "the sacrosanct principle" enshrined in Article 2 (4) of the Charter.<sup>13</sup>

During the deliberations of the Council a few implicit references were made to the principle enshrined in Article 2 (4), without those references giving rise to a constitutional discussion on the Article itself.<sup>14</sup>

### **C. Invocation of the principle enshrined in Article 2 (4) in other instances**

The official correspondence of the Security Council in 2012 and 2013 included one explicit reference to Article 2 (4) of the Charter. In identical letters dated 6 May 2013 addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, concerning the reports on the Israeli air strikes against the Syrian Arab Republic on 3 and 5 May 2013, the representative of the Islamic Republic of Iran indicated that "these blatant acts of aggression" were serious violations of international law, particularly the norms and principles enshrined in the Charter, including Article 2 (4) thereof on the prohibition of the use of force against any Member State.<sup>15</sup>

<sup>12</sup> [S/PV.6849 \(Resumption 1\)](#), p. 12.

<sup>13</sup> [S/PV.6866](#), p. 3.

<sup>14</sup> See for instance, in connection with the situation concerning the Democratic Republic of the Congo [S/PV.6873](#), p. 3 (Democratic Republic of the Congo); and p. 6 (Rwanda); and in connection with the Sudan, [S/PV.6764](#), p. 6 (Colombia); p. 7 (Morocco); p. 10 (Azerbaijan); and p. 10 (South Sudan).

<sup>15</sup> [S/2013/270](#).

### III. Obligation under Article 2, paragraph 5, to refrain from assisting the target of enforcement action

#### *Article 2, paragraph 5*

*All members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.*

is taking preventive or enforcement action. Since there was no material relating to Article 2 (5) in the communications and deliberations of the Council in the period under review, this section deals only with decisions relating to Article 2 (5).

#### Note

Section III concerns the practice of the Security Council with regard to the principle enshrined in Article 2 (5) of the Charter, particularly regarding the obligation of Member States to refrain from giving assistance to a State against which the United Nations

#### Decisions relating to Article 2 (5)

During the period under review, there were no explicit references to Article 2 (5) of the Charter in the decisions of the Security Council. However, the Council adopted several decisions which may have an implicit bearing on the principle enshrined in Article 2 (5), as reflected in table 5.

Table 5

#### Decisions of the Security Council containing provisions relating to Article 2 (5)

<i>Decision and date</i>	<i>Provision</i>
<b>Peace and security in Africa</b>	
<a href="#">S/PRST/2013/5</a> 13 May 2013	The Council also reaffirms that Member States ... shall give the United Nations every assistance in any action it takes in accordance with the Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action (eighth paragraph)
<b>The situation in the Great Lakes region</b>	
<a href="#">S/PRST/2013/11</a> 25 July 2013	... The Council calls upon all countries of the region to respect the sovereignty and territorial integrity of neighbouring countries, not to interfere in the internal affairs of neighbouring countries, not to harbour persons accused of violations of international humanitarian law and human rights law or persons listed by United Nations sanctions regimes, and promote accountability. The Council calls upon all countries of the region neither to tolerate nor provide assistance or support of any kind to armed groups (third paragraph)
<b>The situation in the Middle East</b>	
Resolution <a href="#">2118 (2013)</a> 27 September 2013	Recalling the obligation under resolution <a href="#">1540 (2004)</a> that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use weapons of mass destruction, including chemical weapons, and their means of delivery (ninth preambular paragraph)  Reaffirms that all Member States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, and calls upon all Member States, in particular Member States neighbouring the Syrian Arab Republic, to report any violations of the present paragraph to the Security Council immediately (para. 18)

**Threats to international peace and security**

[S/PRST/2012/16](#)

25 April 2012

... The Council reaffirms that Member States ... shall also give the United Nations every assistance in any action it takes in accordance with the Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action (fifth paragraph)

**Threats to international peace and security caused by terrorist acts**

[S/PRST/2012/17](#)

4 May 2012

The Council reaffirms that Member States ... shall also give the United Nations every assistance in any action it takes in accordance with the Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action (ninth paragraph)

The Council reiterates the obligation of Member States to refrain from providing any form of support, active or passive, to entities or persons involved in or associated with terrorist acts, including by suppressing recruitment of members of terrorist groups, consistent with international law, and eliminating the supply of weapons to terrorists (eleventh paragraph)

[S/PRST/2013/1](#)

15 January 2013

The Council also reaffirms that Member States ... shall also give the United Nations every assistance in any action it takes in accordance with the Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action (eighth paragraph)

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## **IV. Non-intervention in the internal affairs of States by the United Nations under Article 2, paragraph 7**

### *Article 2, paragraph 7*

*Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.*

### **Note**

Section IV concerns the practice of the Security Council in relation to the principle of non-intervention of the United Nations in the internal affairs of States under Article 2 (7) of the Charter. In the period 2012-2013, the Council made no explicit reference to that Article in its decisions or in its official correspondence. However, Article 2 (7) was explicitly invoked, and the principle of non-intervention discussed, at meetings held in connection with the

situation in the Middle East and the protection of civilians, as illustrated below.

### **Constitutional discussion relating to Article 2 (7)**

During the period under review, Article 2 (7) was explicitly invoked once at a meeting held in connection with the protection of civilians in armed conflict (case 1). The principle enshrined in Article 2 (7) was touched upon implicitly in the deliberations of the Council at the same meeting, and also at meetings under the item entitled “The situation in the Middle East”, as illustrated by case 2.

#### **Case 1 Protection of civilians in armed conflict**

At the 6917th meeting, on 12 February 2013, concerning the protection of civilians in armed conflict, several speakers indicated that while national

authorities had the primary responsibility to protect civilians, the Council should be able to act strongly if national authorities failed to do so.<sup>16</sup> The representative of Guatemala noted that conflicts were increasingly of an intra-State nature, rather than between two States. This made intervention by the Council more difficult, as conflicts were the internal affairs of sovereign States, even if those States were not upholding their primary obligation of protecting their own citizens. He added that when such situations arose, the established principle of non-intervention must be superseded by the common commitment and responsibility to protect civilian populations from mass violations and atrocities inflicted on them by their own Governments.<sup>17</sup> The representative of China pointed out that the concern and help of the international community should not replace the responsibility and obligation of the country concerned, and stressed that it was essential to comply with the purposes and principles of the Charter, in particular such principles as respecting national sovereignty, unity and territorial integrity.<sup>18</sup> The representative of the Islamic Republic of Iran, speaking on behalf of the Non-Aligned Movement, emphasized that respect for the principles of the sovereign equality, political independence and territorial integrity of all States and of non-intervention must be upheld, by humanitarian actors, and that the consent of the host country was imperative to granting access to its territory.<sup>19</sup> The representative of the Syrian Arab Republic stated that civilians in armed conflict would never be protected without strict respect for the principles of international law and the provisions of the Charter, in particular the principles of respect for the sovereignty of States, sovereign equality among States and non-interference in the internal affairs of States, which included putting an end to actions by countries that infringed upon the sovereignty and territorial integrity of other States, as well as military interventions or invasions.<sup>20</sup> The representative of India underscored that in the protection of civilians, respect for the fundamentals of

the Charter and the sovereignty and territorial integrity of Member States was necessary. He added that the United Nations had a mandate to intervene only in situations where there was a threat to international peace and security.<sup>21</sup> The representative of the Bolivarian Republic of Venezuela stated that recent history showed that military intervention and external support for armed groups were not conducive to protecting civilians or preventing armed conflict. He also expressed his country's firm opposition to the concept of the responsibility to protect, which, he opined, had served to undermine the sovereignty and independence of States and had been used to overthrow legitimate Governments.<sup>22</sup> The representative of Ecuador noted that Article 2 (7) of the Charter provided with absolute clarity that no provision of the Charter should authorize the United Nations to intervene in matters within the domestic jurisdiction of any State. He added that any action by the international community to protect civilians in conflict situations should strictly adhere to the purposes and principles of the Charter, including full respect for the sovereignty of States.<sup>23</sup>

## Case 2 The situation in the Middle East

At the 6710th meeting, on 31 January 2012, concerning the situation in the Middle East, and in particular a request by the League of Arab States that the Council support the latest Arab initiative on an integrated plan for a peaceful settlement of the Syrian crisis,<sup>24</sup> the representative of Qatar, speaking in his capacity as the Chair of the Arab ministerial committee on the Syrian Arab Republic of the Council of Ministers of the League of Arab States, indicated that the League was calling for the Security Council to adopt measures to exert concrete economic pressure on the Syrian regime, and was not calling for military intervention or a regime change, which was a matter that the League believed the Syrian people should decide.<sup>25</sup> The Secretary-General of the League of Arab States noted that the League was attempting to avoid

<sup>16</sup> S/PV.6917, p. 8 (Republic of Korea); p. 13 (United States); and p.14 (United Kingdom); and S/PV.6917 (Resumption 1), p. 55 (New Zealand); and p. 64 (Turkey).

<sup>17</sup> S/PV.6917, p. 21.

<sup>18</sup> Ibid., p. 25.

<sup>19</sup> S/PV.6917 (Resumption 1), p. 10.

<sup>20</sup> Ibid., pp. 18-19.

<sup>21</sup> Ibid., p. 31.

<sup>22</sup> Ibid., p. 45.

<sup>23</sup> Ibid., p. 59.

<sup>24</sup> S/2012/71, enclosure 1. For more information, see part I, sect. 23, with regard to the situation in the Middle East.

<sup>25</sup> S/PV.6710, p. 5.

any foreign intervention, particularly military intervention.<sup>26</sup> The representative of the Syrian Arab Republic stated that Syrian patriotism rejected external intervention and stressed that the sovereignty, independence and territorial integrity of the Syrian Arab Republic were a red line. Making reference to a draft resolution circulated by Morocco,<sup>27</sup> the representative of France dismissed allegations that there was a plan for military intervention in the Syrian Arab Republic and noted that nothing in the draft resolution could be construed as an authorization of the use of force.<sup>28</sup> The representative of Guatemala noted that non-intervention in the internal affairs of sovereign States and respect for their territorial integrity were cardinal principles of the foreign policy of Guatemala, but also acknowledged the obligation of all States to observe certain norms of conduct in relation to their own populations, adding that Governments that flagrantly violated those norms exposed themselves to the consequences.<sup>29</sup> The representatives of Morocco and Pakistan rejected the possibility of military intervention in preserving the sovereignty and territorial integrity of the Syrian Arab

Republic.<sup>30</sup> The representative of the Russian Federation rejected any sanctions and any attempts to employ the instruments of the Council to fuel conflict or to justify any eventual foreign military interference, and noted that the Council could not impose parameters for an internal political settlement.<sup>31</sup> The representative of China stated his country's opposition to the use of force to resolve the Syrian issue, as well as practices, such as forcibly pushing for regime change, that violated the purposes and principles of the Charter and the basic norms that governed international relations.<sup>32</sup> The President of the Security Council, in his capacity as representative of South Africa, stated that military intervention to resolve political conflicts had unintended consequences for both the country in question and the wider region, something that the Middle East could ill afford. He also called for the commitments and principles expressed by the delegation of the League of Arab States and others in the meeting to be better and more fully expressed in future drafts.<sup>33</sup>

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<sup>26</sup> Ibid., p. 6.

<sup>27</sup> Not circulated as a document of the Security Council.

<sup>28</sup> S/PV.6710, p. 16.

<sup>29</sup> Ibid., p. 18.

<sup>30</sup> Ibid., p. 21 (Morocco); and p. 23 (Pakistan).

<sup>31</sup> Ibid., p. 24.

<sup>32</sup> Ibid., p. 25.

<sup>33</sup> Ibid., p. 30.



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## **Part IV**

### **Relations with other United Nations organs**

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## **Introductory note**

Part IV of the *Repertoire* covers the practice of the Security Council with regard to Articles 4-6, 10-12, 15, 20, 23, 24 (3), 65, 93, 94, 96 and 97 of the Charter concerning the relations of the Security Council with the following principal organs of the United Nations: the General Assembly, the Economic and Social Council and the International Court of Justice. Information relating to the relations of the Security Council with the Secretariat is featured in part II, section V, which deals with the administrative functions and powers of the Secretary-General in connection with meetings of the Council under rules 21 to 26 of its provisional rules of procedure.

During the period under review, the Security Council and the General Assembly, in parallel and within the limitations imposed by the Charter, dealt with counter-terrorism strategies as well as with the conflict in the Syrian Arab Republic; elected a new member of the International Court of Justice; and extended terms of judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and took action on other aspects of the management of the two Tribunals. The Security Council did not address any requests for information or assistance to the Economic and Social Council. It did not make any recommendations or decide on measures with regard to the judgments rendered by the International Court of Justice nor did it request the Court to give an advisory opinion on any legal question.

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## I. Relations with the General Assembly

### Note

Section I focuses on various aspects of the relationship between the Security Council and the General Assembly in accordance with Articles 4-6,<sup>1</sup> 10-12, 15, 20, 23, 24 (3), 93, 94, 96 and 97 of the Charter, rules 40, 60 and 61 of the provisional rules of procedure of the Council and Articles 4, 8, 10-12 and 14 of the Statute of the International Court of Justice.

This section is divided into eight subsections. Subsection A deals with the election by the General Assembly of the non-permanent members of the Council, in accordance with Article 23. Subsections B and C concern the functions and powers of the General Assembly vis-à-vis Articles 10 to 12, with a particular focus on the practice and authority of the General Assembly to make recommendations to the Security Council. Subsection D considers instances in which a decision must be taken by the Council prior to a decision of the General Assembly under Articles 4 to 6, 93 and 97, for example on the admission of new Members or the appointment of judges of the International Tribunals. Subsection E examines the practice with regard to the election of members of the International Court of Justice, requiring concurrent action by the Council and the General Assembly. Subsection F covers the reports of the Council to the General Assembly, in accordance with Articles 15 and 24 (3). Subsection G concerns relations of the Council with the subsidiary organs established by the General Assembly which have played a part in the work of the Council during 2012 and 2013. Subsection H features other Council practice bearing on relations with the General Assembly.

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<sup>1</sup> Rule 40 of the provisional rules of procedure is also covered in part II, sect. VIII, “Decision-making and voting”.

### A. Election by the General Assembly of the non-permanent members of the Security Council

#### *Article 23*

1. *The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.*

2. *The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.*

3. *Each member of the Security Council shall have one representative.*

During the period under review, in accordance with Article 23 of the Charter, the General Assembly, at its sixty-seventh and sixty-eighth regular sessions, elected five non-permanent members of the Security Council for a two-year term to replace those members whose terms of office were to expire on 31 December of that year. Further to the decision of Saudi Arabia not to assume its seat on the Security Council, as explained in the letter dated 12 November 2013 from the Permanent Representative of Saudi Arabia addressed to the Secretary-General,<sup>2</sup> an additional plenary meeting of the Assembly was held on 6 December 2013 at which the seat vacated by Saudi Arabia was filled by the election of Jordan. Table 1 sets out the details of the elections.

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<sup>2</sup> A/68/599.

Table 1  
**Election by the General Assembly of non-permanent members of the Security Council**

<i>Term (two years)</i>	<i>General Assembly decision</i>	<i>Plenary meeting and date of election</i>	<i>Members elected for the term</i>
2013-2014	67/402	27th 18 October 2012	Argentina, Australia, Luxembourg, Republic of Korea, Rwanda
2014-2015	68/403	34th 17 October 2013	Chad, Chile, Lithuania, Nigeria, Saudi Arabia
	68/403	61st 6 December 2013	Jordan

## **B. Recommendations by the General Assembly to the Security Council in the form of resolutions under Articles 10 and 11 of the Charter**

### *Article 10*

*The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.*

### *Article 11*

1. *The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.*

2. *The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.*

3. *The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.*

4. *The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.*

During the years 2012 and 2013, the General Assembly made several recommendations to the Security Council on general principles of cooperation in the maintenance of international peace and security, in accordance with Articles 10 and 11 and the limitations set by Article 12 of the Charter. The recommendation-making powers of the General Assembly are illustrated in resolutions relating to (a) the situation in the Syrian Arab Republic, particularly with regard to measures to ensure accountability, and (b) sanctions, specifically the design, effect and due process aspects of sanctions. The relevant provisions of those resolutions are reproduced in full in table 2.

In the Security Council, Article 10 was explicitly invoked in a discussion relating to the working methods of the Council (see case 1).<sup>3</sup> An explicit reference was made to Article 11 (2) at another meeting on the working methods of the Council, without giving rise to a constitutional discussion.<sup>4</sup> The General Assembly did not make any recommendation to the Security Council pursuant to Article 11 (2), with regard to specific questions relating to the maintenance of international peace and security, nor did it request action from the Council. Moreover, the General Assembly did not draw the attention of the Security Council to any situations under Article 11 (3).<sup>5</sup>

<sup>3</sup> S/PV.7052, pp. 31-32; S/PV.7052 (Resumption 1), p. 2 (Ukraine).

<sup>4</sup> S/PV.6870, p. 32 (Islamic Republic of Iran).

<sup>5</sup> For information on other referrals to the Security Council, see part VI, sect. I, "Referral of disputes or situations to the Security Council".

Table 2

**Recommendations to the Security Council in resolutions of the General Assembly**

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*General Assembly resolution and date*

*Provisions*

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**Situation in the Syrian Arab Republic**

[66/253 B](#)

3 August 2012

Stresses again the importance of ensuring accountability and the need to end impunity and hold to account those responsible for human rights violations, including those violations that may amount to crimes against humanity (para. 8)

Encourages the Security Council to consider appropriate measures in this regard (para. 9)

*See also General Assembly resolution [67/262](#), paras. 8 and 9*

**Situation of human rights in the Syrian Arab Republic**

[68/182](#)

18 December 2013

Stresses the importance of ensuring accountability and the need to end impunity and hold to account those responsible for violations of international humanitarian law and violations and abuses of human rights, including those violations that may amount to crimes against humanity, notably in the Ghouta area of Damascus on 21 August 2013, encourages the Security Council to consider appropriate measures to ensure accountability in the Syrian Arab Republic, and stresses the important role that international criminal justice could play in this regard (para. 10)

**Declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels**

[67/1](#)

24 September 2012

Recognizing the role under the Charter of the United Nations of effective collective measures in maintaining and restoring international peace and security, we encourage the Security Council to continue to ensure that sanctions are carefully targeted, in support of clear objectives and designed carefully so as to minimize possible adverse consequences, and that fair and clear procedures are maintained and further developed (para. 29)

**Protection of human rights and fundamental freedoms while countering terrorism**

[68/178](#)

18 December 2013

Recognizes the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the ongoing efforts of the Security Council in support of these objectives, including by supporting the enhanced role of the office of the ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of these sanctions in countering terrorism (para. 11)

Welcomes the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its respective bodies, namely, the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate, with the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and the Counter-Terrorism Committee to strengthen the links, cooperation and dialogue with relevant human rights bodies, in particular with the Office of the High Commissioner, the Special Rapporteur, other relevant special procedures and mechanisms of the Human Rights Council and relevant treaty bodies, giving due regard to the promotion and protection of human rights and the rule of law in their ongoing work relating to counter-terrorism (para. 21)

**Pattern of conferences**

[68/251](#)

27 December 2013

Notes that the lists of individuals and entities subject to sanctions, according to the sanctions committees of the Security Council, have not yet been translated into all six official languages, reiterates its recommendation that the Informal Working Group on Documentation and Other Procedural Questions of the Security Council look further into the practices related to the issuance of these lists, including their translation, and requests the Secretary-General to report thereon at the sixty-ninth session of the General Assembly (para. 102)

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### Case 1 Implementation of the note by the President of the Security Council (S/2010/507)

At the 7052nd meeting, held on 29 October 2013 in connection with the implementation of the note by the President of the Security Council (S/2010/507), speakers made reference to the need for further interaction between the Security Council and the General Assembly as well as to the tension existing between Articles 10 and 30 of the Charter. While Article 30 provides that the Council shall adopt its own rules of procedure, Article 10 provided that the General Assembly may make recommendations to the Council on matters relating to its powers and functions. According to the representative of Malaysia, a key to resolving this tension would be to work together to help the Council to function more effectively and make the Council an organ that served the wider membership.<sup>6</sup> The representative of Ukraine said that the Council would benefit from “taking on board” innovative ideas of the wider United Nations membership.<sup>7</sup> The representative of the United States made reference to the need for the wider membership to be informed of and appropriately involved in the Council’s work in pursuance of Article 30.<sup>8</sup>

### C. Practice in relation to Article 12 of the Charter

#### Article 12

1. *While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.*

2. *The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in*

*session, immediately the Security Council ceases to deal with such matters.*

This subsection covers the practice of the Council in relation to Article 12 of the Charter. Article 12 (1) limits the authority of the General Assembly in respect to any dispute or situation while the Security Council is exercising its functions under the Charter and dealing with the dispute or situation. During the period under review, there was no reference to Article 12 (1) nor did the Council request the General Assembly to make a recommendation in respect of a dispute or situation in accordance with the exception provided for in Article 12 (1).

Article 12 (2) requires notification to the General Assembly by the Secretary-General of the matters relating to the maintenance of international peace and security which are being dealt with by the Security Council or with which the Council has ceased to deal. During the period under review, in accordance with Article 12 (2) of the Charter, the Secretary-General continued to notify the General Assembly of the matters relating to the maintenance of international peace and security which were being dealt with by the Security Council or with which the Council had ceased to deal.<sup>9</sup> The notifications were based on the summary statements of matters of which the Council was seized and the stage reached in their consideration, circulated each week to the members of the Council in accordance with rule 11 of the provisional rules of procedure of the Council.<sup>10</sup> The consent of the Council, required by Article 12 (2), was obtained through the circulation of the draft notifications by the Secretary-General to the members of the Council. Following receipt of the notifications, the General Assembly, at each session, formally took note of them.<sup>11</sup>

<sup>9</sup> See A/67/300 and A/68/300.

<sup>10</sup> For more information on the matters of which the Council is seized, see part II, sect. II.B.

<sup>11</sup> See General Assembly decisions 67/511 and 68/513.

<sup>6</sup> S/PV.7052, pp. 31-32.

<sup>7</sup> S/PV.7052 (Resumption 1), p. 2.

<sup>8</sup> S/PV.7052, p. 4.

## **D. Practice in relation to provisions of the Charter involving recommendations by the Security Council to the General Assembly**

### *Article 4*

1. *Membership in the United Nations is open to all other peace loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.*

2. *The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.*

### *Article 5*

*A member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.*

### *Article 6*

*A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.*

### *Article 93, paragraph 2*

*A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.*

### *Article 97*

*The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.*

### *Rule 60*

*The Security Council shall decide whether in its judgement the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter and, accordingly, whether to recommend the applicant State for membership.*

*If the Security Council recommends the applicant State for membership, it shall forward to the General Assembly the recommendation with a complete record of the discussion.*

*If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, it shall submit a special report to the General Assembly with a complete record of the discussion.*

*In order to ensure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendation not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session ...*

On a number of matters, the Charter provides for joint decision-making by the Security Council and the General Assembly, but requires the decision of the Council to be taken first. This is the case with respect to the admission, suspension or expulsion of Members (Articles 4, 5 and 6), the appointment of the Secretary-General (Article 97) and the conditions under which a State that is not a member of the United Nations may become a party to the Statute of the International Court of Justice (Article 93 (2)).<sup>12</sup> In addition, the statutes of the International Tribunal for the Former Yugoslavia

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<sup>12</sup> The Statute of the International Court of Justice provides for the Security Council to make recommendations to the General Assembly regarding the conditions under which a State which is a party to the Statute but is not a member of the United Nations may participate in electing members of the Court, and in making amendments to the Statute (Articles 4(3) and 69 of the Statute).



and the International Criminal Tribunal for Rwanda<sup>13</sup> provide for the Security Council to submit a list of candidates to the General Assembly from which the Assembly will elect the judges of the Tribunals.<sup>14</sup> Similarly, the statute of the International Residual Mechanism for Criminal Tribunals provides that the judges of the Mechanism shall be elected by the General Assembly from a list submitted by the Security Council.<sup>15</sup>

During the period under review, no questions arose concerning the conditions of accession to the Statute of the International Court of Justice and no action was taken regarding the election of judges of the Mechanism. While references were made to Articles 4 and 6 of the Charter, there was also no action with regard to the admission of new Members or the election of the Secretary-General. With regard to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, there were no elections of judges but the Council took decisions on matters relating to terms of office of judges, and the statutory limits for the number of *ad litem* judges, as shown in table 3.

#### **Membership in the United Nations: references to Articles 4 and 6**

##### *Article 4*

On 29 November 2012, the General Assembly decided to accord Palestine non-member observer State

status.<sup>16</sup> At the 6906th meeting of the Security Council, on 23 January 2013, the representative of Palestine expressed the hope that the decision would pave the way for the acceptance of the application by Palestine for admission to full membership in the United Nations.<sup>17</sup> The representative of the United States, however, affirmed her country's position, namely, that the resolution did not bestow Palestinian statehood or recognition and that therefore any reference to the State of Palestine in the United Nations, including "on the placard in the Security Council", did not reflect the acquiescence of the United States to the view that Palestine was a State.<sup>18</sup> The representative of Canada was also critical of the participation of the Palestinians under the name of the State of Palestine, and said that it risked giving the false impression that Palestine had achieved statehood. He confirmed that Canada would continue to oppose any attempts to appropriate a higher status.<sup>19</sup> The representative of Japan urged Palestine to exercise prudence with respect to its conduct, such as applying for membership in international organizations.<sup>20</sup> The representative of Togo said that, while granting Palestine the status of observer State in the United Nations gave rise to hope, concerns remained over the definition of the territories comprising the State.<sup>21</sup> The representative of Lebanon stated that Palestine ought to be granted full membership in the Organization and expressed the hope that the Council, on the basis of Article 4 of the Charter, would recommend to the General Assembly the admission of Palestine as a full Member of the United Nations.<sup>22</sup>

##### *Article 6*

At the 6866th meeting, held on 20 November 2012 under the item entitled "The situation concerning

<sup>13</sup> The full titles of the two Tribunals are: 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, and International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994.

<sup>14</sup> The procedure for the election of judges of the two Tribunals is set out in article 13 (2), (3) and (4) of the statute of the International Tribunal for the Former Yugoslavia and article 12 (2), (3), (4) and (5) of the statute of the International Criminal Tribunal for Rwanda.

<sup>15</sup> See article 10 of the statute attached as annex 1 to resolution [1966 \(2010\)](#).

<sup>16</sup> Resolution [67/19](#).

<sup>17</sup> [S/PV.6906](#), p. 6.

<sup>18</sup> *Ibid.*, p. 12.

<sup>19</sup> [S/PV.6906 \(Resumption 1\)](#), p. 33.

<sup>20</sup> *Ibid.*, p. 11.

<sup>21</sup> [S/PV.6906](#), pp. 25-26.

<sup>22</sup> *Ibid.*, p. 31. The representatives of India, Indonesia, Cuba, the Bolivarian Republic of Venezuela, Namibia, Qatar and Nigeria also expressed their support to Palestine becoming a full member of the United Nations (see [S/PV.6906 \(Resumption 1\)](#), p. 20 (India), p. 27 (Indonesia), p. 29 (Cuba), p. 32 (Bolivarian Republic of Venezuela), p. 34 (Namibia), p. 36 (Qatar), and p. 38 (Nigeria)).

the Democratic Republic of the Congo”, the representative of the Democratic Republic of the Congo alleged that the responsibility of Rwanda had been established in the destabilization of the country, in human rights violations as well as in the humanitarian tragedy affecting the people of North Kivu. Proposing a series of Council actions, he said that the Council should recall that, in accordance with Article 6 of the Charter, a Member that persistently violates the principles of the Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.<sup>23</sup>

### Term of office of judges of the International Tribunals

During the period under review, in response to requests made by its two subsidiary organs, the International Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda, the Council adopted four resolutions under Chapter VII of the Charter concerning the extension of the term of office of judges as well as some other aspects of the management of the two Tribunals.

<sup>23</sup> S/PV.6866, p. 3.

With regard to the International Tribunal for the Former Yugoslavia, the Council decided to extend the term of office of the permanent and ad litem judges: in the first instance, until 1 June and 31 December 2013, or the completion of the cases to which the judges were assigned, if sooner; and subsequently until 31 December 2014 or the completion of the cases to which they were assigned, if sooner.

With regard to the International Criminal Tribunal for Rwanda, the Council decided to extend the term of ad litem judges until 31 December 2012 or until the completion of the *Ngirabatware* case, and of one permanent judge, on an exceptional basis, until 31 December 2014 so that he could continue to perform the functions required of him as trial judge and President of the Tribunal. Subsequently, the Council extended the term of office of permanent judges who were members of the Appeals Chamber, until 31 December 2014.

The Council transmitted all four resolutions to the General Assembly and the Assembly decided, in turn, to endorse those decisions of the Council (see table 3).<sup>24</sup>

<sup>24</sup> For details of the mandate of the two Tribunals, see part IX, sect. IV, “Tribunals”.

Table 3

### Actions of the Security Council and the General Assembly concerning judges of the International Tribunals for the Former Yugoslavia and Rwanda

<i>Letter from the Secretary-General transmitting the request from the Tribunal</i>	<i>Security Council resolution and date</i>	<i>Transmission to the General Assembly</i>	<i>General Assembly resolution and date</i>
<b>International Tribunal for the Former Yugoslavia</b>			
S/2012/845, transmitting request for extension of the term of office of 13 permanent judges of the Trial and Appeals Chambers and 8 ad litem judges of the Trial Chamber of the Tribunal beyond 31 December 2012	2081 (2012) 17 December 2012	A/67/653	67/417 24 December 2012
S/2013/685, transmitting request for extension of the term of office of 14 permanent judges of the Trial and Appeals Chambers and 3 ad litem judges of the Trial Chamber of the Tribunal beyond 31 December 2013	2130 (2013) 18 December 2013	A/68/668	68/413 B 23 December 2013
<b>International Criminal Tribunal for Rwanda</b>			
S/2012/392, transmitting request for (a) extension of the term of office of one permanent judge and two ad litem judges of the Trial Chamber of the Tribunal until 31 December 2012 or until completion of the <i>Ngirabatware</i> case; and (b) extension of the term of office of the President of the Tribunal until 31 December 2014	2054 (2012) 29 June 2012	A/66/870	66/418 B 23 July 2012

<i>Letter from the Secretary-General transmitting the request from the Tribunal</i>	<i>Security Council resolution and date</i>	<i>Transmission to the General Assembly</i>	<i>General Assembly resolution and date</i>
S/2012/893, transmitting request for extension of the term of office of five permanent judges of the Appeals Chamber of the Tribunal until 31 December 2014	2080 (2012) 12 December 2012	A/67/652	67/416 24 December 2012

## E. Election of members of the International Court of Justice

### *Rule 40*

*Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice.*

### *Rule 61*

*Any meeting of the Security Council held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.*

The election of members of the International Court of Justice requires action by the Security Council and the General Assembly, the two organs proceeding independently of one another. The procedure for the election is set out in rules 40<sup>25</sup> and 61 of the provisional rules of procedure of the Security Council, Articles 4, 8, 10 to 12, 14 and 15 of the Statute of the

International Court of Justice,<sup>26</sup> and rules 150 and 151 of the rules of procedure of the General Assembly.<sup>27</sup>

During the period under review, the Council conducted one election in 2012 to fill a vacancy created by the resignation of a member of the Court. Further to the note of the Secretary-General informing the Council of the occurrence of a vacancy in the Court on 31 December 2011, on 19 January 2012 the Council adopted, without a vote, resolution 2034 (2012), in which it noted with regret the resignation of Judge Awn Shawkat Al-Khasawneh and decided, under Article 14 of the Statute of the Court, that the election to fill the vacancy for the remainder of the term of Judge Al-Khasawneh<sup>28</sup> should be held on 27 April 2012 at concurrent meetings of the Security Council and the General Assembly at its sixty-sixth session.

At its 6763rd meeting, the Council elected Mr. Dalveer Bhandari to fill the vacancy. The same candidate received an absolute majority of the votes in the General Assembly and was therefore elected a member of the International Court of Justice. For details of the procedure for that election, see table 4.

<sup>25</sup> Rule 40 of the provisional rules of procedure is also covered in part II, sect. VIII, "Decision-making and voting".

<sup>26</sup> Articles 4, 10 to 12, 14 and 15 of the Statute of the International Court of Justice establish the procedure for (a) the nomination of the judges by the national groups in the Permanent Court of Arbitration, (b) the majority necessary for the election of judges, (c) the number of meetings to be held for the purpose of the election of judges, (d) the holding of a joint conference in the event of more than three meetings of the Security Council and the General Assembly, (e) the procedure for the filling of vacancies and (f) the term of office applied to judges elected to fill a vacancy. Article 8 provides that the two organs shall proceed independently.

<sup>27</sup> Rules 150 and 151 of the rules of procedure of the General Assembly provide that the election of the members of the Court shall take place in accordance with the Statute of the Court and that any meeting of the General Assembly held in pursuance of the Statute of the Court for the purpose of electing members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

<sup>28</sup> Article 15 of the Statute of the Court provides that a member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of the predecessor's term.

Table 4

**Concurrent elections of a member of the International Court of Justice to fill a vacancy due to the resignation of the incumbent**

<i>Note by the Secretary-General</i>	<i>Council meeting setting the date of the election</i>	<i>Council resolution deciding the date of the election</i>	<i>Council meeting on the election</i>	<i>General Assembly plenary meeting on the election</i>
<a href="#">S/2012/38</a>	<a href="#">S/PV.6704</a> 19 January 2012	<a href="#">2034 (2012)</a>	<a href="#">S/PV.6763</a> 27 April 2012	107th 27 April 2012

**F. Annual and special reports of the Security Council to the General Assembly**

*Article 15, paragraph 1*

*The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.*

*Article 24, paragraph 3*

*The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.*

*Rule 60, paragraph 3*

*If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, it shall submit a special report to the General Assembly with a complete record of the discussion.*

During 2012 and 2013, the Council maintained its practice of submitting annual reports to the General Assembly pursuant to Article 24 (3) of the Charter. No special reports were submitted to the Assembly during the period.

Two annual reports were submitted to the General Assembly, covering the periods from 1 August 2011 to 31 July 2012 and from 1 August 2012 to 31 July 2013, respectively.<sup>29</sup> The introduction to the annual report was prepared under the leadership and responsibility of the President of the Council for the month of July in accordance with the note by the President of 26 July

<sup>29</sup> [A/67/2](#) (1 August 2011 to 31 July 2012) and [A/68/2](#) (1 August 2012 to 31 July 2013).

2010;<sup>30</sup> by Colombia in July 2012 and by the United States in July 2013.

The Council considered and adopted without a vote the draft annual reports at its 6856th and 7053rd meetings, on 8 November 2012 and 13 October 2013, respectively.<sup>31</sup> At the 6856th meeting, the representative of Colombia provided statistics of the Council's work over the period covered by the annual report as well as a detailed account of the situations dealt with by the Council.<sup>32</sup> At the 7053rd meeting, the representative of the United States noted that the report included a comprehensive account of all the meetings and activities of the Council, summarized with the aim of striking "a careful balance so as to maintain a useful amount of substance while also keeping the report as concise and readable as possible";<sup>33</sup> he added that it relied primarily on the monthly assessments prepared by former Presidents of the Council.

The General Assembly considered the annual reports at its sixty-seventh and sixty-eighth sessions under the items entitled "Report of the Security Council" and "Question of equitable representation on and increase in the membership of the Security Council and related matters", on 15 November 2012 and 7 November 2013, respectively.<sup>34</sup> In addition, as in previous years, the General Assembly, in two resolutions adopted under the item entitled "Revitalization of the work of the General Assembly", welcomed the improvements in the quality of the annual reports and encouraged the Council to make further improvements, as necessary.<sup>35</sup>

<sup>30</sup> [S/2010/507](#), paras. 70-75.

<sup>31</sup> See [S/2012/815](#) and [S/2013/635](#).

<sup>32</sup> [S/PV.6856](#), pp. 2-4.

<sup>33</sup> [S/PV.7053](#), p. 2.

<sup>34</sup> See [A/67/PV.38](#), [A/67/PV.39](#) and [A/68/PV.46](#).

<sup>35</sup> General Assembly resolutions [66/294](#), para. 11, and [67/297](#), para. 10.

Two communications received contained an explicit reference to Article 24 (3), highlighting the need for accountability of the Security Council to the General Assembly.<sup>36</sup>

During the period under review, at a meeting concerning its working methods, the Council also considered measures to improve the annual report, as described in further detail in case 2.

### **Case 2 Implementation of the note by the President of the Security Council (S/2010/507)**

At the 6870th meeting, held on 26 November 2012 under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, prior to which a concept note was circulated by the representatives of India and Portugal,<sup>37</sup> speakers made reference to the need to improve the quality of the annual report by, inter alia, reinforcing aspects related to the interaction with non-members of the Council prior to the preparation of the report and providing more substantive information

in the report;<sup>38</sup> including more analysis in the monthly assessments, including more information on consultations of the whole;<sup>39</sup> being more expansive, analytical and self-critical;<sup>40</sup> and including more analysis in the annual report.<sup>41</sup> The representatives of Egypt and the Islamic Republic of Iran emphasized the need for the annual reports to include detailed information on the background behind the decisions of the Council.<sup>42</sup> The representatives of Egypt and Cuba called for greater accountability towards the General Assembly and added that the Council should submit special reports for the General Assembly’s consideration, pursuant to Article 15 (1) and Article 24 (3) of the Charter.<sup>43</sup>

### **G. Relations with subsidiary organs established by the General Assembly**

During 2011 and 2012, representatives of only two subsidiary organs of the General Assembly, namely, the Peacebuilding Commission and the Committee on the Exercise of the Inalienable Rights of the Palestinian People, participated in the work of the Council, either because the Council invited them to participate in its meetings and vice versa (Committee on the Exercise of the Inalienable Rights of the Palestinian People), or because of its inherent relationship with the Council (Peacebuilding Commission). Relations with the Peacebuilding Commission, a joint subsidiary organ of the Security Council and the General Assembly, are covered in detail in part IX, section VII.

<sup>36</sup> Letters dated 8 October 2012 and 15 November 2012 from the representative of the Islamic Republic of Iran, in his capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, addressed to the Secretary-General (S/2012/752) and to the Secretary-General and the President of the Security Council (S/2012/831), transmitting the view of the Heads of State or Government of the Non-Aligned Movement “that the Council should report and be accountable to the General Assembly in accordance with Article 24 (3) of the Charter”.

<sup>37</sup> See S/2012/853. It was suggested in the concept note that consideration should be given during the debate to ensuring more informative annual reporting of the Security Council to the General Assembly by encouraging interactive consultations with the wider membership before adoption and submission of the reports to the Assembly and by devising ways to ensure that more substantive and analytical information was provided on situations under the Council’s consideration, on the work of its subsidiary bodies and on its working methods.

<sup>38</sup> S/PV.6870, p. 3 (Portugal).

<sup>39</sup> Ibid., p. 7 (Azerbaijan).

<sup>40</sup> Ibid., p. 9 (United Kingdom).

<sup>41</sup> Ibid., p. 28 (Egypt); p. 31 (Islamic Republic of Iran); p. 33 (Ireland); S/PV.6870 (Resumption 1), pp. 6-7 (Sweden); and p. 13 (Cuba).

<sup>42</sup> S/PV.6870, p. 29 (Egypt); and pp. 31-32 (Islamic Republic of Iran).

<sup>43</sup> Ibid., p. 29 (Egypt); and S/PV.6870 (Resumption 1), p. 13 (Cuba).

The Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People participated in eight meetings of the Council concerning the situation in the Middle East, including the Palestinian question.<sup>44</sup> On the occasion of the International Day of Solidarity with the Palestinian People, the President of the Security Council participated in two meetings of the Committee.<sup>45</sup>

Several decisions adopted by the Security Council contained references to two other subsidiary organs of the General Assembly, the Human Rights Council and the Ad Hoc Committee established by

<sup>44</sup> See [S/PV.6706 \(Resumption 1\)](#), p. 7; [S/PV.6757 \(Resumption 1\)](#), p. 13; [S/PV.6816](#), p. 2; [S/PV.6847 \(Resumption 1\)](#), p. 2; [S/PV.6906 \(Resumption 1\)](#), p. 16; [S/PV.6950 \(Resumption 1\)](#), p. 10; [S/PV.7007](#), p. 37; and [S/PV.7047](#), p. 35.

<sup>45</sup> 347th and 356th meetings, held on 29 November 2012 and 25 November 2013, respectively ([A/AC.183/PV.347](#) and [A/AC.183/PV.356](#)).

General Assembly resolution [51/210](#).<sup>46</sup> In its decisions, the Council welcomed Member State support to the special procedures as well as to the universal periodic review mechanism of the Human Rights Council. In some cases, the Council urged implementation of the recommendations of those mechanisms and took note of the reports issued by the investigative mechanisms of the Human Rights Council. The Council also called for the United Nations Operation in Côte d'Ivoire to cooperate in the promotion and protection of human rights with the independent expert established by the Human Rights Council. Table 5 shows all provisions of decisions of the Council making explicit reference to the above-mentioned subsidiary organs of the General Assembly.

<sup>46</sup> By resolution [51/210](#) the General Assembly established an Ad Hoc Committee to elaborate an international convention for the suppression of terrorist bombings and, subsequently, an international convention for the suppression of acts of nuclear terrorism, to supplement related existing international instruments, and thereafter to address means of further developing a comprehensive legal framework of conventions dealing with international terrorism (para. 9).

Table 5

**Security Council decisions containing references to subsidiary organs of the General Assembly**

<i>Decision and date</i>	<i>Provision</i>
<b>Human Rights Council</b>	
<b>The situation in the Central African Republic</b>	
Resolution <a href="#">2121 (2013)</a> 10 October 2013	Noting with appreciation Human Rights Council resolution 24/34 of 25 September 2013, in which the Council decided to appoint an independent expert to monitor the situation of human rights in the Central African Republic and to make recommendations concerning technical assistance and capacity-building in the field of human rights (sixth preambular paragraph)
<b>The situation in Côte d'Ivoire</b>	
Resolution <a href="#">2112 (2013)</a> 30 July 2013	Decides further that the mandate of the United Nations Operation in Côte d'Ivoire shall be the following: <ul style="list-style-type: none"> <li>(f) <i>Support for compliance with international humanitarian and human rights law</i> <ul style="list-style-type: none"> <li>– To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to grave violations and abuses committed against children and women, notably sexual and gender-based violence, in close coordination with the independent expert established pursuant to Human Rights Council resolution 17/21 of 17 June 2011 (para. 6)</li> </ul> </li> </ul>

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*Decision and date**Provision*

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**The situation in Libya**Resolution [2040 \(2012\)](#)  
12 March 2012

Taking note further of its briefing by the United Nations High Commissioner for Human Rights on 25 January 2012 and the report of the International Commission of Inquiry on Libya to the Human Rights Council of 2 March 2012 (eighteenth preambular paragraph)

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**The situation in Sierra Leone**Resolution [2065 \(2012\)](#)  
12 September 2012

Urges the Government of Sierra Leone to continue its efforts to hold regular, inclusive and genuine dialogue with all relevant national and international stakeholders on Sierra Leone's peacebuilding and development goals, and further urges the Government to ensure that the forthcoming Agenda for Prosperity continues to build on progress achieved in strengthening the political, security, justice and human rights institutions in the country, including through implementation of the recommendations of the Truth and Reconciliation Commission and Sierra Leone's universal periodic review by the Human Rights Council (para. 8)

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**The situation in Timor-Leste**Resolution [2037 \(2012\)](#)  
23 February 2012

Welcoming also the positive engagement and constructive response by the Government of Timor-Leste following the review of its national report through the universal periodic review mechanism of the Human Rights Council (nineteenth preambular paragraph)

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**The situation concerning Western Sahara**Resolution [2044 \(2012\)](#)  
24 April 2012

Welcoming the opening of National Council on Human Rights regional commissions operating in Dakhla and Laayoune, and the steps taken by Morocco in order to fulfil its commitment to ensure unqualified and unimpeded access to all special procedures of the United Nations Human Rights Council (thirteenth preambular paragraph)

Resolution [2099 \(2013\)](#)  
25 April 2013

Recognizing and welcoming, in this regard, the steps taken by Morocco to strengthen the National Council on Human Rights regional commissions operating in Dakhla and Laayoune, and Morocco's ongoing interaction with special procedures of the United Nations Human Rights Council, including those planned for 2013 (fourteenth preambular paragraph)

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**Ad Hoc Committee established by General Assembly resolution [51/210](#) of 17 December 1996**

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**Peace and security in Africa**[S/PRST/2013/5](#)  
13 May 2013The Council recalls its resolutions [1267 \(1999\)](#) and [1989 \(2011\)](#), [1373 \(2001\)](#), [1540 \(2004\)](#) and [1624 \(2005\)](#), as well as other applicable international counter-terrorism instruments, stresses the need for their full implementation, renews its call upon States to consider becoming parties as soon as possible to all relevant international conventions and protocols and to fully implement their obligations under those to which they are parties and notes the decision by the Ad Hoc Committee established by General Assembly resolution [51/210](#) of 17 December 1996, noting that more time was required to achieve substantive progress on the outstanding issues, to recommend that the Sixth Committee, at the sixty-ninth session of the General Assembly, establish a working group with a view to finalizing the process on the draft comprehensive convention on international terrorism (eleventh paragraph)

The activities and the reports of the Human Rights Council were also referred to in numerous Council deliberations on country- and region-specific matters including the situation in the Middle East (specifically the Syrian Arab Republic and Yemen), the situation in the Middle East, including the Palestinian question, Libya and Timor-Leste, as well as thematic issues such as the protection of civilians and women and peace and security. With regard to the two latter items, the Council considered the interaction between the Security Council and the subsidiary organs established by the General Assembly, as described in cases 3 and 4. Furthermore, the Council specifically recognized the investigative functions performed by the Human Rights Council.<sup>47</sup>

### **Case 3 Women and peace and security**

At three meetings concerning the item entitled “Women and peace and security”, the representatives of the Russian Federation and China pointed to the fact that certain themes, such as countering sexual violence, were also covered by other organs of the United Nations, namely, the General Assembly, the Human Rights Council, the Peacebuilding Commission and the Commission on the Status of Women. In their opinion, a clear division of labour was called for to avoid duplication of efforts and intruding “upon one another’s areas of authority” and to foster synergy and strengthen the exchange of information and communication. They emphasized the need for the Council to focus on threats to international peace and security. The representative of the Russian Federation added that the Council should focus on situations where sexual violence was one of the primary issues in terms of the protection of civilians.<sup>48</sup>

### **Case 4 Protection of civilians**

At the 6790th meeting, on 25 June 2012, the United Nations High Commissioner for Human Rights, referring to the report of the Secretary-General on the protection of civilians in armed conflict, welcomed the

Council’s increased practice of referring to the findings of commissions of inquiry established by other bodies. He highlighted the Council’s potential to play an important role in enhancing the impact of the work of commissions, which were important mechanisms for promoting accountability, by requesting States and other actors to cooperate with them.<sup>49</sup> Other speakers echoed that view during the debate. They emphasized the ability of the Council to strengthen accountability by taking measures on the basis of the results of the commissions of inquiry and other fact-finding missions.<sup>50</sup>

## **H. Other Security Council practice bearing on relations with the General Assembly**

During the period under review, the President of the General Assembly did not participate in any meeting of the Security Council. The General Assembly did not convoke any special sessions at the request of the Security Council under Article 20 of the Charter or emergency special sessions pursuant to General Assembly resolution 377 A (V) of 3 November 1950.

The President of the Security Council, at the invitation of the General Assembly,<sup>51</sup> did address the high-level meeting of the General Assembly on the rule of law at the national and international levels held on 24 September 2012.<sup>52</sup> In his statement, he said that thematic and country-specific decisions adopted by the Council since 2003 had regularly addressed issues related to the rule of law in both its international and national dimensions.<sup>53</sup>

A number of resolutions and presidential statements adopted by the Council during 2012 and 2013 made reference to the General Assembly in connection with policy and implementation issues other than those covered in subsections A, D, E and G above. In particular, the Council stressed the

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<sup>47</sup> For more information, see part VI, sect. II.C, “Other instances of investigative functions acknowledged by the Security Council”.

<sup>48</sup> [S/PV.6722](#), p. 15 (Russian Federation); p. 24 (China); [S/PV.6877](#), p. 15 (Russian Federation); p. 24 (China); and [S/PV.6948](#), p. 12 (China); p. 20 (Russian Federation).

<sup>49</sup> Statement delivered by the Assistant Secretary-General, Head of the New York Office of the High Commissioner for Human Rights ([S/PV.6790](#), p. 5).

<sup>50</sup> [S/PV.6790](#), p. 16 (Portugal); and p. 29 (Liechtenstein).

<sup>51</sup> See General Assembly resolution [66/102](#), para. 15 (b).

<sup>52</sup> The high-level meeting was held at the sixty-seventh session pursuant to General Assembly resolution [66/102](#) (see [A/67/PV.3](#)).

<sup>53</sup> [A/67/PV.3](#), p. 5.



importance of the continued implementation of the United Nations Global Counter-Terrorism Strategy,<sup>54</sup> and welcomed the third review of the Strategy by the General Assembly in June 2012 as well as the creation of the United Nations Counter-Terrorism Centre<sup>55</sup> and the Counter-Terrorism Implementation Task Force.<sup>56</sup> In addition, the Council requested the Secretary-General to brief the Council and the General Assembly on further progress in the United Nations peacebuilding efforts in the aftermath of conflict, including the issue of the participation of women in peacebuilding, and lessons learned from peacebuilding activities in country-specific contexts, taking into consideration the views of the Peacebuilding Commission.<sup>57</sup>

In a presidential statement issued in relation to illicit cross-border trafficking and movement under the item entitled “Threats to international peace and security”, the Council recognized that the subject often involved cross-cutting issues, many of which were considered by the General Assembly and other United Nations organs and bodies.<sup>58</sup>

Against the backdrop of the Syrian conflict and under the item entitled “The situation in the Middle East”, the Council reaffirmed in several decisions its

support for the Joint Special Envoy of the United Nations and the League of Arab States appointed pursuant to General Assembly resolution 66/253 A of 16 February 2012.<sup>59</sup>

During the period under review, the deliberations in the Council on a number of agenda items reflected a shared conviction among Member States of the need to improve the coordination and interaction of the Council with other organs of the United Nations, including the General Assembly, while respecting the boundaries established by the Charter.<sup>60</sup>

<sup>54</sup> S/PRST/2012/17, nineteenth paragraph; and S/PRST/2013/1, sixth paragraph.

<sup>55</sup> S/PRST/2012/17, twenty-seventh paragraph.

<sup>56</sup> Resolution 2083 (2012), fifteenth preambular paragraph.

<sup>57</sup> S/PRST/2012/29, nineteenth paragraph.

<sup>58</sup> S/PRST/2012/16, second paragraph. During the debate that followed the adoption of the presidential statement, Council members made reference to the need for better coordination between United Nations organs, including the General Assembly, within the functions and competencies assigned to each by the Charter (see S/PV.6760). In the monthly assessment for November 2012 (S/2012/957), it was noted that, in informal consultations on illegal trafficking, some Council members cautioned against the Council “usurping” issues that should be addressed by the General Assembly.

<sup>59</sup> S/PRST/2012/6, fourth paragraph, resolution 2042 (2012), second preambular paragraph, and resolution 2043 (2012), second preambular paragraph. The Council continued to be briefed by the Special Adviser to the Secretary-General on Myanmar in the implementation of the good offices role entrusted to him by the General Assembly (see A/69/2, introduction). The Council was also briefed on multiple occasions by the Special Coordinator for the Middle East Peace Process on the developments in the region, including the Palestinian question. For information on all briefings on this question under rule 39, see part I, sect. 22.

<sup>60</sup> See S/PV.6705, p. 12 (Colombia) (The promotion and strengthening of the rule of law in the maintenance of international peace and security); S/PV.6760, p. 4 (Portugal) (Threats to international peace and security); S/PV.6765, p. 18 (South Africa) (Threats to international peace and security caused by terrorist acts); S/PV.6789, p. 16 (Colombia) (United Nations peacekeeping operations); S/PV.6870, p. 6 (Russian Federation), p. 10 (China), p. 11 (Pakistan), p. 29 (Egypt), and S/PV.6870 (Resumption 1), p. 10 (Senegal) (Implementation of the note by the President of the Security Council (S/2010/507)); S/PV.6877, p. 24 (China) (Women and peace and security); S/PV.6982, pp. 15-16 (China) (Maintenance of international peace and security); S/PV.7052, p. 12 (Republic of Korea), p. 20 (Portugal), p. 24 (Brazil), and S/PV.7052 (Resumption 1), p. 2 (Ukraine), p. 10 (Turkey) (Implementation of the note by the President of the Security Council (S/2010/507)).

## II. Relations with the Economic and Social Council

### Article 65

*The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.*

### Note

Section II concerns the relationship between the Security Council and the Economic and Social Council during the period under review, with a particular focus on the practice in relation to Article 65 of the Charter. Subsection A covers deliberations in the Security Council and subsection B surveys communications concerning relations with the Economic and Social Council. In 2012 and 2013, there were no briefings by the President of the Economic and Social Council and the Security Council adopted no decision in which reference was made either to the Economic and Social Council or to Article 65 of the Charter.

### A. Discussion concerning relations with the Economic and Social Council

At meetings of the Security Council, speakers made reference to the relations between the Security Council and the Economic and Social Council in the context of other organs but no deliberations amounted to a constitutional discussion. At the 6805th meeting, held on 12 July 2012 under the item entitled “Post-conflict peacebuilding”, some speakers expressed appreciation for the cooperative relationship between the Peacebuilding Commission and the Economic and Social Council and said that it testified to the increasingly integrated approach to peacebuilding, in recognition of the link between security and development.<sup>61</sup>

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<sup>61</sup> S/PV.6805, p. 4 (former Chair of the Peacebuilding Commission); p. 22 (South Africa); p. 25 (Morocco); and p. 28 (France).

### B. Communications concerning relations with the Economic and Social Council

During the period under review, no explicit references were made to Article 65 of the Charter in the communications received by the Security Council. Several communications did however touch upon the relations with the Economic and Social Council, for example the letter dated 15 November 2012 from the representative of the Islamic Republic of Iran transmitting excerpts from the final document of the Sixteenth Conference of Heads of State or Government of the Non-Aligned Movement, held in Tehran in August 2012, concerning the working methods of the Security Council, including relations with other United Nations organs. The Heads of State or Government expressed concern over the continuing encroachment by the Security Council on the functions and powers of the General Assembly and the Economic and Social Council and the Security Council’s use of thematic issues to expand its mandate into areas which did not pose a threat to international peace and security.<sup>62</sup> They further stressed the necessity to promote the institutional relation between the Peacebuilding Commission and the General Assembly, the Security Council and the Economic and Social Council.<sup>63</sup> Attention is also drawn to the letter dated 30 December 2013 from the Chair of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, transmitting the annual report of the Working Group for 2013, in which it was stated that the Working Group’s role in promoting cooperation between the Economic and Social Council and the Security Council had become irrelevant with the establishment of the Peacebuilding Commission, whose Chair reported directly to the Security Council.<sup>64</sup>

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<sup>62</sup> S/2012/831, annex, para. 82.

<sup>63</sup> Ibid., para. 111.

<sup>64</sup> S/2013/778, para. 5.

### III. Relations with the International Court of Justice

#### Article 94

1. *Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.*

2. *If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.*

#### Article 96

1. *The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.*

2. *Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.*

#### Note

Section III concerns the relationship between the Security Council and the International Court of Justice. In accordance with Article 94 of the Charter, the Council may make recommendations or decide upon measures to be taken to give effect to the judgment rendered by the Court if a party to a case fails to perform its obligations under that judgment. The Council may also request the Court to give an advisory opinion on any legal question pursuant to Article 96. Pursuant to Article 41 of the Statute of the International Court of Justice, notice of any provisional measures may be given by the Court to the parties and to the Security Council.

During the period under review, the Council did not make any recommendations or decide on any measures with regard to the judgments rendered by the Court, nor did it request the Court to give an advisory opinion on any legal question. The President of the International Court of Justice was invited to participate

in one private meeting of the Security Council under the item entitled “Briefing by the President of the International Court of Justice”.<sup>65</sup> For information on the election of members of the International Court of Justice by the Security Council and the General Assembly, see section I.E above.

This section comprises two subsections. Subsection A covers decisions and communications concerning relations with the International Court of Justice and subsection B features the discussion in the Council concerning relations with the Court.

#### A. Decisions and communications concerning relations with the International Court of Justice

During 2012 and 2013, the Security Council adopted no decision containing an explicit reference to Articles 94 or 96 of the Charter. Following previous practice, however, the Council issued one presidential statement under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”, in which it emphasized the key role of the International Court of Justice in adjudicating disputes among States and the value of the work of the Court.<sup>66</sup>

Two communications, both from the representative of Honduras, contained explicit references to Article 94 of the Charter. In the letters, dated 26 October 2012 and 20 November 2013, with regard to the judgment of the International Court of Justice of 11 September 1992 in the case concerning the *Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening)*, Honduras requested the Security Council to act pursuant to Article 94 of the Charter.<sup>67</sup> Specifically, in the letter of 2013, Honduras called upon the Council to adopt a resolution to prevent an unnecessary conflict from arising in the Gulf of Fonseca and to make

<sup>65</sup> See [S/PV.7051](#).

<sup>66</sup> [S/PRST/2012/1](#), third paragraph.

<sup>67</sup> [S/2012/797](#) and [S/2013/688](#).

recommendations or decide upon measures consistent with the judgment of the Court.<sup>68</sup>

The Council continued to exchange letters with the Secretary-General concerning the continuation of activities and funding of the Cameroon-Nigeria Mixed Commission established to facilitate the implementation of the ruling of the International Court of Justice of 10 October 2002 on the land and maritime boundary between the two countries.<sup>69</sup>

## B. Discussion concerning relations with the International Court of Justice

In deliberations of the Council, speakers made reference to the advisory opinions of the International Court of Justice of 9 July 2004 and 22 July 2010, rendered in response to the requests by the General Assembly concerning the legal consequences of the construction of a wall in the occupied Palestinian territory<sup>70</sup> and the unilateral declaration of

independence by Kosovo,<sup>71</sup> respectively. No constitutional discussion arose, however.

During deliberations at the 6705th meeting, held on 19 January 2012 on the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”, one reference was made to Article 94 of the Charter.<sup>72</sup> At a subsequent meeting on the same item, speakers encouraged the more frequent recourse to the International Court of Justice as a means for the Council to promote the rule of law and for the maintenance of international peace and security.<sup>73</sup> At the 7052nd meeting, held on 29 October 2013 on the working methods of the Council, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, speakers expressed the view that the Council could consider requesting advisory opinions of the Court on issues related to the maintenance of international peace and security, and that the relationship between the two organs could be strengthened.<sup>74</sup>

<sup>68</sup> S/2013/688, paras. 6-7.

<sup>69</sup> S/2012/29, S/2012/954 and S/2012/955. The Secretary-General also reported on the progress of the implementation of the judgment of the Court in his reports on the activities of the United Nations Office for West Africa in 2012 and 2013 (S/2012/510, S/2012/977, S/2013/384 and S/2013/732).

<sup>70</sup> See, for example, S/PV.6706, p. 24 (Azerbaijan); and p. 33 (Lebanon); S/PV.6775, p. 3 (Special Coordinator for the Middle East Peace Process); S/PV.6788, pp. 2-3 (Assistant Secretary-General for Political Affairs); S/PV.6816, p. 4 (Special Coordinator for the Middle East Peace Process); S/PV.6824, p. 3 (Under-Secretary-General for Political Affairs); S/PV.6835, p. 3 (Special Coordinator for the Middle East Peace Process); S/PV.6847, pp. 3-4 (Under-Secretary-General for Political Affairs); S/PV.6906, p. 4 (Special Coordinator for the Middle East Peace Process); S/PV.6926, p. 3 (Under-Secretary-General for Political Affairs); S/PV.6950, p. 3 (Under-Secretary-General for Political Affairs); S/PV.6969, p. 3 (Special Coordinator for the Middle East Peace Process); S/PV.6986, p. 4 (Assistant Secretary-General for Political Affairs); S/PV.7007, p. 37 (Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People); and S/PV.7047, p. 47 (Jordan).

<sup>71</sup> See, for example, S/PV.6713, p. 15 (Azerbaijan); S/PV.6769, p. 24 (Azerbaijan); S/PV.6939, p. 8 (Hashim Thaçi); and S/PV.7064, p. 12 (Hashim Thaçi).

<sup>72</sup> S/PV.6705, p. 29 (Costa Rica).

<sup>73</sup> S/PV.6849, p. 12 (Pakistan); and S/PV.6849 (Resumption 1), p. 7 (Japan).

<sup>74</sup> S/PV.7052, p. 11 (Rwanda); and S/PV.7052 (Resumption 1), p. 9 (Belgium).

## **Part V**

### **Functions and powers of the Security Council**

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## **Introductory note**

Part V covers the functions and powers of the Security Council, as provided for in Articles 24, 25 and 26 of the Charter of the United Nations, and is accordingly divided into three sections. Under each section, implicit and explicit references to those Articles made in communications, decisions and meetings of the Council are described. Each section also includes case studies that examine specific instances in which those Articles were discussed or which otherwise illustrate how the Council has applied Articles 24, 25 and 26.

During the period under review, the Council referred to its primary responsibility for the maintenance of international peace and security, as provided for in Article 24, in 27 decisions, including in resolutions concerning sanctions measures on Guinea-Bissau and Libya. The primary responsibility of the Council was also discussed during meetings of the Council in connection with a wide range of issues, including the role of regional actors, the International Criminal Court and the working methods of the Council.

The Council invoked Article 25 in one resolution whereby it required the Syrian Arab Republic to cooperate with the Organization for the Prohibition of Chemical Weapons in destroying its chemical weapons. Article 26 was not referred to in any decisions of the Council, but was raised during discussions in the context of cooperation between the United Nations and regional and subregional organizations in the maintenance of international peace and security.

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## I. Primary responsibility of the Security Council for the maintenance of international peace and security under Article 24

### Article 24

1. *In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.*

2. *In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII and XII.*

3. *The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.*

### Note

Section I covers Article 24 of the Charter,<sup>1</sup> and is divided into two subsections. Subsection A covers decisions adopted in 2012 and 2013 that refer to the primary responsibility of the Security Council for the maintenance of international peace and security pursuant to Article 24. Subsection B examines discussions at Council meetings at which reference was made to the Council's primary mandate.

Article 24 was explicitly referred to at seven meetings of the Council, but only implicitly mentioned in decisions of the Council. Seven communications to

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<sup>1</sup> Article 24 (3), concerning the annual reports of the Security Council to the General Assembly, is dealt with in part IV.

the Council contained explicit references to Article 24.<sup>2</sup>

The role of regional actors, as well as international organizations or other organs of the United Nations, vis-à-vis the primary responsibility of the Council was also the subject of discussion in Council meetings, as was how the primary responsibility of the Council was exercised in areas such as addressing sexual violence in conflict and dealing with illicit cross-border flows.

### A. Decisions referring to the primary responsibility of the Security Council for the maintenance of international peace and security

During 2012 and 2013, there were no explicit references to Article 24 of the Charter in decisions adopted by the Council. However, the Council made implicit references to Article 24 in 13 resolutions and 14 presidential statements by referring to its "primary responsibility for the maintenance of international peace and security", as further described below. In a few instances, the Council referred to its primary responsibility for the maintenance of international peace and security in taking action under Chapter VII of the

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<sup>2</sup> See the following letters addressed to the President of the Council: letter dated 13 April 2012 from the representative of Egypt (S/2012/223); letter dated 23 April 2012 from the Secretary-General transmitting a letter dated 9 April 2012 from the representative of Guinea-Bissau (S/2012/254); letter dated 24 April 2012 from the representative of Egypt (S/2012/257); and letter dated 25 April 2013 from the representative of Jordan (S/2013/247); the following letters addressed to the Secretary-General: letter dated 1 October 2012 from the representative of Guatemala (S/2012/731); letter dated 8 October 2012 from the representative of the Islamic Republic of Iran (on behalf of the Non-Aligned Movement) (S/2012/752); and a letter dated 15 November 2012 from the representative of the Islamic Republic of Iran (on behalf of the Non-Aligned Movement) addressed to the Secretary-General and the President of the Security Council (A/67/580-S/2012/831).



Charter in connection with countries such as Guinea-Bissau, Libya and Haiti. Those references were usually made in the preambular paragraphs of resolutions and in the initial paragraphs of presidential statements.

The Council also reaffirmed or reiterated its primary responsibility at several meetings, including those at which it considered the role of Member States or regional and subregional organizations with regard to collective security.

### Resolutions

In 2012 and 2013, 13 resolutions contained implicit references to Article 24 (1). In those resolutions, the Council reaffirmed, recalled, reiterated, bore in mind or indicated that it was mindful of its primary responsibility for the maintenance of international peace and security. Eight of those resolutions were country-specific, whereas five concerned thematic items on the agenda of the Council.

In five of the eight country-specific resolutions, the Council took action explicitly under Chapter VII of the Charter. By those resolutions, the Council modified sanctions measures concerning Libya,<sup>3</sup> imposed sanctions measures relating to Guinea-Bissau,<sup>4</sup> and twice extended the mandate of the United Nations Stabilization Mission in Haiti.<sup>5</sup> With regard to the Sudan, the Council underlined the importance of the partnership between the United Nations and the African Union, without prejudice to its primary responsibility for the maintenance of peace and security,<sup>6</sup> having determined that the situation in the Sudan constituted a threat to international peace and security. Regarding the situation in the Middle East, specifically concerning Yemen, the Council again used the formula “mindful of its primary responsibility for the maintenance of international peace and security”,

in calling upon all sides in Yemen to reject the use of violence to achieve political goals.<sup>7</sup>

In the five resolutions concerning items of a thematic nature, the Council referred to its primary responsibility for the maintenance of peace and security in relation to the particular thematic item or in support of its action in the specific context of that item.<sup>8</sup> For example, the item entitled “Children and armed conflict”, the Council reiterated its commitment to addressing the widespread impact of armed conflict on children.<sup>9</sup> In connection with “Small arms and light weapons”, the Council noted the significance of small arms and light weapons as being the most frequently used weapons in the majority of recent armed conflicts, which posed threats to international peace and security and undermined the effectiveness of the Council in discharging its primary responsibility.<sup>10</sup> With regard to the item entitled “Women and peace and security”, bearing in mind the purposes and principles of the Charter and its primary responsibility, the Council reaffirmed that the empowerment of women and girls and gender equality were critical to efforts to maintain international peace and security, and expressed its intention to increase its attention to women and peace and security issues.<sup>11</sup>

### Presidential statements

The Council made implicit references to Article 24 in 14 presidential statements, reaffirming or reiterating its primary responsibility for the maintenance of international peace and security.

The Council referred implicitly to Article 24 to, *inter alia*, highlight the link between its own primary responsibility and the role or responsibility of other actors, namely, Member States and regional organizations, in the maintenance of peace and security. For example, in presidential statements concerning the maintenance of international peace and security and peace consolidation in West Africa, the Council

<sup>3</sup> Resolutions 2040 (2012), penultimate preambular paragraph, and 2095 (2013), ultimate preambular paragraph.

<sup>4</sup> Resolution 2048 (2012), twentieth (ultimate) preambular paragraph.

<sup>5</sup> Resolutions 2070 (2012), thirty-third preambular paragraph, and 2119 (2013), twenty-fourth preambular paragraph.

<sup>6</sup> Resolutions 2063 (2012), ninth preambular paragraph, and 2113 (2013), ninth preambular paragraph.

<sup>7</sup> Resolution 2051 (2012), fifteenth preambular paragraph and paragraph 2.

<sup>8</sup> Resolutions 2033 (2012), 2068 (2012), 2086 (2013), 2117 (2013) and 2122 (2013).

<sup>9</sup> Resolution 2068 (2012), second preambular paragraph.

<sup>10</sup> Resolution 2117 (2013), first and fourth preambular paragraphs.

<sup>11</sup> Resolution 2122 (2013), third and fourth preambular paragraphs and para. 3.

reaffirmed its own primary responsibility for the maintenance of international peace and security while noting the primary responsibility of States in the eradication of piracy and armed robbery at sea.<sup>12</sup> In various presidential statements on the items entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”, “Peace and security in Africa” and “The situation in the Middle East” the Council reaffirmed or reiterated its primary responsibility while recognizing the importance of cooperation with regional and subregional organizations in the maintenance of international peace and security. In those statements, the Council characterized cooperation with regional and subregional organizations as an “integral part” of collective security,<sup>13</sup> an “important pillar” of collective security,<sup>14</sup> or as something that could “improve” collective security.<sup>15</sup> For further information on the Council’s activities with regard to Chapter VIII of the Charter concerning the role of regional arrangements in the maintenance of international peace and security, see part VIII.

In a presidential statement concerning peace and security in Africa, the Council reaffirmed its primary responsibility and, recalling Articles 33 and 34 of the Charter, also reaffirmed its commitment to the settlement of disputes by peaceful means and to promoting necessary preventive action in response to disputes or situations likely to endanger the maintenance of international of international peace and security.<sup>16</sup> For a discussion of those articles and Chapter VI of the Charter on the pacific settlement of disputes, see part VI.

## **B. Discussions relating to the primary responsibility of the Security Council for the maintenance of international peace and security**

During the period under review, Article 24 was explicitly and implicitly referred to at numerous

<sup>12</sup> [S/PRST/2012/24](#), first paragraph, and [S/PRST/2013/13](#), first paragraph.

<sup>13</sup> [S/PRST/2013/12](#), second and third paragraphs.

<sup>14</sup> [S/PRST/2012/26](#), first paragraph.

<sup>15</sup> [S/PRST/2013/12](#), second and third paragraphs, and [S/PRST/2012/20](#), first and second paragraphs.

<sup>16</sup> [S/PRST/2013/4](#), first paragraph.

meetings of the Council. Explicit references to Article 24 during Council meetings covered issues such as the delineations of the Council’s role in the maintenance of international peace and security vis-à-vis other organs of the United Nations and other international organizations, and the interaction between Article 24 and other Articles of the Charter.<sup>17</sup>

The following case studies illustrate the broad range of issues discussed in 2012 and 2013 in connection with the application or interpretation of the primary responsibility of the Council under Article 24, namely, the role of regional arrangements vis-à-vis the primary responsibility of the Council in maintaining international peace and security (case 1); the promotion of the rule of law in maintaining international peace and security, including the relationship between the Council and the International Criminal Court (case 2); the role of the Council in addressing cross-border trafficking as a threat to international peace and security (case 3); improvements to the working methods of the Council (case 4); and the role of the Council in addressing sexual violence in conflict as part of its primary responsibility for the maintenance of international peace and security (case 5).

### **Case 1 Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security**

In 2012 and 2013, the Council held four meetings concerning its cooperation with regional and subregional organizations in the maintenance of international peace and security.<sup>18</sup> At the 6702nd meeting, on 12 January 2012, several speakers called

<sup>17</sup> Explicit references to Article 24 were made at the following meetings of the Council: [S/PV.6705](#), p. 17 (Pakistan); [S/PV.6706 \(Resumption 1\)](#), p. 10 (Jordan); [S/PV.6760](#), p. 16 (South Africa); p. 17 (Pakistan); p. 29 (Cuba); [S/PV.6760 \(Resumption 1\)](#), p. 2 (Islamic Republic of Iran); [S/PV.6849 \(Resumption 1\)](#), p. 24 (Spain); [S/PV.6870](#), p. 29 (Egypt); p. 31 (Islamic Republic of Iran, on behalf of the Non-Aligned Movement); [S/PV.6870 \(Resumption 1\)](#), p. 12 (Cuba); [S/PV.7052](#), pp. 27-28 (Egypt); and [S/PV.7052 \(Resumption 1\)](#), p. 6 (Costa Rica); p. 13 (Islamic Republic of Iran, on behalf of the Non-Aligned Movement); and p. 20 (Maldives).

<sup>18</sup> [S/PV.6702](#), [S/PV.6919](#), [S/PV.7015](#) and [S/PV.7050](#).

for greater cooperation between the Council and regional organizations in responding to threats to peace and security,<sup>19</sup> in particular in Africa, supporting the idea of a “shared responsibility” in the maintenance of international peace and security, notwithstanding the primary responsibility of the Council in that regard.<sup>20</sup> In reference to paragraph 6 of resolution 2033 (2012), adopted at that meeting, the representative of the United Kingdom clarified that coordination between the Council and the Peace and Security Council of the African Union could occur “only in the context of the primacy of the Security Council regarding the maintenance of international peace and security”.<sup>21</sup>

At the 6919th meeting, held on 13 February 2013 with a focus on the European Union, the representative of the Russian Federation opined that it was “out of the question” to change the “unshakeable” leading role of the Security Council on issues of the maintenance of international peace and security, notwithstanding a growing need for an effective mechanism for the division of labour between the United Nations and regional organizations, including the European Union.<sup>22</sup>

At the 7015th meeting, on 6 August 2013, the representative of Argentina, while emphasizing the primacy of the Security Council in maintaining international peace and security, characterized as “fundamental” the role played in recent years by new subregional arrangements and organizations in conflict prevention and in the promotion and maintenance of international peace and security.<sup>23</sup> Several other speakers emphasized the particular value of regional arrangements in the maintenance of peace and security, notwithstanding the Council’s primary responsibility. The representative of Botswana recognized that managing and maintaining peace often depended upon regional dynamics that could be better addressed by local institutions.<sup>24</sup> The representative of Honduras stated that participation of regional partners in times of

crisis provided greater legitimacy.<sup>25</sup> The representative of Rwanda highlighted “geographic proximity, expediency and burden-sharing” as reasons for partnership with regional and subregional organizations.<sup>26</sup> Similarly, the representative of Japan noted that regional and subregional organizations could rapidly respond to settle disputes before they escalated.<sup>27</sup>

While recognizing the growing role of regional organizations in response to both the principle of subsidiarity and encouragement of regional stakeholders to assume responsibility and ownership, the representative of France cautioned against the danger of a fragmentation of collective security. He stressed that the Security Council remained the body with the primary responsibility for the maintenance of peace and security, acting on behalf of the members of the United Nations as a whole to that end.<sup>28</sup>

#### **Case 2 The promotion and strengthening of the rule of law in the maintenance of international peace and security**

At its 6705th meeting, held on 19 January 2012 in connection with the promotion and strengthening of the rule of law, the representative of South Africa encouraged the Council to seek advisory opinions from the International Court of Justice when faced with complex legal questions, so as to demonstrate that it operated within the framework of international law, notwithstanding its primary role in the maintenance of international peace and security.<sup>29</sup> In the same vein, the representative of Pakistan urged the Council to “lead by example” in upholding and promoting the rule of law, adding that the determination of the existence of a threat to the peace by the Council must be made in accordance with Article 24 (2).<sup>30</sup> The representative of Argentina stated that the Council should be guided by the values of legitimacy, democracy and justice in conflict and post-conflict situations.<sup>31</sup>

<sup>19</sup> S/PV.6702, p. 3 (South Africa); p. 8 (Kenya); and p. 24 (United Kingdom); S/PV.6702 (Resumption 1), p. 3 (India); p. 7 (Ethiopia); p. 8 (Nigeria); and pp. 9-10 (United Kingdom).

<sup>20</sup> S/PV.6702, p. 22 (Togo).

<sup>21</sup> S/PV.6702 (Resumption 1), p. 10.

<sup>22</sup> S/PV.6919, p. 16.

<sup>23</sup> S/PV.7015, p. 2.

<sup>24</sup> Ibid., p. 16 (Rwanda); S/PV.7015 (Resumption 1), pp. 30-31 (Japan); and pp. 44-45 (Botswana).

<sup>25</sup> S/PV.7015 (Resumption 1), p. 24.

<sup>26</sup> S/PV.7015, p. 16.

<sup>27</sup> S/PV.7015 (Resumption 1), p. 30.

<sup>28</sup> S/PV.7015, p. 27.

<sup>29</sup> S/PV.6705, p. 20.

<sup>30</sup> Ibid., p. 17.

<sup>31</sup> S/PV.6705 (Resumption 1), p. 19.

In his remarks at the 6849th meeting, on 17 October 2012, the representative of the Office of the Prosecutor of the International Criminal Court stated that the respective mandates of the Council and the Court, rather than being a source of tension, linked the two bodies together in their common fight against impunity, which was an essential contribution to the quest for world peace and security.<sup>32</sup> Many speakers underlined the complementary and cooperative nature of the relationship between the Council and the Court, characterizing the fight against impunity for serious crimes as being a part of the primary responsibility of the Council for the maintenance of international peace and security.<sup>33</sup>

The representatives of China and the Sudan, however, cautioned of possible antagonistic aspects in the relationship between the Council and the Court. The representative of China expressed the hope that the Court would exercise caution in carrying out its functions and avoid seeking political settlements to international conflicts, impeding the Council's primary responsibility for the maintenance of international peace and security.<sup>34</sup> The representative of the Sudan distinguished between the respective mandates of the Council and the Court and warned against using the promotion of the rule of law within the framework of the maintenance of international peace and security "as a pretext to politicize international justice", in a way that contravened the mandate of the Council.<sup>35</sup>

In defining the Council's responsibility for the maintenance of international peace and security, the representative of South Africa opined that the Council should defer an investigation only if the deferral would contribute to the maintenance or restoration of peace.<sup>36</sup> The representative of Peru said that the referral of a situation to the Court did not relieve the Council of its primary responsibility for the maintenance of international peace and security.<sup>37</sup>

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<sup>32</sup> S/PV.6849, pp. 6-7.

<sup>33</sup> Ibid., p. 19 (Russian Federation); and p. 25 (Guatemala); S/PV.6849 (Resumption 1), pp. 6-7 (Australia); p. 22 (Tunisia); and p. 24 (Spain).

<sup>34</sup> S/PV.6849, p. 12.

<sup>35</sup> S/PV.6849 (Resumption 1), p. 30.

<sup>36</sup> S/PV.6849, p. 16.

<sup>37</sup> Ibid., p. 29.

### Case 3

#### Threats to international peace and security

At the 6760th meeting, held on 25 April 2012 in connection with threats to international peace and security, the representative of Pakistan noted that the Charter created a clear division of work among the organs of the United Nations, with the functions and powers of the Security Council "confined strictly to Article 24". In his view, that required the Council to fully observe all provisions of the Charter, as well as all General Assembly resolutions that clarified the relationship of the Council with the General Assembly and all other principal organs.<sup>38</sup> This position was echoed by the representative of the Islamic Republic of Iran.<sup>39</sup>

In relation to cross-border trafficking, the representative of Pakistan added that only a sovereign State could decide how to secure its borders and ensure that movement of goods and people across its borders did not pose a threat to it or to other States. In his view, border security should become a concern of the Council only in those specific situations that posed a threat to international peace and security.<sup>40</sup> That view was shared by the representatives of China and Brazil.<sup>41</sup> The representative of South Africa suggested that the Council could take up relevant issues of cross-border trafficking that fall within its mandate.<sup>42</sup>

The representative of Cuba opined that securing borders against illicit flows was beyond the functions and powers of the Council under Article 24, given that all or most Member States were participating in the counter-trafficking efforts of the General Assembly and other United Nations organs and agencies.<sup>43</sup> However, the representative of the United Kingdom argued that the Council's work in the maintenance of international peace and security included the need to address illicit flows across borders, through country-specific measures such as sanctions and wider thematic measures to address global threats such as terrorism or weapons of mass destruction.<sup>44</sup>

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<sup>38</sup> S/PV.6760, p. 17.

<sup>39</sup> S/PV.6760 (Resumption 1), p. 2.

<sup>40</sup> S/PV.6760, p. 17.

<sup>41</sup> Ibid., p. 11 (China); and p. 22 (Brazil).

<sup>42</sup> Ibid., pp. 15-16.

<sup>43</sup> Ibid., pp. 28-29.

<sup>44</sup> Ibid., p. 16.

**Case 4**  
**Implementation of the note by the President of**  
**the Security Council (S/2010/507)**

At the 6870th and 7052nd meetings, held on 26 November 2012 and 29 October 2013, respectively, on the Council's working methods, a number of speakers emphasized the need to improve the effectiveness, efficiency or transparency of the Council's functioning to better enable it to discharge its primary responsibility.<sup>45</sup> The representative of Egypt stressed that the Council's working methods were the collective responsibility of the general membership, given that Article 24 provided that the Council acted on behalf the entire membership of the United Nations.<sup>46</sup> Similarly, the representative of Costa Rica stated that Article 24 should function as a "two-way street", whereby Member States must recognize that the Council acted on their behalf, and the Council, in particular its five permanent members, must also demonstrate that it acted on behalf of the Member States.<sup>47</sup> The representative of the Russian Federation, however, cautioned that no innovation to improve the transparency of the work of the Security Council should harm its effectiveness, decrease its efficiency or interfere with the "frank, substantive discussions" of Council members.<sup>48</sup>

The representatives of Pakistan and India suggested that, in order to improve its efficiency and effectiveness, the Council should focus on issues concerning its primary responsibility for international peace and security and refrain from encroaching on the mandates of other bodies.<sup>49</sup> In the same vein, the representative of the Islamic Republic of Iran opined that Article 24 did not necessarily permit the Council to address issues within the functions and powers of

the General Assembly and the Economic and Social Council.<sup>50</sup>

The representative of Egypt was of the view that discussions in the Council on situations that did not constitute a threat to international peace and security were contrary to Article 24.<sup>51</sup> The representative of Luxembourg, however, lauded initiatives in recent years to better prepare the Council to anticipate threats to international peace and security, including the practice of the Department of Political Affairs of bringing relevant issues to the Council's attention.<sup>52</sup> The representative of Brazil called for the Council to increase its efforts in preventive diplomacy as part of exercising its primary responsibility.<sup>53</sup>

**Case 5**  
**Women and peace and security**

At the 6984th meeting, held on 24 June 2013 in connection with women and peace and security, the Special Envoy of the United Nations High Commissioner for Refugees said that addressing sexual violence in war zones was the duty of Governments and countries. In her opinion, in the absence of Governments able to take on that responsibility, the Council had to "step in and provide leadership and assistance" pursuant to its primary responsibility for the maintenance of international peace and security.<sup>54</sup>

The representative of China, while recognizing that the Council had an active role to play in fighting sexual violence in armed conflict,<sup>55</sup> argued against its encroachment on the responsibilities of the Human Rights Council and the Commission on the Status of Women in that regard. For that reason, he called upon the Council to implement its primary responsibility for the maintenance of international peace and security by focusing its efforts on conflict prevention, peacekeeping and post-conflict reconstruction.<sup>56</sup>

<sup>45</sup> S/PV.6870, p. 4 (Colombia); p. 5 (Russian Federation); p. 9 (China); p. 13 (Morocco); and p. 19 (United States); S/PV.7052, p. 4 (Luxembourg, United States); p. 22 (India); p. 29 (Estonia); and p. 32 (Slovenia); S/PV.7052 (Resumption 1), p. 20 (Maldives).

<sup>46</sup> S/PV.7052, pp. 27-28.

<sup>47</sup> S/PV.7052 (Resumption 1), p. 6.

<sup>48</sup> S/PV.6870, p. 6; S/PV.7052, p. 13.

<sup>49</sup> S/PV.6870, p. 12 (Pakistan); and pp. 20-21 (India); S/PV.7052, p. 23 (India).

<sup>50</sup> S/PV.6870, p. 31.

<sup>51</sup> S/PV.6870, p. 29; S/PV.7052, p. 28.

<sup>52</sup> S/PV.6870, p. 26.

<sup>53</sup> S/PV.7052, p. 24.

<sup>54</sup> S/PV.6984, p. 6.

<sup>55</sup> Ibid., p. 21.

<sup>56</sup> Ibid.

## II. Obligation of Member States to accept and carry out decisions of the Security Council under Article 25

### Article 25

*The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.*

### Note

Section II covers the practice of the Security Council in relation to Article 25 during the period under review. There was one explicit reference to Article 25 in a resolution (see subsection A), but there were no implicit references to this provision in decisions. Article 25 was explicitly referred to on five occasions during meetings of the Council (see subsection B).

In addition, Article 25 was referred to explicitly in attachments to three notes by the President of the Security Council circulating periodic reports of the Director General of the International Atomic Energy Agency concerning the application of non-proliferation safeguards in the Islamic Republic of Iran pursuant to resolution 1929 (2010). In paragraph 3 of each report, it was recalled that all Member States had agreed to accept and carry out the decisions of the Security Council, citing Article 25 of the Charter.<sup>57</sup>

### A. Decisions referring to Article 25

Article 25 was explicitly referred to in one decision of the Council adopted during the period under review. In resolution 2118 (2013) concerning the situation in the Middle East, the Council underscored that Member States were “obligated under Article 25 of the Charter of the United Nations to accept and carry out the Council’s decisions”.<sup>58</sup> The resolution was adopted in connection with the use of chemical weapons in an attack in the Syrian Arab Republic on 21 August 2013. The Council condemned the attack and required the Syrian Arab Republic to, inter alia, comply with “all aspects” of the decision of the

<sup>57</sup> See [S/2012/114](#), [S/2012/364](#) and [S/2012/677](#).

<sup>58</sup> Resolution 2118 (2013), fourteenth preambular paragraph.

Organization for the Prohibition of Chemical Weapons, contained in annex I to the resolution, concerning the destruction of the chemical weapons programme of the Syrian Arab Republic.<sup>59</sup>

### B. Discussions relating to Article 25

In 2012 and 2013, Article 25 was explicitly referred to at five meetings of the Council<sup>60</sup> and implicitly referred to in Council discussions in which speakers recalled the binding nature of Security Council decisions or emphasized the obligation of Member States to abide by them.

The case studies below examine the most salient constitutional discussions relating to the interpretation or application of Article 25 in connection with women and peace and security (case 6); the International Criminal Court (case 7); the situation in the Middle East (case 8); and the working methods of the Security Council (case 9).

#### Case 6 Women and peace and security

At the 6722nd meeting, held on 23 February 2012 in connection with women and peace and security, the representative of Pakistan criticized the inclusion of situations outside of armed conflict or threats to international peace and security in the report of the Secretary-General on conflict-related sexual violence,<sup>61</sup> noting that those situations went beyond the mandate of the Council and ran counter to relevant Council resolutions. He expressed concern that some Council members, while arguing for the binding nature of Council resolutions, condoned deviations from mandates authorized by those very resolutions.<sup>62</sup> The representative of the United Kingdom emphasized that Council resolutions were binding on all Member

<sup>59</sup> *Ibid.*, paragraphs 2 and 6.

<sup>60</sup> [S/PV.6760](#), p. 17 (Pakistan); [S/PV.6849 \(Resumption 1\)](#), p. 2 (Liechtenstein); [S/PV.6870](#), p. 26 (Japan); [S/PV.7038](#), p. 13 (Argentina); and [S/PV.7052 \(Resumption 1\)](#), p. 18 (Japan).

<sup>61</sup> [S/2012/33](#).

<sup>62</sup> [S/PV.6722](#), p. 22.

States, whether or not they were present on the Council.<sup>63</sup> At the 6877th meeting, on 30 November 2012, the representative of Sweden, speaking on behalf of the Nordic countries, expressed concern about the lack of implementation of Council resolutions on women and peace and security, which he stated were “binding and relevant” to all Member States.<sup>64</sup>

#### Case 7

##### **Promotion and strengthening of the rule of law in the maintenance of international peace and security**

At the 6849th meeting, held on 17 October 2012 in connection with the role of the International Criminal Court, the representative of Liechtenstein referred to Article 25 in the context of enforcing cooperation by a Member State whose situation had been referred to the Court pursuant to Chapter VII of the Charter. According to him, a lack of cooperation by a referred State with the Court was a violation of the obligation of that State under Article 25. In those circumstances, he urged the Council to provide backing to the Court by taking steps to enforce cooperation by the Member State concerned.<sup>65</sup>

#### Case 8

##### **Situation in the Middle East**

At the 7038th meeting, held on 27 September 2013 on the situation in the Middle East, the representative of Argentina stated that the Council’s decisions were binding on all Member States pursuant to Article 25. He made this remark in the context of resolution 2118 (2013) concerning the use of chemical weapons in the Syrian Arab Republic (see section II.A above). While trusting that the various actors in the Syrian conflict would cooperate to effectively implement the resolution, he pointed out that, in the case of non-compliance, it was within the exclusive power of the Council to take measures that it deemed appropriate under Chapter VII of the Charter.<sup>66</sup> Several other speakers emphasized that the obligations

imposed by resolution 2118 (2013) on the Syrian Arab Republic, namely, to secure and destroy its chemical weapons through unconditional cooperation with the Organization for the Prohibition of Chemical Weapons, were “legally binding”.<sup>67</sup> The representative of France stressed his country’s determination to implement the resolution along with other Council members, including through imposing measures under Chapter VII, if necessary.<sup>68</sup> At the 6841st meeting, held on 26 September 2012 under the same item, the Secretary-General of the League of Arab States had called for binding resolutions of the Council to be “implemented in a binding manner”, in the context of the situation in the Syrian Arab Republic.<sup>69</sup>

#### Case 9

##### **Implementation of the note by the President of the Security Council (S/2010/507)**

At the 7052nd meeting, held on 29 October 2013 in connection with the working methods of the Council and the implementation of the note by the President of the Security Council (S/2010/507), the representative of Switzerland observed that the Council acted on behalf of all Member States and that all Member States agreed to accept and carry out the Council’s decisions. Therefore, all Member States had a fundamental interest in the Council’s decisions and the process leading to them.<sup>70</sup> The representative of Saudi Arabia emphasized the need for all States to abide by Council resolutions “equally and without selectivity”.<sup>71</sup> The representative of Japan recognized that Member States had agreed to accept Council decisions as binding under Article 25, but that this was not necessarily a reflection on the legitimacy of those decisions. He called for enhancing the legitimacy of Council decisions through improving the working methods of the Council and the reform of the Council itself.<sup>72</sup> The representative of Japan had expressed similar views at the 6870th meeting, held on 26 November 2012 under

<sup>63</sup> *Ibid.*, p. 17.

<sup>64</sup> S/PV.6877, p. 50.

<sup>65</sup> S/PV.6849 (Resumption 1), p. 2 (Liechtenstein, also on behalf of Jordan and Costa Rica, the two other former Presidents of the Assembly of States Parties to the Rome Statute of the International Criminal Court).

<sup>66</sup> S/PV.7038, p. 13.

<sup>67</sup> *Ibid.*, p. 5 (United States); p. 6 (United Kingdom); p. 6 (Luxembourg); p. 8 (Azerbaijan); p. 9 (Republic of Korea); and p. 15 (Australia).

<sup>68</sup> *Ibid.*, pp. 6-8.

<sup>69</sup> S/PV.6841, p. 5.

<sup>70</sup> S/PV.7052, p. 19. Switzerland spoke on behalf of the 22-member Accountability, Coherence and Transparency group.

<sup>71</sup> *Ibid.*, p. 25.

<sup>72</sup> S/PV.7052 (Resumption 1), p. 18.

the same item.<sup>73</sup> At that meeting, the representative of Singapore had criticized the observation that Member

<sup>73</sup> S/PV.6870, p. 26.

States were expected to comply with Council decisions but had no way of influencing those decisions.<sup>74</sup>

<sup>74</sup> Ibid., p. 27.

### III. Responsibility of the Security Council to formulate plans to regulate armaments under Article 26

#### Article 26

*In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.*

#### Note

Section III covers the practice of the Security Council concerning its responsibility for formulating plans for the establishment of a system for the regulation of armaments, pursuant to Article 26 of the Charter.

During the period under review, the Council did not adopt any decision explicitly invoking Article 26. Article 26 was mentioned explicitly, however, during one Council meeting, as described in the following case study.

#### Case 10 Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

At the 7015th meeting, held on 6 August 2013 in connection with cooperation between the United

Nations and regional and subregional organizations in maintaining international peace and security, the representative of Costa Rica recommended that cooperation for peace and security between the Security Council and regional bodies should not be limited to Articles 52 and 54 of the Charter,<sup>75</sup> but should also extend to Article 26, which he described as equally important.<sup>76</sup> Quoting from Article 26, he noted that this provision gave the Council the mandate to develop plans for the regulation of armaments, in order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources.<sup>77</sup> He stressed the need for the Council to give “real expression” to Article 26 by channelling its cooperation with regional organizations more towards arms control, the regulation of military spending and the prevention of an arms race, which he characterized as “obvious obstacles to peace and development”.<sup>78</sup>

<sup>75</sup> See part VIII for a discussion of Articles 52 and 54 of the Charter.

<sup>76</sup> S/PV.7015 (Resumption 1), p. 34.

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.



## **Part VI**

### **Consideration of the provisions of Chapter VI of the Charter**

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## Introductory note

Part VI covers the practice of the Security Council during the period 2012-2013 with regard to the interpretation and application of Chapter VI (Articles 33 to 38), in relation to the peaceful settlement of disputes, as well as Articles 11 and 99 of the Charter of the United Nations.

Part VI is divided into four main sections. Section I illustrates how States brought disputes or situations to the attention of the Security Council during the period under review, pursuant to Article 35 of the Charter. This section also surveys the practice of the General Assembly and the Secretary-General, under Articles 11 (3) and 99 of the Charter, respectively, in drawing the attention of the Council to situations which are likely to threaten the maintenance of international peace and security. Section II sets out the investigative and fact-finding activities performed by the Council and other bodies that may be deemed to fall under the scope of Article 34, including Security Council missions. Section III provides an overview of the decisions of the Council taken with regard to the pacific settlement of disputes. It specifically illustrates recommendations of the Council to parties to a conflict and its support for the endeavours of the Secretary-General in the peaceful settlement of disputes. Section IV reflects constitutional discussions on the interpretation or application of the provisions of Chapter VI of the Charter and Article 99. Part VI does not discuss the practice of the Council with respect to the pacific settlement of disputes in an exhaustive manner but focuses on selected materials that highlight how the provisions of Chapter VI were interpreted and applied during the period under review in the decisions and deliberations of the Council. Joint or parallel efforts undertaken by the Council and regional arrangements or agencies in the pacific settlement of disputes during the period under review are covered in part VIII of this Supplement.

During the period 2012-2013, the Council continued to be seized of a high volume of matters and was actively engaged in the peaceful settlement of disputes in numerous situations worldwide. Given the increasingly intra-State and cross-border nature of disputes, as well as the political sensitivities associated with new disputes or situations on the list of matters of which it is seized, the Council continued its practice of frequently considering disputes or situations that were likely to or might endanger international peace and security first in informal settings, such as its informal consultations of the whole,<sup>1</sup> as in the case of Mali, and/or in formal meetings under existing items. The Council also considered cross-cutting issues such as piracy,<sup>2</sup> the challenges of the fight against terrorism in Africa in the context of maintaining international peace and security<sup>3</sup> and conflict prevention and natural resources<sup>4</sup> as sub-items within existing thematic items. Only in rare instances were disputes or situations discussed under new items. The situation in Mali, for example, was first considered under the existing region-specific item entitled “Peace and security in Africa” and subsequently discussed under a new country-specific item entitled “The situation in Mali”.

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<sup>1</sup> See part II, sect. I, with regard to informal consultations and other informal meetings.

<sup>2</sup> S/PV.6865 and S/PV.6865 (Resumption 1).

<sup>3</sup> S/PV.6965.

<sup>4</sup> S/PV.6982 and S/PV.6982 (Resumption 1).

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The decisions of the Council during the period 2012-2013 reflect a multifaceted approach to the situations on the list of matters of which it is seized and the pursuance of the peaceful settlement of disputes. The deliberations in the Council during the period under review reflect a renewed interest in strengthening the mechanisms for the peaceful settlement of disputes pursuant to Chapter VI of the Charter by means of, inter alia, referring disputes to the International Court of Justice, the increased involvement of women in the peaceful settlement of disputes, the partnership with regional organizations in dealing with conflict and the use of early warning mechanisms.

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## I. Referral of disputes or situations to the Security Council

### Article 11

3. *The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.*

### Article 35

1. *Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.*

2. *A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.*

3. *The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.*

### Article 99

*The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.*

## Note

Article 35 (1) and (2) of the Charter of the United Nations allows Member States and States which are not members of the United Nations to bring any dispute or any other situation to the attention of the Security Council.

Under Articles 11 (3) and 99, the General Assembly and the Secretary-General, respectively, may also bring to the attention of the Council situations or matters which are likely to or may threaten the maintenance of international peace and security.

The practice of the Council in this regard, during the period 2012-2013, is described below in three subsections. Subsection A provides an overview of the referrals of disputes or situations by States to the Council pursuant to Article 35. Subsections B and C include referrals by the Secretary-General and the General Assembly, respectively, of matters which were likely to

endanger international peace and security, in accordance with Articles 99 and 11 (3) of the Charter.

During the period under review, referrals by Member States and the Secretary-General of disputes or situations, in most cases without an explicit reference to Articles 35 or 99, continued to form the basis of the Council's consideration of matters it deemed likely to threaten the maintenance of international peace and security. In the case of referrals by the Secretary-General, in addition to communications, the referrals also took the form of briefings by the Secretary-General himself or his representatives, in formal as well as informal meetings.

As described in further detail in subsection A below, Member States brought seven disputes or situations to the attention of the Council in relation to a variety of geographical regions. All of them were brought to the attention of the Council by means of written communications by affected Member States or by third States.

With the exception of two communications (in relation to the situation between Ethiopia and Eritrea and the relations between Israel and the Sudan), most disputes or situations were considered under existing items, namely, "The situation in the Middle East, including the Palestinian question", "The situation concerning the Democratic Republic of the Congo" and "The situation in Guinea-Bissau". In relation to the Sudan and South Sudan, however, the Council considered the situation under a reformulated item. The Council agreed that issues pertaining to the Sudan and South Sudan, including the African Union-United Nations Hybrid Operation in Darfur, the United Nations Interim Security Force for Abyei, the United Nations Mission in South Sudan and Council resolution [2046 \(2012\)](#), would as from 11 November 2013 be considered under the item entitled "Reports of the Secretary-General on the Sudan and South Sudan".<sup>5</sup>

The Secretary-General brought to the attention of the Council, through the Under-Secretary-General for Political Affairs, the situation in Mali during the course of a briefing in the context of informal consultations of the whole. Issues pertaining to Mali, first considered under the item entitled "Peace and security in Africa", were

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<sup>5</sup> See [S/2013/657](#).

from December 2012 considered under the item entitled “The situation in Mali”.<sup>6</sup>

The Council may deal with a new dispute or situation in the context of an existing item. The inclusion of a new item on the list of matters of which the Council is seized does not actually imply the existence of a new dispute or situation.

The General Assembly did not explicitly refer to the Council any matter likely to endanger international peace and security.

### A. Referrals by States

Owing to the large number of communications addressed to the Council and consistent with the aim of the *Repertoire* to cover the evolving practice of the Council, subsection A focuses exclusively on those communications addressed to the Council by Member States that (a) referred explicitly to Article 35; and/or (b) drew attention to and requested a particular action of the Council in relation to a dispute or situation (regardless of whether the Council heeded the request), whether or not they led to the inclusion of a new item or sub-item. This approach represents a departure from previous Supplements. Communications from Member States merely conveying information regarding a particular dispute or situation but not requesting a meeting of the Council or any other specific action have not been included in this subsection.

The communications featured below, bringing disputes or situations to the attention of the Council, were addressed to the President of the Council directly by the affected Member State<sup>7</sup> or through a third State;<sup>8</sup> in the case of Guinea-Bissau, the communication was addressed to the Secretary-General, but action was requested of the Council.<sup>9</sup>

During the period 2012-2013, the country-specific and regional situations referred to the Council were deemed likely to threaten international peace and security. All communications featured in the present subsection describe the nature of the situation, with a limited amount of detail or chronology of events. While Chapter VI provides the basis for Member States to bring matters to

the attention of the Council, the subject matter of communications submitted to the Council was not limited by the scope of Chapter VI. For example, in his communication, the representative of Egypt labelled the situation in the Gaza Strip as an “aggression”.<sup>10</sup> Likewise, the representative of the Democratic Republic of the Congo, in a letter concerning the alleged actions by Rwanda, labelled them as a “new aggression”.<sup>11</sup> The representative of Jordan, on the other hand, deemed that the flow of Syrian refugees into his country threatened its stability and security and had implications for international peace and security.<sup>12</sup>

In his report dated 25 July 2012 on the responsibility to protect, the Secretary-General affirmed the ability of any Member State, under Chapter VI of the Charter, to bring any dispute or situation, which would encompass the commission of crimes and violations relating to the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, to the attention of the Council.<sup>13</sup> During the period under review, however, situations relating to, invoking or involving the responsibility to protect were not brought to the attention of the Council by any Member State.

In the communications featured below, a variety of actions was requested of the Council, for example, that a meeting (or an extraordinary meeting) be held,<sup>14</sup> that some concrete action or measure be taken<sup>15</sup> or that compliance with decisions of the Council be ensured.<sup>16</sup> The submitting States also requested the Council to take “all necessary measures”<sup>17</sup> and to determine that a particular situation constituted a threat to international peace and security.<sup>18</sup>

### Communications containing explicit references to Article 35

During the period 2012-2013, most communications from Member States addressed to the

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<sup>6</sup> See [S/2012/961](#).

<sup>7</sup> [S/2012/57](#), [S/2012/118](#), [S/2012/126](#), [S/2012/127](#), [S/2012/132](#), [S/2012/181](#), [S/2012/857](#), [S/2012/864](#), [S/2013/247](#), [S/2013/268](#), [S/2013/414](#) and [S/2013/517](#).

<sup>8</sup> [S/2012/840](#) and [S/2012/859](#).

<sup>9</sup> [S/2012/254](#).

<sup>10</sup> [S/2012/840](#).

<sup>11</sup> [S/2012/857](#).

<sup>12</sup> See [S/2013/247](#), in which the representative of Jordan made reference to Article 34 of the Charter in connection with his requests to the Council, which included a request that the Council visit Jordan.

<sup>13</sup> See [S/2012/578](#), para. 41.

<sup>14</sup> [S/2012/254](#), [S/2012/840](#), [S/2012/859](#) and [S/2013/517](#).

<sup>15</sup> [S/2012/857](#), [S/2013/247](#), [S/2013/268](#), [S/2013/414](#) and [S/2013/517](#).

<sup>16</sup> [S/2012/158](#) and [S/2012/164](#).

<sup>17</sup> [S/2012/840](#).

<sup>18</sup> [S/2013/247](#).

President of the Security Council bringing to the attention of the Council a “dispute” or “situation” did not cite any specific Article of the Charter. Article 35 of the Charter was explicitly cited, however, on two occasions in relation to disputes or situations in the Middle East.<sup>19</sup>

<sup>19</sup> S/2012/840 and S/2013/247.

In response to both communications, the Council convened closed meetings to consider the situations brought to its attention.<sup>20</sup> Both communications are mentioned in table 1.

<sup>20</sup> S/PV.6863 and S/PV.6957.

Table 1  
**Communications explicitly citing Article 35**

<i>Communications</i>	<i>Action requested of the Security Council</i>	<i>Meeting record and date</i>
<b>The situation in the Middle East, including the Palestinian question</b>		
Letter dated 14 November 2012 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/2012/840) <sup>a</sup>	To convene an urgent meeting of the Security Council to consider the ongoing unlawful Israeli military operation against the Palestinian people, and to assume its responsibilities in maintaining international peace and security by taking all necessary measures to stop the aggression immediately	S/PV.6863 (closed) 14 November 2012
<b>The situation in the Middle East</b>		
Letter dated 25 April 2013 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/2013/247)	To determine that the grave humanitarian “situation” facing Jordan as a result of the influx of Syrian refugees constitutes a threat to international peace and security if left unchecked and in the absence of the financial assistance required to enable Jordan to cope, to invite Jordan to participate in a private meeting of the Security Council, and to visit Jordan	S/PV.6957 (closed) 30 April 2013

<sup>a</sup> In a letter dated 20 November 2012, the representative of Morocco also requested an urgent open debate “to examine the grave consequences of the ongoing Israeli military attacks against the Palestinian people in Gaza” (S/2012/859).

### **Communications containing requests for particular action**

During the period under review, in most communications from Member States that drew the attention of the Council to a particular dispute or situation, no specific action was requested, but rather simply that the communication be circulated as a document of the Council. These communications have not been considered in the present section, since they seem immaterial to the interpretation and application of Article 35 of the Charter.

In addition to the explicit references to Article 35 indicated in table 1, the present section focuses on those communications that drew the attention of the Council to disputes or situations and in which a particular action was requested of the Council, regardless of whether the

request was actually attended to. In the language of the Charter, disputes or situations brought to the Council pursuant to Article 35 (referencing Article 34) may lead to “international friction or give rise to a dispute” and have the potential to endanger international peace and security.

While most of the disputes or situations described below relate to ongoing disputes or situations of which the Council had already been seized, they are featured below because they present new elements (which were brought to the attention of the Council) in the context of an ongoing dispute or situation with the potential of escalating, deteriorating or exacerbating an already existing dispute or situation. These communications, as well as the overall context in which they were submitted to the Council, are described below.

*Sudan and South Sudan\**

On 27 February 2012, the representative of the Sudan addressed a letter to the President of the Security Council informing the Council of the attack by some 1,500 insurgents of the Sudan People's Liberation Movement, allegedly supported by officers and soldiers from the Sudan People's Liberation Army of South Sudan.<sup>21</sup> In the letter, the representative demanded the Council to "shoulder its responsibilities" under the Charter by sending a "long-overdue message to the Government of South Sudan that it must end such actions".<sup>22</sup> Further to that complaint, on 29 February 2012, the representative of the Sudan denounced the actions of the Government of South Sudan and requested the Council to "call on the Government of South Sudan to refrain immediately from its aggression and the assistance it renders to the various rebel movements".<sup>23</sup> In response, on 2 March 2012, the representative of South Sudan addressed a letter to the President of the Security Council bringing to the attention of the Council the "unabated aggression" by the Sudan.<sup>24</sup> The representative called upon the Council to "condemn these wanton acts of aggression ... and take stern measures against Khartoum to ensure that its flagrant aggression and attacks against the territory of South Sudan are halted".<sup>25</sup> A series of communications ensued during 2012 regarding military incidents across the border between the two countries and, in particular, the occupation of the town of Heglig by South Sudan, which was denounced by the representative of the Sudan.<sup>26</sup> On 22 March 2013, the representative of the Sudan informed the Council that a "credible source" had confirmed the imminent launch of an attack by forces of the armed rebel movements from Darfur and the Sudanese Revolutionary Front on an oil facility west of Kadugli Town, in the State of Southern Kordofan. In the communication, he vehemently urged the Council to condemn this negative move by the rebel movements of the Sudanese Revolutionary Front, intended to spoil the

peace process.<sup>27</sup> On 6 May 2013, the representative of South Sudan addressed a letter to the President of the Council drawing attention to the killing of Kuol Deng Kuol, the Paramount Chief of the Ngok Dinka, by elements of the Messeriya Arab militia of the Sudan in "flagrant violation of Security Council resolutions and other agreements".<sup>28</sup> In the letter, the representative requested a series of measures from the Council.

*Eritrea and Ethiopia*

On 14 March 2012, the representative of Ethiopia denounced the "destabilizing activities" of the Government of Eritrea,<sup>29</sup> including acts of terrorism, and urged the Council to ensure that Eritrea complied with relevant resolutions and desisted from destabilizing activities.<sup>30</sup> In a letter dated 16 March 2012 addressed to the President of the Security Council, the representative of Eritrea, in reference to the alleged incursion of Ethiopian troops "18 kms deep into sovereign Eritrean territory", urged the Council to "shoulder its legal and moral responsibilities and to take appropriate measures to rectify acts of aggression against Eritrea's sovereign territories and to ensure justice and respect for the rule of law".<sup>31</sup> Furthermore, in a letter dated 27 March 2012 addressed to the President of the Security Council, the President of Eritrea requested the Council to form an "independent, transparent and accountable inquiry body" to investigate the alleged implication of the Government of the United States of America in the illegal attacks perpetrated by Ethiopia against Eritrea.<sup>32</sup>

*Guinea-Bissau*

On 9 April 2012, the Prime Minister of Guinea-Bissau addressed a letter to the Secretary-General informing him that his country "could come to face a new cycle of internal political instability, owing to the non-acceptance of the electoral results".<sup>33</sup> In the letter, he requested that the Security Council "analyses at an extraordinary meeting the internal situation of Guinea-Bissau" and "debate the dispatch of a peacekeeping force

\* The Council agreed that issues pertaining to the Sudan and South Sudan would, as from 11 November 2013, be considered under the item "Reports of the Secretary-General on the Sudan and South Sudan" (see [S/2013/657](#)).

<sup>21</sup> [S/2012/118](#).

<sup>22</sup> *Ibid.*, p. 2.

<sup>23</sup> [S/2012/127](#), p. 2.

<sup>24</sup> [S/2012/132](#).

<sup>25</sup> [S/2012/118](#).

<sup>26</sup> *Ibid.*, p. 2.

<sup>27</sup> [S/2012/127](#), p. 2.

<sup>28</sup> [S/2012/132](#).

<sup>29</sup> [S/2012/132](#), annex.

<sup>30</sup> [S/2012/225](#), [S/2012/252](#) and [S/2012/264](#).

<sup>27</sup> [S/2013/183](#).

<sup>28</sup> [S/2013/268](#).

<sup>29</sup> The letter followed communications from the representative of Eritrea bringing to the attention of the Council incidents involving alleged military activities by Ethiopia at the border between the two countries and requesting a series of actions of the Council ([S/2012/57](#) and [S/2012/126](#)).

<sup>30</sup> [S/2012/158](#), annex.

<sup>31</sup> [S/2012/164](#), annex.

<sup>32</sup> [S/2012/181](#), annex.

<sup>33</sup> [S/2012/254](#), annex II.



to Guinea-Bissau”.<sup>34</sup> On 13 April 2012, the Assistant Secretary-General for Political Affairs briefed the Council in closed consultations on the military seizure of power in Guinea-Bissau that had occurred on 12 April 2012.<sup>35</sup>

*Sudan and Israel*

By a letter dated 17 November 2012 addressed to the President of the Security Council, the representative of the Sudan, in his capacity as Chair of the Arab Group, requested the Council “to take the appropriate measures to condemn” the aerial bombardment by the Israeli Air Force of the Yarmouk military factory in Khartoum that took place on 24 October 2012.<sup>36</sup> The request followed a letter dated 25 October 2012 from the representative of the Sudan addressed to the President of the Council (further to a meeting with him), in which the representative condemned the “barbaric aggression” and expressed the expectation that the Council would “take appropriate measures accordingly”.<sup>37</sup> Moreover, in the context of a meeting of the Council on 24 October 2012 to consider the report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, the representative of the Sudan made reference to the incident and said that he expected the Council to condemn the attack because “it was a blatant violation of the concept of peace and security” and of the principles and purposes of the Charter.<sup>38</sup>

*Democratic Republic of the Congo*

On 19 November 2012, the representative of the Democratic Republic of the Congo addressed a letter to the President of the Security Council informing him about “continuing attacks by troops of the Rwandan regular army”. In the letter, the representative called upon the Council to, inter alia, condemn the “new aggression by Rwanda” and requested the Council to convene an urgent open meeting to consider the question.<sup>39</sup> The Council held a meeting on the situation concerning the Democratic Republic of the Congo on 20 November 2012. While no explicit reference was made to that particular letter, in his statement following the adoption of resolution 2076 (2012), the representative of Rwanda questioned the description of events in the letter.<sup>40</sup>

On 15 July 2013, the representative of the Democratic Republic of the Congo drew the attention of the Council to “the renewed fighting in North Kivu” and urged the Council to, inter alia, “condemn the renewed fighting” and to order the “immediate and unconditional withdrawal of the Rwandan special forces from the territory of the Democratic Republic of the Congo”.<sup>41</sup> In a subsequent letter addressed to the President of the Council dated 16 July 2013, the representative of Rwanda informed the President of deliberate bombings on Rwandan territory from a region controlled by the Armed Forces of the Democratic Republic of the Congo and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and requested the Council to “take all appropriate measures” to ensure the immediate cessation of such bombings.<sup>42</sup> On 23 August 2013, the representative of the Democratic Republic of the Congo drew the attention of the Council to the situation in North Kivu, denouncing in particular the attacks by the 23 March Movement, and requested the Council to take a series of actions, including condemning the attacks by the Movement and ordering the immediate and unconditional withdrawal of the regular units of the Rwandan army from the territory of the Democratic Republic of the Congo.<sup>43</sup> By a letter dated 29 August 2013 addressed to the President of the Council, the representative of the Democratic Republic of the Congo called for an emergency meeting of the Council in the light of the escalation of hostilities in the eastern part of the Democratic Republic of the Congo.<sup>44</sup>

None of the above-mentioned communications led to the inclusion of a new item on the list of matters of which the Council is seized. It should be noted, however, as also mentioned above, that on 11 November 2013, the Council agreed that, as from that date, issues pertaining to the Sudan and South Sudan would be considered under the item entitled “Reports of the Secretary-General on the Sudan and South Sudan”.<sup>45</sup> The communications concerning the relations between Israel and the Sudan and the situation between Eritrea and Ethiopia were not discussed by the Council.<sup>46</sup>

<sup>34</sup> Ibid.

<sup>35</sup> S/2012/626, p. 2.

<sup>36</sup> S/2012/864.

<sup>37</sup> S/2012/790.

<sup>38</sup> S/PV.6851, p. 5.

<sup>39</sup> S/2012/857.

<sup>40</sup> S/PV.6866, p. 4 (Rwanda).

<sup>41</sup> S/2013/414.

<sup>42</sup> S/2013/426.

<sup>43</sup> S/2013/512.

<sup>44</sup> S/2013/517.

<sup>45</sup> S/2013/657.

<sup>46</sup> See the reports of the Security Council to the General Assembly at its sixty-seventh and sixty-eighth sessions (A/67/2 and A/68/2).

## B. Referrals by the Secretary-General

Article 99 of the Charter provides that the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security. During the period under review, the Secretary-General did not invoke Article 99, either directly or by implication.

As with Article 35, Article 99 of the Charter does not specify the means by which the Secretary-General may bring to the attention of the Council any matter that may threaten the maintenance of international peace and security. In recent years, the practice of the Council has broadened, and the horizon-scanning briefings in the context of informal consultations among the members of the Council have become one of the tools available to the Secretary-General for bringing new situations to the attention of the Council. Albeit controversial, during the period under review, the use of horizon-scanning briefings was acknowledged by some members of the Council (in relation to Mali in particular) to be a useful tool for the Council's prevention efforts.<sup>47</sup>

On 10 February 2012, during the course of a horizon-scanning briefing in the context of informal consultations, the Under-Secretary-General for Political Affairs briefed the members of the Council on the impact of actions carried out in Mali by an armed group

<sup>47</sup> S/2013/280, p. 10, and S/2014/213, p. 12.

allegedly affiliated to the Mouvement national de libération de l'Azawad, which was seeking the independence of the north and had caused the movement of 15,000 displaced persons and refugees.<sup>48</sup> The Council continued to discuss the situation in Mali during 2012.<sup>49</sup> However, as from 20 December 2012, by virtue of a note by the President of the Security Council, issues pertaining to Mali were considered under the item entitled "The situation in Mali", and the earlier item was subsumed.<sup>50</sup>

## C. Referrals by the General Assembly

Under Article 11 (3) of the Charter, the General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security. During the period under review, the Assembly did not refer any matters to the Council under this Article.

<sup>48</sup> See A/67/2, p. 23. During the discussions held at the tenth annual workshop for newly elected members of the Security Council, in November 2012, horizon-scanning briefings were mentioned as a way of "drawing the members' attention to emerging threats to international peace and security" (see S/2013/280, p. 10). The case of Mali was mentioned as an example.

<sup>49</sup> In October 2012, the Secretary-General transmitted a communication from the interim President of Mali and the Prime Minister of Mali requesting action from the Council (S/2012/727).

<sup>50</sup> S/PV.6898 and S/2012/961.

## II. Investigation of disputes and fact-finding

### Note

#### Article 34

*The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.*

Article 34 of the Charter provides that the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute. On this basis, the Council may determine whether the continuance of the dispute or situation is

likely to endanger the maintenance of international peace and security.

The language of Article 34 does not exclude the Secretary-General or other organs from performing investigative functions, nor does it limit the Council's general competence to obtain knowledge of the relevant facts of any dispute or situation by dispatching a fact-finding or investigative mission.

Therefore, section II provides an overview of the practice of the Council relating to fact-finding and investigation in accordance with Article 34 of the Charter and is divided into three subsections. Subsection A relates to Security Council missions; subsection B to investigative and fact-finding functions of the Secretary-

General; and subsection C to other instances of investigative functions acknowledged by the Council.

During the period under review, the Council dispatched five missions in order to, inter alia, support countries and Governments and assess the situation on the ground, as well as the implementation of its resolutions. The Council also acknowledged and welcomed the investigative functions of the Secretary-General in relation to the Syrian Arab Republic and requested him to establish a commission of inquiry in the Central African Republic to investigate reports of violations of international humanitarian law and international human rights law by all parties since 1 January 2013. The Council acknowledged and relied upon the investigations conducted by organs other than the Secretary-General, such as the Human Rights Council, in considering the items on the list of matters of which it is seized.

## A. Security Council missions

During the period under review, the Council dispatched five missions, to Haiti; West Africa (Liberia, Côte d'Ivoire and the Economic Community of West African States (ECOWAS), and Sierra Leone); Timor-Leste; Yemen; and Africa (Democratic Republic of the Congo, Rwanda, Uganda and Ethiopia). None of the Council's missions during the period under review were charged with investigative tasks. In most cases, the terms of reference of the missions included tasks such as reiterating, reaffirming or expressing the support of the Council for the Governments and countries visited; assessing the implementation of relevant Security Council resolutions; assessing the evolution of the situation on the ground; or supporting, reviewing and assessing the role and mandate of the relevant peacekeeping and political missions. Details on the Security Council missions that were dispatched during the period 2012-2013, including duration, composition and related documents, are set out in table 2.

Table 2  
Security Council missions, 2012-2013

<i>Duration</i>	<i>Destination</i>	<i>Composition</i>	<i>Terms of reference</i>	<i>Report</i>	<i>Meeting record and date</i>	<i>Item</i>
13-16 February 2012	Haiti	United States (head of mission), Azerbaijan, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo and United Kingdom <sup>a</sup>	<a href="#">S/2012/82</a>	<a href="#">S/2012/534</a>	<a href="#">S/PV.6724</a> 28 February 2012	Security Council mission
18-24 May 2012	West Africa (Liberia, Côte d'Ivoire and ECOWAS, and Sierra Leone)	United States and Morocco (co-heads of mission for Liberia), France and Togo (co-heads of mission for Côte d'Ivoire and ECOWAS), United Kingdom and South Africa (co-heads of mission for Sierra Leone), Azerbaijan, China, Colombia, Germany, Guatemala, India, Pakistan, Portugal and Russian Federation	<a href="#">S/2012/344</a>	<a href="#">S/2014/242</a>	<a href="#">S/PV.6777</a> 31 May 2012	Security Council mission

## Repertoire of the Practice of the Security Council, 2012-2013

<i>Duration</i>	<i>Destination</i>	<i>Composition</i>	<i>Terms of reference</i>	<i>Report</i>	<i>Meeting record and date</i>	<i>Item</i>
3-6 November 2012	Timor-Leste	South Africa (head of mission), Azerbaijan, India, Pakistan, Portugal and Togo	<a href="#">S/2012/793</a>	<a href="#">S/2012/889</a>	<a href="#">S/PV.6858</a> 12 November 2012	Security Council mission
27 January 2013	Yemen	United Kingdom and Morocco (co-heads of mission), Argentina, Australia, Azerbaijan, China, France, Guatemala, Luxembourg, Pakistan, Republic of Korea, Russian Federation, Rwanda and Togo	<a href="#">S/2013/61</a>	<a href="#">S/2013/173</a>	<a href="#">S/PV.6916</a> 7 February 2013	Security Council mission
3-9 October 2013	Africa (Democratic Republic of the Congo, Rwanda, Uganda and Ethiopia)	France and Morocco (co-heads of mission for the Democratic Republic of the Congo), United States (head of mission for Rwanda), United Kingdom (head of mission for Uganda), Azerbaijan and Rwanda (co-heads of mission for Ethiopia), Argentina, Australia, China, Guatemala, Luxembourg, Pakistan, Republic of Korea, Russian Federation and Togo	<a href="#">S/2013/579</a>	<a href="#">S/2014/341</a>	<a href="#">S/PV.7045</a> 21 October 2013	Security Council mission

<sup>a</sup> The representative of China was unable to join the mission.

On 26 November 2012 having before it the concept note prepared by the representatives of India and Portugal,<sup>51</sup> the Council held an open debate on the implementation of the note by the President of the Security Council ([S/2010/507](#)), in the context of which several Council members made reference to the use of missions by the Council.<sup>52</sup> The representative of France emphasized the need to draw greater advantage from such missions by defining the objectives more specifically and by ensuring follow-up to the conclusions drawn.<sup>53</sup> The representative of South Africa, on the other hand, asserted that “field visits” by the Council continued to be an important vehicle for the Council’s understanding of the situation on the ground and for its ability to make informed decisions. He added that the Council should

consider increasing such visits, including “mini-missions” by the Chairs of subsidiary bodies.<sup>54</sup>

### B. Investigative and fact-finding functions of the Secretary-General

During the two-year period under review, the Council in its decisions acknowledged the investigative or fact-finding functions of the Secretary-General on two occasions.

In the context of the armed conflict in the Syrian Arab Republic and further to the alleged use of chemical weapons against civilians on 21 August 2013, in resolution [2118 \(2013\)](#) the Council welcomed the establishment by the Secretary-General of a mission to

<sup>51</sup> [S/2012/853](#).

<sup>52</sup> [S/PV.6870](#).

<sup>53</sup> *Ibid.*, p. 15.

<sup>54</sup> *Ibid.*, p. 16.

investigate the allegations of the use of chemical weapons in the Syrian Arab Republic, pursuant to General Assembly resolution 42/37 C.<sup>55</sup> Further to resolution 2118 (2013), the Secretary-General addressed a letter dated 7 October 2013 to the President of the Security Council containing recommendations regarding the role of the United Nations in eliminating the chemical weapons programme of the Syrian Arab Republic.<sup>56</sup> In that letter, the Secretary-General made reference to his reporting to the Council, on 16 September 2013, on the results of the investigation by the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic of the incident that took place on 21 August 2013 in the Ghouta area of Damascus.

In the light of the rapidly deteriorating security situation in the Central African Republic characterized by “a total breakdown in law and order, the absence of the rule of law, and intersectorial tensions”, on 5 December 2013, the Council adopted resolution 2127 (2013), in which it requested that the Secretary-General rapidly establish an international commission of inquiry for an initial period of one year to investigate reports of, compile information on, and help to identify (and ensure accountability for) perpetrators of, violations of international humanitarian law and international human rights law and abuses of human rights in the Central African Republic since 1 January 2013.<sup>57</sup> For all the relevant provisions of the decisions, see table 3.

<sup>55</sup> Resolution 2118 (2013), sixth preambular paragraph.

<sup>56</sup> S/2013/591.

<sup>57</sup> Resolution 2127 (2013), third preambular paragraph and para. 24.

Table 3

**Decisions referring to investigative and/or fact-finding activities by the Secretary-General 2012-2013**

<i>Decision and date</i>	<i>Provision</i>
<b>The situation in the Middle East</b>	
Resolution 2118 (2013) 27 September 2013	<p>The Council welcomed the establishment by the Secretary-General of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic (the Mission) pursuant to General Assembly resolution 42/37 C of 30 November 1987, and reaffirmed in Security Council resolution 620 (1988) of 26 August 1988, and expressed appreciation for the work of the Mission (sixth preambular paragraph)</p> <p>The Council acknowledged the report of the Mission of 16 September 2013 (S/2013/553), underscored the need for the Mission to fulfil its mandate, and emphasized that future credible allegations of chemical weapons use in the Syrian Arab Republic should be investigated (seventh preambular paragraph)</p> <p>The Council decided to authorize an advance team of United Nations personnel to provide early assistance to activities of the Organization for the Prohibition of Chemical Weapons in the Syrian Arab Republic, requested the Director-General of the Organization and the Secretary-General to closely cooperate in the implementation of the Executive Council decision of 27 September 2013 and the resolution, including through their operational activities on the ground, and further requested the Secretary-General, in consultation with the Director-General of the Organization and, where appropriate, the Director-General of the World Health Organization, to submit to the Council within 10 days of the adoption of the resolution recommendations regarding the role of the United Nations in eliminating the Syrian Arab Republic’s chemical weapons programme (para. 8)</p> <p>The Council encouraged Member States to provide support, including personnel, technical expertise, information, equipment and financial and other resources and assistance, in coordination with the Director-General of the Organization for the Prohibition of Chemical Weapons and the Secretary-General, to enable the Organization and the United Nations to implement the elimination of the Syrian Arab Republic’s chemical weapons programme, and decided to authorize Member States to acquire, control, transport, transfer and destroy chemical weapons identified by the Director-General of the Organization, consistent with the objective of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, to ensure the elimination of the Syrian Arab Republic’s chemical weapons programme in the soonest and safest manner (para. 10)</p>

The Council decided to review on a regular basis the implementation in the Syrian Arab Republic of the decision of 27 September 2013 of the Executive Council of the Organization for the Prohibition of Chemical Weapons and the resolution, and requested the Director-General of the Organization to report to the Council, through the Secretary-General, who was to include relevant information on United Nations activities related to the implementation of the resolution, within 30 days and every month thereafter, and further requested the Director-General and the Secretary-General to report in a coordinated manner, as needed, to the Council on non-compliance with the resolution or the Executive Council decision (para. 12)

### The situation in the Central African Republic

Resolution [2127 \(2013\)](#)  
5 December 2013

The Council requested that the Secretary-General rapidly establish an international commission of inquiry for an initial period of one year, including experts in both international humanitarian law and human rights law, in order immediately to investigate reports of violations of international humanitarian law and international human rights law and abuses of human rights in the Central African Republic by all parties since 1 January 2013, to compile information, to help to identify the perpetrators of such violations and abuses, to point to their possible criminal responsibility and to help to ensure that those responsible are held accountable, and called upon all parties to cooperate fully with such a commission (para. 24)

The Council requested the Secretary-General to report to the Council on the findings of the commission of inquiry six months and one year after the adoption of the resolution (para. 25)

During the period under review, the Secretary-General dispatched, on his own initiative, two field missions for the purposes of assessing the scope of the threat of piracy in the Gulf of Guinea, on the one hand, and the scope of the threat of the Libyan crisis in the region of the Sahel, on the other.

By a letter dated 17 January 2012, the Secretary-General transmitted to the Council the report of the mission dispatched to the Sahel region to assess the scope of the threat of the Libyan crisis in the region and the national and wider international capacities to respond to those challenges.<sup>58</sup> The report was considered by the Council on 26 January 2012 during its 6709th meeting, in connection with the item “Peace and security in Africa”. During the meeting, the Under-Secretary-General for Political Affairs briefed the Council on the findings and the recommendations of the mission.<sup>59</sup> Speakers welcomed the Secretary-General’s initiative in dispatching the assessment mission, as well as the report prepared by the mission.<sup>60</sup> At the 6717th meeting, an open debate held on 21 February 2012 in connection with the same item, the Council considered again the report of

the mission. Several speakers took note of the Secretary-General’s initiative in dispatching the assessment mission,<sup>61</sup> and some speakers urged serious consideration of its findings and recommendations.<sup>62</sup>

By a letter dated 18 January 2012, the Secretary-General brought to the attention of the Council the report of the assessment mission dispatched to the Gulf of Guinea to assess the scope of the threat of piracy in the region, take stock of national and regional capacities to ensure maritime safety and security in the region and make recommendations for a possible United Nations response.<sup>63</sup> The Council considered the report during its 6723rd meeting, held on 27 February 2012, in connection with the item “Peace consolidation in West Africa: piracy in the Gulf of Guinea”.<sup>64</sup> During the meeting, speakers welcomed the Secretary-General’s initiative to dispatch

<sup>61</sup> [S/PV.6717](#), p. 3 (Togo); p. 21 (Azerbaijan); [S/PV.6717 \(Resumption 1\)](#), p. 8 (Japan); and p. 20 (Mali).

<sup>62</sup> [S/PV.6717](#), p. 14 (Colombia); p. 21 (Azerbaijan); and [S/PV.6717 \(Resumption 1\)](#), p. 18 (Australia).

<sup>63</sup> [S/2012/45](#).

<sup>64</sup> The report was also acknowledged by a number of speakers during the 6717th meeting of the Council. See [S/PV.6717](#), p. 11 (Morocco); p. 14 (Colombia); p. 30 (Benin); [S/PV.6717 \(Resumption 1\)](#), p. 8 (Japan); p. 9 (Tunisia); and p. 12 (Luxembourg).

<sup>58</sup> [S/2012/42](#).

<sup>59</sup> [S/PV.6709](#), p. 2.

<sup>60</sup> *Ibid.*, p. 6 (India); p.7 (Russian Federation); p. 9 (Germany); p. 10 (United States); p. 13 (Guatemala); p.14 (Azerbaijan); and p.16 (Togo).

the assessment mission.<sup>65</sup> The representatives of South Africa and Togo shared the concern and observation of the assessment mission that the growing evidence of piracy in the Gulf of Guinea constituted yet another major threat to the peace, security and economic interests of the countries of the region.<sup>66</sup>

Of particular interest during the period under review was the action taken by the Council in connection with the establishment of a fact-finding mission to investigate the alleged use of chemical weapons in the Syrian Arab Republic. Case 1 compiles the most significant milestones in the establishment of the mission.

### **Case 1 The situation in the Middle East, including the Palestinian question**

On 24 April 2013, the Council held its 6950th meeting. During the open debate, the Under-Secretary-General for Political Affairs informed the Council that the Secretariat was in discussions with the Government of the Syrian Arab Republic on the scope and modalities for the United Nations fact-finding mission to investigate the alleged use of chemical weapons.<sup>67</sup> Against the backdrop of conflicting allegations of attacks with chemical weapons by Government forces and rebel forces, he clarified that the Secretary-General intended to ensure that all credible allegations brought to his attention by Member States were considered and, if deemed necessary, investigated.<sup>68</sup> He added that the position of the Secretary-General, at that stage, was to investigate the allegations of incidents involving the use of chemical weapons in the cities of Aleppo and Homs.<sup>69</sup> He further indicated that the investigators were studying the information on the alleged incidents involving the use of chemical weapons provided to them by Member States while awaiting access to the Syrian territory. A number of speakers expressed their support for the efforts of the Secretary-General to investigate all allegations of the use of chemical weapons in the Syrian Arab Republic.<sup>70</sup> The representative of the Russian Federation, however, urged Member States not to yield to attempts to sidestep the

investigation requested by the Syrian authorities regarding the use of chemical weapons near Aleppo on 19 March 2013.<sup>71</sup> He also criticized the Secretariat for not having shown the requisite consistency and transparency on the matter.<sup>72</sup>

On 23 July 2013, during the open debate held at the 7007th meeting, the Special Coordinator for the Middle East Peace Process informed the Council that the High Representative for Disarmament Affairs and the head of the fact-finding mission would be visiting Damascus to complete consultations on the modalities of cooperation required for the proper, safe and efficient conduct of the United Nations investigation mission.<sup>73</sup> Speakers urged the Syrian authorities to grant full access to the United Nations investigations into all allegations.<sup>74</sup>

On 27 September 2013, the Council held its 7038th meeting, a high-level meeting during the course of which it adopted resolution [2118 \(2013\)](#) (see table 3). In paragraph 8 of the resolution, the Council requested the Secretary-General to submit to it recommendations regarding the role of the United Nations in eliminating the Syrian Arab Republic's chemical weapons programme in support of the Organization for the Prohibition of Chemical Weapons.<sup>75</sup> Further to resolution [2118 \(2013\)](#), the Secretary-General addressed a letter to the President of the Council in which he proposed a joint mission of the Organization for the Prohibition of Chemical Weapons and the United Nations to implement the roles and responsibilities of each organization pursuant to resolution [2118 \(2013\)](#) and eliminate the chemical weapons programme of the Syrian Arab Republic.<sup>76</sup> The Council held no formal meetings to consider the letter from the Secretary-General. Instead, the President of the Security Council addressed a letter to the Secretary-General authorizing the establishment of the Joint

<sup>65</sup> [S/PV.6723](#), p. 7 (Azerbaijan); p.10 (Pakistan); and p. 20 (Togo).

<sup>66</sup> *Ibid.*, p. 15 (South Africa); and p. 20 (Togo).

<sup>67</sup> [S/PV.6950](#), p. 5.

<sup>68</sup> *Ibid.*

<sup>69</sup> *Ibid.*

<sup>70</sup> [S/PV.6950](#), p. 12 (United States); p. 17 (United Kingdom); p. 21 (Australia); [S/PV.6950 \(Resumption 1\)](#), p. 13 (European Union); p. 15 (Japan); and p. 34 (Qatar).

<sup>71</sup> [S/PV.6950](#), p. 19.

<sup>72</sup> *Ibid.*

<sup>73</sup> [S/PV.7007](#), p. 5.

<sup>74</sup> *Ibid.*, p. 17 (Australia); p. 18 (Republic of Korea); p. 20 (Pakistan); pp. 25-26 (France); p. 27 (United Kingdom); p. 29 (United States); and p. 36 (European Union).

<sup>75</sup> Annex I to resolution [2118 \(2013\)](#) included the decision of the Executive Council of the Organization for the Prohibition of Chemical Weapons of 27 September 2013, which required the Syrian Arab Republic, consistent with its obligations under the Chemical Weapons Convention, to submit information on its chemical weapons as well as on weapons storage and production facilities and to cooperate with inspections.

<sup>76</sup> [S/2013/591](#).

Mission.<sup>77</sup> The first monthly report of the Joint Mission was transmitted to the Council by way of a letter dated 28 October 2013 from the Secretary-General addressed to the President of the Security Council.<sup>78</sup>

<sup>77</sup> S/2013/603.

<sup>78</sup> S/2013/629.

### C. Other instances of investigative functions acknowledged by the Security Council

During the period under review, the Council recognized investigative functions performed by the United Nations High Commissioner for Human Rights and the Human Rights Council in relation to matters of which the Council is seized. Table 4 contains the provisions of decisions of the Council referring to such functions.

Table 4

#### Decisions relating to investigation and inquiry by other bodies of the United Nations acknowledged by the Security Council, 2012-2013

<i>Decision and date</i>	<i>Provision</i>
<b>The situation in Timor-Leste</b>	
Resolution <a href="#">2037 (2012)</a> 23 February 2012	<p>Reaffirming the need for respect for the independence of the judiciary, stressing the need to act against impunity, while noting the continuing serious resource constraints of the judicial system and the efforts of the Government of Timor-Leste to address these challenges, and encouraging the leadership of Timor-Leste to continue to increase its efforts to establish accountability for serious criminal offences, including those committed during the 2006 crisis, as recommended by the Independent Special Commission of Inquiry for Timor-Leste (seventh preambular paragraph)</p> <p>Reaffirms the importance of ongoing efforts to achieve accountability and justice, expresses its support for the work of the United Nations Integrated Mission in Timor-Leste in assisting the Government of Timor-Leste in this regard, within its mandate, as well as for the initiatives to strengthen the Office of the Provedor for Human Rights and Justice, and underlines the importance of the implementation by the Government of the recommendations contained in the report of the Independent Special Commission of Inquiry for Timor-Leste of 2 October 2006, including paragraphs 225 to 228 thereof (para. 10)</p> <p>Requests the Mission to continue its efforts, adjusting them as necessary to enhance the effectiveness of the judiciary, in assisting the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry (para. 12)</p>
<b>The situation in Libya</b>	
Resolution <a href="#">2040 (2012)</a> 12 March 2012	<p>Taking note further of its briefing by the United Nations High Commissioner for Human Rights on 25 January 2012 and the report of the International Commission of Inquiry on Libya to the Human Rights Council of 2 March 2012 (eighteenth preambular paragraph)</p>

By a statement by the President dated 12 February 2013 in connection with the item “Protection of civilians in armed conflict”,<sup>79</sup> the Council recognized international commissions of inquiry and fact-finding missions as valuable mechanisms to verify and investigate allegations of serious violations of international human rights and

humanitarian law. In the same statement, the Council considered the possibility of using the International Humanitarian Fact-Finding Commission established in accordance with article 90 of Additional Protocol I to the Geneva Conventions. In resolution [2122 \(2013\)](#), the Council invited United Nations-established commissions of inquiry investigating situations on the agenda of the Council to include in their briefings information on the

<sup>79</sup> S/PRST/2013/2.



differentiated impacts of armed conflict on women and girls.<sup>80</sup>

As reported in a letter dated 18 May 2012 from the representative of Portugal to the President of the Security Council, the participants of the panel on fact-finding mechanisms discussed the challenges for fact-finding bodies as well as the factors that contributed to their success.<sup>81</sup> An element that was raised in those discussions was the importance of the timing of the establishment of the mechanisms; the panel highlighted that the work of the mechanisms should take place sufficiently early in a crisis to enable them to contribute to the prevention of further violations rather than just investigate those already committed. On the possible role of the Council, it was suggested that the Council should be more systematically apprised of the reports of the commissions or missions not mandated by the Council. It was also highlighted that the Council could reinforce or support non-mandated fact-finding missions by requesting States and other actors to cooperate in the investigation or in the implementation of recommendations. Examples of recent Council practice were noted, such as the reference, in resolution 2000 (2011), to the report and findings of the international commission of inquiry on Côte d'Ivoire mandated by the Human Rights Council.<sup>82</sup>

Cases 2 to 4 illustrate instances in which the Council considered the outcome of fact-finding missions by bodies of the United Nations other than the Secretary-General in relation to the situation in the Middle East and the situation in Libya.

### **Case 2** **The situation in the Middle East**

On 4 February 2012, at its 6711th meeting, the Council considered a draft resolution in relation to the Syrian conflict. The draft resolution received 13 votes in favour but was not adopted owing to the negative vote of two permanent members of the Council. By the draft resolution, the Council would have demanded that the Syrian authorities cooperate fully with the Office of the United Nations High Commissioner for Human Rights and with the commission of inquiry dispatched by the

Human Rights Council.<sup>83</sup> During the debate that followed, the representative of Germany expressed regret that, in a spirit of compromise in the negotiations, the draft resolution had not mandated a commission of inquiry into human rights violations, as his country had advocated.<sup>84</sup>

On 23 July 2013, at the 7007th meeting, several speakers expressed concern about the findings of the recent report of the independent international commission of inquiry on the Syrian Arab Republic,<sup>85</sup> which confirmed a wide range of violations of international humanitarian and human rights law, and called for holding those responsible fully accountable.<sup>86</sup>

### **Case 3** **The situation in the Middle East, including the Palestinian question**

On 23 April 2012, the Council held its 6757th meeting. During the debate, a number of speakers welcomed Human Rights Council resolution 19/17 authorizing, inter alia, a fact-finding mission on the impact of the Israeli settlements on the human rights situation in the occupied Palestinian territories.<sup>87</sup>

On 24 April 2013, at its 6950th meeting, the Council held another open debate on the situation in the Middle East, including the Palestinian question. Some speakers again welcomed the decision of the Human Rights Council to establish an independent international fact-finding mission to investigate the implications of Israeli settlements on the human rights of the Palestinian people throughout the occupied territories.<sup>88</sup> The representative of the United Kingdom made reference to incidents involving the Israel Defense Forces, recalled that it had called for an investigation into those clashes and welcomed the investigations by the Government of Israel while looking forward to the perpetrators being held to account.<sup>89</sup> The representative of Pakistan, for his part, stated that the United Nations Fact-Finding Mission on the Gaza Conflict, established by the Human Rights

<sup>80</sup> Resolution 2122 (2013), para. 2 (e).

<sup>81</sup> The report was transmitted by the Permanent Representative of Portugal to the President of the Security Council on 18 May 2012 and issued as a document of the Council (S/2012/373).

<sup>82</sup> S/2012/373, p. 10.

<sup>83</sup> S/2012/77, para. 11.

<sup>84</sup> S/PV.6711, p. 5.

<sup>85</sup> A/HRC/23/58.

<sup>86</sup> S/PV.7007, p. 19 (Rwanda); p. 27 (United Kingdom); and p. 36 (European Union).

<sup>87</sup> S/PV.6757, p. 18 (Morocco); p. 23 (Pakistan); S/PV.6757 (Resumption 1), p. 12 (Bangladesh); and p. 14 (Iceland).

<sup>88</sup> S/PV.6950, pp. 23-24 (Pakistan); and S/PV.6950 (Resumption 1), p. 32 (Turkey).

<sup>89</sup> S/PV.6950, p. 17.

Council, had pronounced that Israeli settlements symbolized the acute lack of justice experienced by the Palestinian people.<sup>90</sup> The representative of Pakistan called for an independent investigation into the death of Arafat Jaradat in Israeli custody to bring the perpetrators to justice.<sup>91</sup>

At the 7007th meeting, on 23 July 2013, the representative of Malaysia, as a member of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, reported on his participation in a fact-finding mission by the Human Rights Council to Amman and Cairo and affirmed that the situation in the Palestinian territory continued to deteriorate.<sup>92</sup>

#### **Case 4 The situation in Libya**

On 7 March 2012, at its 6731st meeting, the Council considered the report of the Secretary-General on the United Nations Support Mission in Libya (UNSMIL).<sup>93</sup> The Special Representative of the Secretary-General for Libya and Head of UNSMIL informed the Council that the Mission intended to give high priority to supporting the Libyan authorities and civil society in ensuring that the transition in Libya was anchored in solid rule of law systems, institutions and practices, and in respect for human rights, which would be consistent with the specific recommendations for the role of UNSMIL made in the report of the International Commission of Inquiry on Libya.<sup>94-95</sup> The representative of Libya stated that the human rights situation was one of the main concerns of the Government and confirmed its cooperation with the International Commission of Inquiry during its field visits to various Libyan cities and regions.<sup>96</sup>

Speakers had differing views on the conclusions contained in the report of the International Commission of Inquiry. While the representative of the Russian Federation highlighted that the dozens of civilian casualties reported by the Commission of Inquiry were due to the North Atlantic Treaty Organization (NATO) air

strikes on Libya<sup>97</sup> and the representative of China mentioned that it was explicitly stated in the report that certain targets were not military facilities,<sup>98</sup> the representatives of the United States and France drew attention to the conclusion of the report, that NATO had conducted such air strikes with a demonstrable determination to avoid civilian casualties.<sup>99</sup>

On 16 May 2012, at its 6772nd meeting, the Council was briefed by the Prosecutor of the International Criminal Court, who acknowledged that in its report,<sup>100</sup> the International Commission of Inquiry had presented a comprehensive view of the crimes committed in Libya.<sup>101</sup> In addition, he said that in the same report it had been found that NATO had not deliberately targeted civilians in Libya and informed the Council that the Office of the Prosecutor had requested additional information on the five incidents in which civilian casualties had been reported.<sup>102</sup> The representative of the United Kingdom drew attention to the efforts of NATO to minimize civilian casualties, while the representative of China reiterated that in the reports of both the International Commission of Inquiry and the International Criminal Court it was indicated that NATO activities in Libya had resulted in civilian casualties; he stated that the Council had the right and the obligation to know the truth.<sup>103</sup> The representative of France noted in this respect that in the report of the Prosecutor it was underscored that there was neither proof nor elements suggesting that NATO command had intentionally planned or committed crimes against the civilian population. He added that the Prime Minister of Libya had undertaken to carry out his Government's own inquiry and that NATO would offer its full support.<sup>104</sup> The representative of the United States expressed deep concern about the patterns of rape documented by the International Commission of Inquiry and affirmed that impunity could not be reconciled with respect for human rights and the rule of law.<sup>105</sup> The representative of the Russian Federation deemed that it was important to continue to evaluate the data received from the Human Rights Council's International Commission of Inquiry,

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<sup>90</sup> Ibid., p. 23.

<sup>91</sup> Ibid., p. 24.

<sup>92</sup> S/PV.7007, p. 41.

<sup>93</sup> S/2012/129.

<sup>94</sup> A/HRC/19/68.

<sup>95</sup> S/PV.6731, pp. 3 and 4.

<sup>96</sup> Ibid., p. 6.

<sup>97</sup> Ibid., p. 8.

<sup>98</sup> Ibid., p. 10.

<sup>99</sup> Ibid., pp. 8 and 9.

<sup>100</sup> A/HRC/17/44.

<sup>101</sup> S/PV.6772, p. 3.

<sup>102</sup> Ibid.

<sup>103</sup> Ibid., p. 10 (United Kingdom) and p. 11 (China).

<sup>104</sup> Ibid., p. 13.

<sup>105</sup> Ibid., p. 5.

among other sources.<sup>106</sup> The representative of Portugal welcomed the synergy between the Office of the Prosecutor of the International Criminal Court and the International Commission of Inquiry and made reference to the findings of the latter in its report.<sup>107</sup> The representative of Colombia affirmed that the cooperation between the Court and the Commission of Inquiry, among other bodies, was fundamental.<sup>108</sup> The representative of Germany also made reference to the conclusions of the Commission of Inquiry and demanded compliance with international human rights standards by “all those exerting factual power in Libya”.<sup>109</sup> The representative of Morocco emphasized the cooperation offered by the Libyan authorities to the Commission of Inquiry, and the representative of the United Kingdom, while acknowledging the cooperation, urged the Government of Libya to make further progress.<sup>110</sup> In reference to an earlier report of the International Commission of Inquiry on Libya,<sup>111</sup> the representatives of France and Togo urged the Libyan authorities to take action.<sup>112</sup> The representative of Azerbaijan, in closing the debate, commended the Libyan authorities for their commitment to investigate the incidents identified by the International Commission of Inquiry.<sup>113</sup>

On 7 November 2012, at its 6855th meeting, the Council was briefed by the Prosecutor of the International Criminal Court. During the debate that ensued, speakers

made various references to the report of the International Commission of Inquiry. The representative of the Russian Federation noted the lack of progress by the Court in the investigation of the information received from the Commission of Inquiry.<sup>114</sup> In that regard, the representative of South Africa urged the Office of the Prosecutor to complete the investigation.<sup>115</sup> The representative of the United States expressed deep concern about the allegations of rape and sexual violence documented by the Commission of Inquiry and looked forward to the further reports by the Prosecutor about its efforts in that regard.<sup>116</sup> Echoing the representative of the United States, the representatives of Portugal and Germany focused on the information relating to gender-related crimes and patterns of rape identified by the Commission of Inquiry.<sup>117</sup> The representatives of Colombia and Portugal reiterated earlier calls in favour of closer cooperation between the Commission of Inquiry and other bodies, including the Office of the United Nations High Commissioner for Human Rights and the International Criminal Court.<sup>118</sup> The representative of Morocco indicated that Libya was endeavouring to focus its investigations on high-level officials accused by the independent International Commission of Inquiry and had laid the foundations of a general plan to establish transitional justice, national reconciliation and civil peace.<sup>119</sup>

<sup>106</sup> Ibid., p. 6.

<sup>107</sup> Ibid.

<sup>108</sup> Ibid., p. 11.

<sup>109</sup> Ibid., p. 10.

<sup>110</sup> Ibid., p. 8 (Morocco) and p. 10 (United Kingdom).

<sup>111</sup> A/HRC/19/68.

<sup>112</sup> Ibid., p. 12 (France) and p.13 (Togo).

<sup>113</sup> Ibid., p. 15.

<sup>114</sup> S/PV.6855, p. 6.

<sup>115</sup> Ibid., p. 7.

<sup>116</sup> Ibid.

<sup>117</sup> Ibid., p. 13 (Portugal) and p. 14 (Germany).

<sup>118</sup> Ibid., p. 4 (Colombia) and pp. 12 and 13 (Portugal).

<sup>119</sup> Ibid., p. 12.

### III. Decisions of the Security Council concerning the pacific settlement of disputes

#### *Article 33*

1. *The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.*

2. *The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.*

#### *Article 36*

1. *The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.*

2. *The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.*

3. *In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.*

#### Article 37

1. *Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.*

2. *If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.*

#### Article 38

*Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.*

### Note

Article 33 (1) of the Charter of the United Nations provides the framework for parties to settle their disputes by peaceful means. According to Article 33 (2) of the Charter, the Security Council shall call on the parties to settle their disputes by such peaceful means as provided for in Article 33 (1). The Council may recommend “appropriate procedures or methods of adjustment” for the settlement of disputes under Article 36 (1). According to Article 36 (2) and (3), the Council should take into consideration procedures for the settlement of the dispute already adopted by the parties and consider that legal disputes should, as a general rule, be referred by the parties to the International Court of Justice. Article 37 (2) envisages that the Council shall decide whether to “recommend such terms of settlement as it may consider appropriate”, and Article 38 provides that the Council may “make recommendations to the parties with a view to a pacific settlement of the dispute”.

Section III examines the decisions of the Security Council in 2012 and 2013 reflecting the activity of the Council in relation to the peaceful settlement of disputes within the framework of Chapter VI of the Charter. The section is divided into four subsections. Subsection A features the relevant decisions of the Council on general and thematic issues referencing the provisions of Chapter VI of the Charter. Subsection B illustrates how the Council welcomed, encouraged or supported efforts in the peaceful settlement of disputes by means of its decisions in relation to country-specific and regional situations. Subsection C provides an overview of the Council’s activities in support of the pacific settlement of disputes involving the Secretary-General. Subsection D briefly refers to the various ways in which the Council encouraged and supported efforts by regional organizations in the peaceful settlement of disputes, which are covered in more detail in part VIII.

### A. Decisions under general and thematic items

This subsection provides an overview of the decisions of the Security Council on general and thematic issues relating to the pacific settlement of disputes. The decisions of the Council during the period 2012-2013 reveal a multifaceted approach taken by the Council in relation to the pacific settlement of disputes.

During the period under review, the Council rarely made explicit reference to Chapter VI or to Articles 33 to 35 and 99 of the Charter. The Council, however, reiterated its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter and emphasized the key role of the International Court of Justice in this regard.<sup>120</sup> The Council also noted that it would continue to explore ways to prevent the outbreak of armed conflict and develop measures to address the root causes of conflicts in order to ensure sustainable peace.<sup>121</sup>

Concretely, the Council emphasized that United Nations peacekeeping activities should be conducted in a manner so as to facilitate post-conflict peacebuilding, prevention of relapse into armed conflict and progress

<sup>120</sup> S/PRST/2012/1, third paragraph, in connection with the item “The promotion and strengthening of the rule of law in the maintenance of international peace and security”.

<sup>121</sup> S/PRST/2013/2, twelfth paragraph, in connection with the item “Protection of civilians in armed conflict”.

towards sustainable peace and development.<sup>122</sup> It also stressed the importance of grasping the challenges of peacebuilding through integrated strategic assessment and planning processes, so as to ensure coherence between peacemaking, peacekeeping and peacebuilding.<sup>123</sup> The Council also supported the good offices role of multidimensional peacekeeping missions, as well as their role in facilitating consultation processes among the local population and civil society.<sup>124</sup>

In its decisions during the period 2012-2013, the Council recognized the important role of the good offices of the Secretary-General and encouraged the Secretary-General to continue to use mediation as often as possible to help to resolve conflicts peacefully in relation to the cooperation between the United Nations and regional organizations.<sup>125</sup> Specifically, in connection with the item “Peace and security in Africa”, the Council emphasized that the fight against impunity for war crimes, crimes against humanity and genocide was an important element of conflict prevention.<sup>126</sup> In connection with the item “Children and armed conflict”, the Council called upon Member States, United Nations entities and other parties concerned to ensure that child protection provisions were integrated into all peace negotiations and peace agreements.<sup>127</sup> The Council reiterated the importance of addressing crimes committed against women from the outset of peace processes, mediation efforts, ceasefires and peace agreements,<sup>128</sup> and also reiterated the important role of women in the prevention and resolution of conflict and in peacebuilding.<sup>129</sup>

<sup>122</sup> Resolution 2086 (2013), para. 2, in connection with the item “United Nations peacekeeping operations”.

<sup>123</sup> *Ibid.*, para. 4.

<sup>124</sup> *Ibid.*, para. 8 (e).

<sup>125</sup> S/PRST/2013/12, twelfth paragraph, in connection with the item “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”.

<sup>126</sup> S/PRST/2013/4, fourteenth paragraph.

<sup>127</sup> S/PRST/2013/8, sixteenth paragraph, in connection with the item “Children and armed conflict”.

<sup>128</sup> S/PRST/2012/29, fifteenth paragraph, in connection with the item “Post-conflict peacebuilding”, and resolution 2106 (2013), para. 12.

<sup>129</sup> S/PRST/2012/3, twelfth paragraph, in connection with the item “Women and peace and security”, and resolution 2086 (2013), para. 8 (j), in connection with the item “United Nations peacekeeping operations”. In resolution 2122 (2013), thirteenth preambular paragraph, the Council took note of the importance of sustained consultation and dialogue between women and national and international decision makers.

## B. Decisions under country-specific items

This subsection provides an overview of the practice of the Council aimed at the pacific settlement of disputes in the application of Chapter VI of the Charter in the context of country- or region-specific situations. It should be recalled that Article 33 (2) of the Charter provides that the Council shall call upon the parties to settle their disputes by the means established in Article 33 (1) when it deems necessary. Article 36 (1) provides that the Council may “recommend appropriate procedures or methods of adjustment”. Under Article 37 (2), if the Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to “recommend such terms of settlement as it may consider appropriate”. Article 38 provides that without prejudice to the provisions of Articles 33 to 37, the Council may make recommendations to the parties with a view to a pacific settlement of the dispute if all parties so request.

During the period under review, the Council adapted the tools available for the pacific settlement of disputes provided for in Chapter VI of the Charter to the context of specific situations. In dealing with complex situations in which it determined the existence of a threat to international peace and security, the Council utilized the tools available under Chapter VII of the Charter in parallel with those available under Chapter VI with a view to restoring peace and to recommending procedures or methods for the pacific settlement of disputes. This subsection also features the recommendations of the Council with regard to the pacific settlement of disputes contained in decisions of the Council, regardless of whether the decisions were adopted under Chapter VI or Chapter VII of the Charter. This approach differs from earlier volumes of the *Repertoire*.

During the period under review, the Council formulated its recommendations on the basis of the particular circumstances prevailing on the ground. Whether or not a threat to international peace and security was determined, the nature of the disputes dealt with by the Council in the period 2012-2013 was, in the majority of the cases, of a national character between different ethnic, religious and/or political groups. During the period under review, the Council in almost all cases encouraged stakeholders to engage in inclusive political dialogue as a means of creating an

environment conducive to the holding of elections,<sup>130</sup> negotiations,<sup>131</sup> peace and reconciliation processes,<sup>132</sup> discussions<sup>133</sup> or the strengthening of national unity and dialogue over key aspects, such as internal boundaries.<sup>134</sup> The Council also recalled that early warning and response systems, preventive diplomacy, preventive deployment, mediation, practical disarmament measures, peacemaking, peacekeeping and peacebuilding strategies were interdependent and complementary components of a comprehensive conflict prevention strategy.

In connection with the situation in Burundi, the Council called upon the Government to foster inclusive elections in 2015 by continuing to improve dialogue between all national actors.<sup>135</sup>

With regard to the situation in the Central African Republic, the Council called for the expeditious and full implementation of the ceasefire signed between the Government and the Séléka coalition, and of the political agreement on the resolution of the crisis signed between the presidential majority, the democratic opposition, the armed groups, the Séléka coalition, the Chair of the Follow-up Committee on the Central African Republic and the Economic Community of Central African States.<sup>136</sup> The Council expressed its support for and demanded the swift implementation of the Libreville Agreements of 11 January 2013, the N'Djamena Declaration of 18 April 2013 and the N'Djamena summit road map, which provided the basis for a peaceful political resolution to the crisis in the Central African Republic, and the implementation of which would lead to

the holding of free, fair and transparent elections.<sup>137</sup> The situation in the Central African Republic deteriorated considerably during the period under review, leading the Council to determine that it constituted a threat to international peace and security on 5 December 2013.<sup>138</sup> The Council underlined its support for the Libreville Agreements, the N'Djamena Declaration, the Brazzaville Appeal of 3 May 2013 and the declaration adopted by the International Contact Group on the Central African Republic at its third meeting, held in Bangui on 8 November 2013.<sup>139</sup> In parallel with the deployment of the African-led International Support Mission in the Central African Republic, the Council expressed deep concern at the escalation of interreligious and intercommunal violence as well as violence targeting members of ethnic and religious groups and their leaders, and urged all parties and stakeholders in the Central African Republic to work together in order to strengthen intercommunal and interfaith dialogues, to prevent further deterioration of the situation on the ground.<sup>140</sup>

In relation to the situation in Côte d'Ivoire, the Council, acting under Chapter VII of the Charter, emphasized the urgent need for concrete measures to promote justice and reconciliation at all levels and on all sides, including through the active involvement of civil society groups, with the aim of addressing the underlying causes of the Côte d'Ivoire crises. The Council urged the Government of Côte d'Ivoire to take concrete steps to prevent and respond to intercommunal violence by seeking a broad national consensus on how to address identity and land tenure issues.<sup>141</sup> In addition, the Council encouraged the Dialogue, Truth and Reconciliation Commission to complete its work and produce concrete results.<sup>142</sup>

During the period under review, of the four resolutions adopted by the Council under Chapter VII of the Charter in relation to the situation concerning the Democratic Republic of the Congo,<sup>143</sup> two included recommendations relating to the pacific settlement of disputes. In June 2012, the Council encouraged the Government to promote non-military solutions as an

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<sup>130</sup> Resolutions 2065 (2012), fifth preambular paragraph, in connection with the item "The situation in Sierra Leone"; 2088 (2013), para. 11, in connection with the item "The situation in the Central African Republic"; 2090 (2013), para. 4, in connection with the item "The situation in Burundi"; and 2103 (2013), sixth preambular paragraph, in connection with the item "The situation in Guinea-Bissau".

<sup>131</sup> Resolution 2044 (2012), eighteenth preambular paragraph and para. 5, in connection with the item "The situation concerning Western Sahara".

<sup>132</sup> Resolutions 2041 (2012), para. 13, in connection with the item "The situation in Afghanistan"; and 2067 (2012), para. 2, in connection with the item "The situation in Somalia".

<sup>133</sup> Resolution 2058 (2012), para. 1, in connection with the item "The situation in Cyprus".

<sup>134</sup> Resolution 2061 (2012), sixth preambular paragraph, in connection with the item "The situation concerning Iraq".

<sup>135</sup> Resolution 2090 (2013), para. 4.

<sup>136</sup> Resolution 2088 (2013), para. 5.

<sup>137</sup> Resolution 2121 (2013), paras. 1 and 3.

<sup>138</sup> Resolution 2127 (2013), thirty-first preambular paragraph.

<sup>139</sup> *Ibid.*, para. 1.

<sup>140</sup> *Ibid.*, para. 19.

<sup>141</sup> Resolution 2062 (2012), para. 10.

<sup>142</sup> Resolution 2101 (2013), seventh preambular paragraph.

<sup>143</sup> Resolutions 2053 (2012), 2076 (2012), 2078 (2012) and 2098 (2013).

integral part of the overall solution for reducing the threat posed by Congolese and foreign armed groups.<sup>144</sup> In March 2013, the Council welcomed the signing on 24 February 2013 of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region,<sup>145</sup> and demanded that the signatory States of the Framework fully implement their commitments in good faith.<sup>146</sup>

Concerning Guinea-Bissau, the Council stressed that all stakeholders should work to ensure stability through clear commitment and genuine inclusive political dialogue aimed at creating conditions conducive to the restoration of and respect for constitutional order following credible elections, ultimately facilitating the implementation of key reforms and the strengthening of State institutions.<sup>147</sup> Concerning Liberia, the Council determined that, despite significant progress, the situation remained fragile and that it continued to constitute a threat to international peace and security in the region.<sup>148</sup> The Council called upon all Liberian leaders to promote meaningful reconciliation and inclusive dialogue to consolidate peace and advance Liberia's democratic development.<sup>149</sup>

In relation to Mali, the Council reacted promptly to the crisis in 2012 by issuing two presidential statements,<sup>150</sup> and in July 2012 the Council determined that the situation constituted a threat to international peace and security, and, acting under Chapter VII of the Charter, expressed its support for all efforts made by the transitional authorities of Mali, with the support of ECOWAS, the African Union, neighbouring and other countries in the region and the United Nations, aimed at seeking a peaceful solution to the situation in the north of Mali.<sup>151</sup> It requested the Secretary-General to provide support to ongoing mediation efforts, including through the good offices of his Special Representative for West Africa.<sup>152</sup> The Council acknowledged the steps taken by Mali, including by the signing on 6 April 2012 of a framework agreement under the auspices of ECOWAS,

towards developing a road map for the restoration of constitutional order, an inclusive national dialogue and the organization of free, transparent and fair presidential elections.<sup>153</sup> The Council also emphasized the importance for the transitional authorities of Mali to move swiftly in a process of inclusive dialogue and active engagement with Malian political groups.<sup>154</sup> The Council commended the initial measures taken to restore constitutional order and national unity in Mali.<sup>155</sup>

Concerning Sierra Leone, the Council urged the Government to continue its efforts to hold regular, inclusive and genuine dialogue with all relevant national and international stakeholders on the country's peacebuilding and development goals, and also urged the Government to ensure that the Agenda for Prosperity continued to build on progress achieved in strengthening the political, security, justice and human rights institutions in the country, including through implementation of the recommendations of the Truth and Reconciliation Commission.<sup>156</sup>

In connection with Somalia, the Council, acting under Chapter VII of the Charter, reiterated its full support for the Djibouti peace process and the Transitional Federal Charter, which provided the framework for reaching a lasting political solution in Somalia, and stressed the need for reconciliation, dialogue and broad-based, inclusive and representative Somali institutions.<sup>157</sup> The Council emphasized the critical role of the new Somali authorities in achieving reconciliation, lasting peace and stability in Somalia, and stressed their importance in developing a programme to define post-transition priorities.<sup>158</sup> The Council encouraged the Federal Government of Somalia to initiate processes of national reconciliation in order to accelerate efforts to establish sustainable, legitimate and representative local governance structures across the country.<sup>159</sup>

In relation to the situation in the Sudan, specifically in Darfur, the Council welcomed the initiative of the African Union-United Nations Joint Chief Mediator for Darfur to revitalize the peace process, including through renewed engagement of the non-signatory movements,

<sup>144</sup> Resolution 2053 (2012), para. 3.

<sup>145</sup> S/2013/131, annex.

<sup>146</sup> Resolution 2098 (2013), paras. 1 and 2.

<sup>147</sup> Resolution 2103 (2013), sixth preambular paragraph.

<sup>148</sup> Resolutions 2079 (2012), eleventh preambular paragraph, and 2128 (2013), fifteenth preambular paragraph.

<sup>149</sup> Resolutions 2079 (2012), tenth preambular paragraph, and 2128 (2013), twelfth preambular paragraph.

<sup>150</sup> S/PRST/2012/7 and S/PRST/2012/9.

<sup>151</sup> Resolution 2056 (2012), para. 11.

<sup>152</sup> *Ibid.*, para. 12.

<sup>153</sup> Resolution 2071 (2012), fifteenth preambular paragraph.

<sup>154</sup> Resolution 2100 (2013), sixth preambular paragraph.

<sup>155</sup> *Ibid.*, para. 1.

<sup>156</sup> Resolution 2065 (2012), para. 8.

<sup>157</sup> Resolution 2036 (2012), third preambular paragraph.

<sup>158</sup> Resolution 2067 (2012), paras. 2 and 4.

<sup>159</sup> Resolution 2124 (2013), para. 25.

and encouraged the Joint Chief Mediator to be mindful of other relevant peace processes.<sup>160</sup>

In relation to Western Sahara, the Council recognized that the consolidation of the status quo was not acceptable, and called upon the parties to continue to show political will and to work in an atmosphere propitious for dialogue, thus ensuring the implementation of the relevant resolutions and the success of negotiations.<sup>161</sup>

In relation to Afghanistan, the Council welcomed the continuing efforts of the Government of Afghanistan to advance the peace and reconciliation process, including by the High Peace Council, and the implementation of the Afghan Peace and Reintegration Programme, to promote an inclusive, Afghan-led dialogue on reconciliation and political participation as laid down in the Kabul Conference communiqué on dialogue for all those who “renounce violence, have no links to international terrorist organizations”, including Al-Qaida, “respect the constitution”, including its human rights provisions, “and are willing to join in building a peaceful Afghanistan”, and encouraged the Government to make use of the good offices of the United Nations Assistance Mission in Afghanistan to support the process as appropriate, in full respect of the implementation of measures and procedures introduced by the Council in its resolutions 1267 (1999) and 1988 (2011) as well as other relevant resolutions of the Council.<sup>162</sup> The Council, acting under Chapter VII of the Charter, reiterated its call upon all Afghan parties and groups to engage constructively in peaceful political dialogue within the framework of the Afghan Constitution, to work together with international donors for the socioeconomic development of the country and to avoid resorting to violence.<sup>163</sup>

With regard to the situation in Timor-Leste, the Council urged all parties in the country, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, and reaffirmed its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste in promoting a culture of democratic

governance, through inclusive and collaborative processes.<sup>164</sup>

In relation to Iraq, the Council welcomed improvements in the security situation, and stressed that challenges to security in Iraq still existed and that improvements needed to be sustained through meaningful political dialogue and national unity.<sup>165</sup>

The consideration of and response to the situation in the Syrian Arab Republic divided the Council during the period under review, as was exemplified by its failure to adopt two draft resolutions.<sup>166</sup> However, the Council was able to adopt a series of decisions in application of Chapter VI of the Charter. The Council underscored the central importance of a peaceful political settlement to the Syrian crisis and reiterated its call for the urgent, comprehensive and immediate implementation of all aspects of the six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States to Syria.<sup>167</sup> The Council stressed that the only solution to the crisis was through an inclusive and Syrian-led political process based on the final communiqué of the Action Group for Syria (Geneva communiqué) of 30 June 2012,<sup>168</sup> and emphasized the need to convene an international conference on the Syrian Arab Republic as soon as possible.<sup>169</sup>

During the period under review, the Council viewed the situation concerning the Sudan and South Sudan as a serious threat to international peace and security.<sup>170</sup> The Council adopted a series of decisions involving multiple actions. With regard to recommendations relating to the peaceful settlement of disputes, the Council decided that the Sudan and South Sudan should, among other actions and with immediate effect, cease all hostilities, unconditionally withdraw all of their armed forces to their side of the border, activate the necessary border security mechanisms and cease hostile propaganda in the media, as well as attacks against the property and religious and cultural symbols belonging to the nationals of the other State.<sup>171</sup> Some of the recommendations were repeated by

<sup>160</sup> Resolution 2113 (2013), paras. 9 and 24.

<sup>161</sup> Resolutions 2044 (2012), eighteenth preambular paragraph and para. 5; and 2099 (2013), eighteenth preambular paragraph and para. 5.

<sup>162</sup> Resolution 2041 (2012), para. 13.

<sup>163</sup> Resolutions 2069 (2012), twenty-eighth and thirty-ninth preambular paragraphs; and 2120 (2013), twenty-ninth and fortieth preambular paragraphs.

<sup>164</sup> Resolution 2037 (2012), para. 2.

<sup>165</sup> Resolutions 2061 (2012), fifth preambular paragraph; and 2110 (2013), fifth preambular paragraph.

<sup>166</sup> S/2012/77 and S/2012/538.

<sup>167</sup> S/PRST/2012/10, seventh paragraph.

<sup>168</sup> Resolution 2118 (2013), annex II.

<sup>169</sup> Resolution 2118 (2013), twelfth preambular paragraph and paras. 16 and 17.

<sup>170</sup> See S/PRST/2012/5, first paragraph.

<sup>171</sup> Resolution 2046 (2012), para. 1.



the Council in subsequent resolutions. The Council also decided that the Sudan and South Sudan should unconditionally resume negotiations to reach agreement on critical issues relating to the dispute between the two countries.<sup>172</sup> With regard to Abyei, the Council expressed its determination that the future status of Abyei should be resolved by negotiations and not by the unilateral actions of either party.<sup>173</sup> The Council also called for a cessation of hostilities and the “immediate opening of a dialogue”.<sup>174</sup>

In relation to the situation in Cyprus, the Council acknowledged the progress made in the fully fledged negotiations, but noted that it had not been sufficient and had not resulted in a comprehensive and durable settlement. The Council urged the sides to continue their discussions. Recalling its resolution 2026 (2011), the Council called upon the two leaders (a) to put their efforts behind further work on reaching convergences on the core issues; (b) to continue to work with the technical committees with the objective of improving the daily lives of the Cypriots; (c) to improve the public atmosphere in which the negotiations were proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages; and (d) to increase the participation of civil society in the process, as appropriate.<sup>175</sup>

### C. Decisions involving the Secretary-General

Article 99 of the Charter provides that the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security. While the Charter does not describe or define the role of the Secretary-General in relation to matters of peace and security, the efforts of the Council regarding conflict prevention and the peaceful settlement of disputes increasingly required his involvement. The Secretary-General thus has been heavily involved in the facilitation of peace efforts in coordination with the Council or at its request, as demonstrated by the decisions of the Council in this regard.

During the period 2012-2013, the Council welcomed, acknowledged and recognized the work of the Secretary-General and his Special Representatives alike in assisting parties to conflict before, during and after peaceful negotiations.<sup>176</sup> The Council also requested the Secretary-General, through his Special Representatives, to enhance the mediation capacities of parties to conflict and to facilitate and strengthen dialogue.<sup>177</sup> The Council, moreover, requested the Secretary-General and his Special Representatives to provide support to mediation efforts by other organizations, and also requested the Secretary-General to use his good offices to facilitate dialogue among stakeholders.<sup>178</sup> The Council further requested the Secretary-General to explore and report on options to facilitate enhanced dialogue between relevant parties and to provide support in critical areas, such as national dialogue and electoral processes.<sup>179</sup>

During the period under review, the Secretary-General relied heavily on his Special Envoys, Special Advisers and Special Representatives to assist him in his efforts.<sup>180</sup> The Secretary-General was involved in the facilitation of peace efforts in cooperation with regional organizations, for example with the African Union and the Intergovernmental Authority on Development in the

<sup>172</sup> *Ibid.*, para. 2.

<sup>173</sup> Resolution 2126 (2013), seventeenth preambular paragraph.

<sup>174</sup> Resolution 2132 (2013), para. 1.

<sup>175</sup> Resolutions 2058 (2012), paras. 1 and 3; 2089 (2013), paras. 1 and 3; and 2114 (2013), paras. 1 and 3.

<sup>176</sup> Resolutions 2044 (2012), para. 7, in connection with the item “The situation concerning Western Sahara”; 2058 (2012), nineteenth preambular paragraph, in connection with the item “The situation in Cyprus”; 2088 (2013), eighth preambular paragraph, in connection with the item “The situation in the Central African Republic”; and 2099 (2013), para. 7, in connection with the item “The situation concerning Western Sahara”.

<sup>177</sup> Resolutions 2085 (2012), para. 3, in connection with the item “The situation in Mali”; and 2127 (2013), para. 7, in connection with the item “The situation in the Central African Republic”.

<sup>178</sup> Resolutions 2053 (2012), para. 16, in connection with the item “The situation concerning the Democratic Republic of the Congo”; 2062 (2012), para. 11, in connection with the item “The situation in Côte d’Ivoire”; 2098 (2013), para. 14, in connection with the item “The situation concerning the Democratic Republic of the Congo”; and 2112 (2013), para. 19, in connection with the item “The situation in Côte d’Ivoire”.

<sup>179</sup> Resolutions 2051 (2012), para. 16, in connection with the item “The situation in the Middle East”; and 2076 (2012), para. 16, and S/PRST/2012/22, eighth paragraph, in connection with the item “The situation concerning the Democratic Republic of the Congo”.

<sup>180</sup> For example, the Special Envoy of the Secretary-General for the Sahel, the Joint Special Envoy of the United Nations and the League of Arab States to Syria and the Special Adviser to the Secretary-General on Yemen.

Sudan and South Sudan, the Economic Community of Central African States in the Central African Republic and Côte d'Ivoire, ECOWAS in Mali and Guinea-Bissau, the International Conference on the Great Lakes Region in the Democratic Republic of the Congo and the League of Arab States in the Syrian Arab Republic, and independently in Western Sahara and Cyprus. The work of the Secretary-General in pursuing the pacific settlement of disputes was often related to the enhancement of political or national dialogue, as in Côte d'Ivoire, the Democratic Republic of the Congo, Guinea-Bissau and Libya. In Mali, Western Sahara, Cyprus, Yemen and the Syrian Arab Republic, the role of the Secretary-General consisted of a deeper involvement and active participation through mediation and his good offices.

Given the gravity of the conflict in the Syrian Arab Republic, on 16 February 2012 the General Assembly adopted resolution 66/253, in which it requested the Secretary-General and all relevant United Nations bodies to provide support to the efforts of the League of Arab States, both through the appointment of a special envoy to undertake good offices aimed at promoting a peaceful solution to the Syrian crisis, and through technical and material assistance, in consultation with the League of Arab States.<sup>181</sup> In a presidential statement dated 21 March 2012, the Council welcomed the appointment of the Joint Special Envoy of the United Nations and the League of Arab States to Syria and expressed its full support for the efforts of the Joint Special Envoy to bring an end to the violence and for his six-point proposal.<sup>182</sup> In an earlier letter dated 16 March 2012, the Joint Special Envoy had proposed a six-point plan aimed at bringing an immediate end to all violence and human rights violations, securing humanitarian access and facilitating a Syrian-led political transition leading to a democratic, plural political system, including by commencing a comprehensive political dialogue between the Government of the Syrian Arab Republic and the Syrian opposition. On 5 April 2012, in a presidential statement, the Council underscored the importance of an effective and credible United Nations supervision mechanism in the Syrian Arab Republic to monitor a cessation of armed violence in all its forms by all parties.<sup>183</sup> In resolutions

2042 (2012) and 2043 (2012),<sup>184</sup> the Council reaffirmed its full support for the proposal of the Joint Special Envoy aimed at bringing an immediate end to all violence.<sup>185</sup> The Joint Special Envoy resigned in August 2012, however, and a new envoy was appointed shortly thereafter. During the remainder of the period under review, while the Council met on multiple occasions and was actively seized of the matter, it made no further decision.

With regard to Yemen, on the other hand, the Council unanimously and consistently endorsed the good offices efforts of the Secretary-General through his Special Adviser. On 12 June 2012, the Council adopted resolution 2051 (2012), in which it emphasized the importance of conducting a fully-inclusive, participatory, transparent and meaningful National Dialogue Conference, demanded the cessation of all actions aimed at undermining the Government of National Unity and the political transition, and expressed its readiness to consider further measures, including under Article 41 of the Charter, if such actions continued. In the same resolution, the Council requested the Secretary-General to continue his good offices role, including through the efforts of his Special Adviser.<sup>186</sup> On 27 January 2013, the Council dispatched a mission to Yemen to reaffirm its support for the ongoing political transition process in the country, as well as for the involvement of the international community in implementing the Gulf Cooperation Council initiative, including the Special Adviser and his good offices in Yemen.<sup>187</sup> On 15 February 2013, the Council issued a presidential statement in which it affirmed that it would remain closely engaged on the situation in Yemen and would continue to closely follow the next steps towards a peaceful political transition.<sup>188</sup>

The types of activities undertaken by the Secretary-General and supported by the Council in relation to the peaceful settlement of disputes and the prevention of conflict are set out in table 5.

<sup>184</sup> By virtue of resolution 2043 (2012), the Council established the United Nations Supervision Mission in the Syrian Arab Republic under the command of a Chief Military Observer. For more information on the mandate and activities of the Mission, see part X, sect. II, "Peacekeeping operations".

<sup>185</sup> Resolution 2042 (2012), para. 1.

<sup>186</sup> Resolution 2051 (2012), paras. 5, 6 and 16.

<sup>187</sup> See S/2013/61, annex.

<sup>188</sup> S/PRST/2013/3, eighth paragraph.

<sup>181</sup> General Assembly resolution 66/253, para. 11.

<sup>182</sup> S/PRST/2012/6, fourth, fifth, sixth and seventh paragraphs.

<sup>183</sup> S/PRST/2012/10, sixth paragraph.

Table 5  
**Decisions involving the Secretary-General in the Council's efforts at the pacific settlement of disputes, 2012-2013**

<i>Decision and date</i>	<i>Provision</i>	<i>Type of activity supported by the Council</i>
<b>Africa</b>		
<b>The situation in the Central African Republic</b>		
Resolution <a href="#">2088 (2013)</a> 24 January 2013	Eighth preambular paragraph	Good offices
Resolution <a href="#">2121 (2013)</a> 10 October 2013	Para. 4	Mediation support
Resolution <a href="#">2127 (2013)</a> 5 December 2013	Para. 7	Mediation support
<b>The situation in Côte d'Ivoire</b>		
Resolution <a href="#">2062 (2012)</a> 26 July 2012	Para. 11	Good offices
Resolution <a href="#">2112 (2013)</a> 30 July 2013	Para. 19	Good offices
<b>The situation concerning the Democratic Republic of the Congo</b>		
Resolution <a href="#">2053 (2012)</a> 27 June 2012	Para. 16	Electoral support
	Para. 17	Good offices
<a href="#">S/PRST/2012/22</a> 19 October 2012	Eighth paragraph	Good offices
Resolution <a href="#">2076 (2012)</a> 20 November 2012	Para. 16	Dialogue assessment
Resolution <a href="#">2098 (2013)</a> 28 March 2013	Para. 5	Peace implementation assessment
	Para. 14	Good offices
<b>The situation in Guinea-Bissau</b>		
Resolution <a href="#">2092 (2013)</a> 22 February 2013	Para. 3	Dialogue and electoral support
Resolution <a href="#">2103 (2013)</a> 22 May 2013	Para. 8	Dialogue support
<b>The situation in the Great Lakes region</b>		
<a href="#">S/PRST/2013/11</a> 25 July 2013	Seventh paragraph	Peace implementation assessment

## Repertoire of the Practice of the Security Council, 2012-2013

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<i>Decision and date</i>	<i>Provision</i>	<i>Type of activity supported by the Council</i>
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### **The situation in Libya**

<a href="#">S/PRST/2013/21</a> 16 December 2013	Third paragraph	Dialogue support
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### **The situation in Mali**

Resolution <a href="#">2056 (2012)</a> 5 July 2012	Para. 12	Mediation support
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Resolution <a href="#">2071 (2012)</a> 12 October 2012	Para. 4	Dialogue support
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	Para. 10	Mediation support
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Resolution <a href="#">2085 (2012)</a> 20 December 2012	Para. 3	Mediation support
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Resolution <a href="#">2100 (2013)</a> 25 April 2013	Para. 2	Transition and dialogue support
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### **Reports of the Secretary-General on the Sudan and South Sudan**

Resolution <a href="#">2063 (2012)</a> 31 July 2012	Para. 20	Mediation
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Resolution <a href="#">2113 (2013)</a> 30 July 2013	Paras. 9 and 24	Mediation
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### **The situation concerning Western Sahara**

Resolution <a href="#">2044 (2012)</a> 24 April 2012	Paras. 6 and 9	Mediation
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Resolution <a href="#">2099 (2013)</a> 25 April 2013	Paras. 6 and 9	Mediation
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### **Europe**

#### **The situation in Cyprus**

Resolution <a href="#">2058 (2012)</a> 19 July 2012	Nineteenth preambular paragraph	Mediation support
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Resolution <a href="#">2089 (2013)</a> 24 January 2013	Third and nineteenth preambular paragraphs	Mediation support
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Resolution <a href="#">2114 (2013)</a> 30 July 2013	Third and nineteenth preambular paragraphs	Mediation support
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### **Middle East**

#### **The situation in the Middle East (Syrian Arab Republic)**

<a href="#">S/PRST/2012/6</a> 21 March 2012	Fifth paragraph	Political dialogue
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<i>Decision and date</i>	<i>Provision</i>	<i>Type of activity supported by the Council</i>
<a href="#">S/PRST/2012/10</a> 5 April 2012	Sixth paragraph	Ceasefire supervision
	Seventh paragraph	Peace implementation mechanism
Resolution 2042 (2012) 14 April 2012	Para. 1	Peace implementation mechanism
Resolution 2043 (2012) 21 April 2012	Para. 1	Peace implementation mechanism
<b>The situation in the Middle East (Yemen)</b>		
Resolution 2051 (2012) 12 June 2012	Para. 16	Good offices
<a href="#">S/PRST/2013/3</a> 15 February 2013	Eighth paragraph	Good offices

#### **D. Decisions involving regional arrangements or agencies**

During the period under review, consistent with Article 52 of the Charter, the Council welcomed and expressed support for the efforts for the pacific settlement of disputes through regional organizations and other arrangements, encouraged the continuation of those

efforts and called upon parties to conflict to engage and cooperate in such processes led by regional organizations and entities. Decisions of the Council with regard to joint or parallel efforts undertaken by the Council and regional arrangements or agencies in the pacific settlement of disputes during the period under review are covered in detail in part VIII.

### **IV. Discussion on the interpretation or application of the provisions of Chapter VI of the Charter**

#### **Note**

Section IV features the main discussions in the Security Council with regard to the interpretation of specific provisions of Chapter VI of the Charter concerning the role of the Council and the Secretary-General in the peaceful settlement of disputes. It excludes those discussions concerning regional organizations, which are covered in part VIII.

During the period under review, explicit references were made to Articles 33,<sup>189</sup> 36<sup>190</sup> and 99,<sup>191</sup> as well as

<sup>189</sup> In connection with the protection of civilians in armed conflict, [S/PV.7019](#), p. 58 (Netherlands); and in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, [S/PV.6705](#), p.17 (Pakistan); and p. 20 (South Africa); and [S/PV.6705 \(Resumption 1\)](#), p.10 (Mauritius).

<sup>190</sup> In connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, [S/PV.6705](#), p.4 (Germany); p.17 (Pakistan); and [S/PV.6705 \(Resumption 1\)](#), p.18 (Argentina).

<sup>191</sup> In connection with children and armed conflict, [S/PV.6838](#), p.25 (Pakistan); p. 26 (India); and [S/PV.6980](#), p.27 (India); in connection with the implementation of the note by the President of the Security Council ([S/2010/507](#)), [S/PV.6870](#), p.26 (Luxembourg); [S/PV.7052](#), p. 6 (United Kingdom); p.13 (France); and [S/PV.7052 \(Resumption 1\)](#), p. 8 (New Zealand).

to Chapter VI<sup>192</sup> of the Charter during deliberations, most of which did not give rise to constitutional discussions.

Section IV is divided into four subsections: A. Relevance of the provisions of Chapter VI in comparison to the provisions of Chapter VII; B. Referral of legal disputes in the light of Article 36 of the Charter; C. Reference to peaceful means of settlement in the light of Article 33 of the Charter; and D. Utilization of Article 99 by the Secretary-General for the pacific settlement of disputes. The section features cases in which relevant constitutional discussions took place during the period under review.

### A. Relevance of the provisions of Chapter VI in comparison to the provisions of Chapter VII

During the period under review, discussions in the Council touched upon the distinction between Chapter VI and Chapter VII of the Charter. In the cases discussed below, speakers identified the nature of Council actions considered within each Chapter, the timing of such

<sup>192</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, *S/PV.6702*, p. 11 (Colombia); *S/PV.6702 (Resumption 1)*, pp. 2-3 (Pakistan); and *S/PV.7015 (Resumption 1)*, p.23 (New Zealand); in connection with implementation of the note by the President of the Security Council (*S/2010/507*), *S/PV.6870*, p. 11 (Pakistan); p.21 (India); pp.23-24 (New Zealand); *S/PV.7052*, p.15 (Pakistan); p.23 (India); *S/PV.7052 (Resumption 1)*, p.8 (New Zealand); and p.10 (Turkey); in connection with peace and security in Africa, *S/PV.6946*, pp.19-20 (Pakistan); in connection with the protection of civilians in armed conflict, *S/PV.6790*, p.25 (India); in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, *S/PV.6849*, p.11 (India); in connection with the situation between Iraq and Kuwait, *S/PV.6990*, p. 3 (Iraq); in connection with the situation concerning Iraq, *S/PV.7068*, p.5 (Special Representative of the Secretary-General and Head of the United Nations Assistance Mission for Iraq); in connection with the situation in the Great Lakes region, *S/PV.7011 (Resumption 1)*, p.8 (United Republic of Tanzania); in connection with the situation in the Middle East, *S/PV.6710*, p.23 (Pakistan); p.26 (Azerbaijan); p. 27 (Togo); and *S/PV.6711*, p. 7 (United Kingdom); in connection with the situation in the Middle East, including the Palestinian question, *S/PV.6706*, p.23 (Guatemala); and in connection with United Nations peacekeeping operations, *S/PV.6903*, p.11 (Togo); p.25 (New Zealand); p.52 (Côte d'Ivoire); and p.60 (Namibia).

actions, the conditions on the ground susceptible of being addressed with Council actions under Chapter VI or Chapter VII of the Charter and the cost-benefit analysis of adopting such actions by the Council.

### Case 5 The situation in the Middle East

On 31 January 2012, at its 6710th meeting, the Council had before it a letter dated 24 January 2012 from the Secretary-General addressed to the President of the Security Council transmitting a letter from the League of Arab States regarding the situation in the Syrian Arab Republic.<sup>193</sup> Against the backdrop of the crisis, Council members discussed the opportunity of adopting a draft resolution tabled by Morocco addressing the violence prevailing in the country. The Secretary-General of the League of Arab States stated that he looked forward to supporting a resolution that called upon all parties to immediately cease all acts of violence in order to protect the Syrian people and to engage in a serious national dialogue under the aegis of the League of Arab States.<sup>194</sup> The representative of France clarified that nothing in the draft resolution proposed by Morocco could be construed as an authorization of the use of force. He added that “the draft does not fall under Chapter VII. We are not preparing any military operation”.<sup>195</sup> Furthermore, he noted that the goal would be to find a peaceful way out of the crisis that would allow the Syrian people to freely express their aspirations.<sup>196</sup> The representative of the United Kingdom argued that the draft resolution did not propose imposing change on the Syrian Arab Republic from outside; it called for the Syrian people to be allowed to make their choices for themselves. He added that the plan of the League of Arab States that was endorsed in the draft resolution did not include “any outside intervention” and did not contain “coercive measures”, but would put the leaders of the Syrian Arab Republic on notice that measures would be considered by the Council if there was not an immediate end to the violence.<sup>197</sup> The representative of Pakistan cautioned that the discussion should remain in full cognizance of and respect for the independence, unity, sovereignty and territorial integrity of the Syrian Arab Republic and should remain within the framework of Chapter VI of the Charter and the principles

<sup>193</sup> *S/2012/71*.

<sup>194</sup> *S/PV.6710*, p. 9.

<sup>195</sup> *Ibid.*, p. 16.

<sup>196</sup> *Ibid.*

<sup>197</sup> *Ibid.*

of the pacific settlement of disputes.<sup>198</sup> The representative of Azerbaijan noted that the international community should not only demand certain steps from the Government of the Syrian Arab Republic, but also focus on persuading the opposition to reciprocate. Only measures adequate to the situation that “conform with Chapter VI of the Charter and pay due regard to the role of the League of Arab States” could be considered.<sup>199</sup> The representative of Togo expressed concerns regarding the implementation of the far-reaching road map of the League of Arab States elaborated in the framework of Chapter VI of the Charter, given the reluctance of the Government to step down or to take part in the transition process as recommended by the road map.<sup>200</sup> The Prime Minister and Minister for Foreign Affairs of Qatar, speaking also in his capacity as Chair of the Arab ministerial committee on the Syrian Arab Republic, clarified that his mission was not to request military intervention from the Council or to take a decision in favour of military intervention. He emphasized that it was a matter for the Syrian people to decide who should govern them.<sup>201</sup>

Four days later, on 4 February 2012, at its 6711th meeting, the Council considered a draft resolution submitted by 19 Member States, including Morocco.<sup>202</sup> The favourable vote of 13 Council members notwithstanding, the draft resolution was not adopted owing to the negative vote of two permanent members of the Council.<sup>203</sup> Most Council members regretted the result of the vote. The representative of Germany, who was echoed by the representatives of the United Kingdom and the United States, explained that the draft resolution was aimed at answering the call from Arab States and a large part of the international community to support the initiative of the League of Arab States towards finding a political, Syrian-led solution to the crisis.<sup>204</sup> He noted that the resolution did not foresee an arms embargo or a sanctions regime, nor did it mandate a commission of inquiry into human rights violations.<sup>205</sup> The representative of the United Kingdom clarified that, in an attempt to reach consensus, the text of the draft

resolution, which was a “Chapter VI resolution”, had been assessed to dispel the fears of some Council members about regime change, military intervention, an arms embargo and sanctions.<sup>206</sup> The representative of India stated that the draft resolution expressly ruled out any measures under Article 42 of the Charter and called for a serious political dialogue between the Government of the Syrian Arab Republic and the whole spectrum of the opposition under the auspices of the League of Arab States.<sup>207</sup> Similar remarks were made by the representative of Azerbaijan, who emphasized that the draft resolution supported the idea of a peaceful solution to the crisis in the Syrian Arab Republic and that no provision in the draft authorized measures under Article 42 of the Charter.<sup>208</sup>

### **Case 6** **The situation between Iraq and Kuwait**

On 27 June 2013, at its 6990th meeting, the Council adopted resolution [2107 \(2013\)](#), terminating a series of measures against Iraq that had been adopted under Chapter VII of the Charter concerning the repatriation of Kuwaiti nationals (including members of the armed forces of Kuwait held as prisoners of war) and the return of the remains of deceased Kuwaiti and third-country nationals, as well as Kuwaiti property seized by Iraq.<sup>209</sup> By virtue of resolution [2107 \(2013\)](#), the Council also terminated the involvement of the Secretary-General in reporting specifically on the compliance by Iraq with the Chapter VII measures mentioned above.<sup>210</sup> In the resolution, the Council recognized that the situation existing in Iraq was significantly different from that which had existed at the time of the adoption of resolution [661 \(1990\)](#). The Council also recognized the importance of Iraq achieving international standing equal to that which it had held prior to the adoption of resolution [661 \(1990\)](#).<sup>211</sup> Most importantly, the Council welcomed the ongoing cooperation between Iraq and Kuwait in the search for missing Kuwaiti and third-country nationals, and, “with consideration to the provisions of Chapter VI of the Charter of the United Nations on the pacific settlement of disputes”, called upon the Government of Iraq to continue cooperation with the International

<sup>198</sup> *Ibid.*, p. 23.

<sup>199</sup> *Ibid.*, p. 26.

<sup>200</sup> *Ibid.*, p. 27.

<sup>201</sup> *Ibid.*, p. 30.

<sup>202</sup> [S/2012/77](#).

<sup>203</sup> [S/PV.6711](#), p. 2.

<sup>204</sup> *Ibid.*, p. 4 (Germany); p. 5 (United States); and p. 7 (United Kingdom).

<sup>205</sup> *Ibid.*, p. 5.

<sup>206</sup> *Ibid.*, p. 7.

<sup>207</sup> *Ibid.*, p. 8.

<sup>208</sup> *Ibid.*, pp. 11-12.

<sup>209</sup> See resolutions [686 \(1991\)](#), paras. 2 (c), 2 (d) and 3 (c), and [687 \(1991\)](#), para. 30.

<sup>210</sup> Resolution [1284 \(1999\)](#), para. 14.

<sup>211</sup> Resolution [2107 \(2013\)](#), second preambular paragraph.

Committee of the Red Cross<sup>212</sup> for the search of persons still unaccounted for, as well as missing property.<sup>213</sup> The Council requested the Special Representative of the Secretary-General for Iraq to promote, support and facilitate efforts in that regard, and requested the Secretary-General to report separately to the Council on the matters in his reports on the progress made towards the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq.<sup>214</sup>

Following the adoption of the resolution, the Minister for Foreign Affairs of Iraq stated that the Council was meeting to adopt a resolution to “remove Iraq from the provisions of Chapter VII of the Charter”.<sup>215</sup> He assessed the achievements of Iraq in regaining international standing and noted that, with respect to the situation between Iraq and Kuwait, only the issue of missing Kuwaitis and property remained open. He indicated that significant progress had been achieved under bilateral cooperation and affirmed that Iraq would continue to cooperate and to step up the pace of cooperation given that the issue had been “transferred to coverage under the provisions of Chapter VI”.<sup>216</sup> He assessed that resolution 2107 (2013) represented a significant development in the relationship between Iraq and Kuwait and that their cooperation would serve as a model for resolving disputes between States by peaceful means.

#### **Case 7 Implementation of the note by the President of the Security Council (S/2010/507)**

On 29 October 2013, at its 7052nd meeting, the Council considered its working methods in the light of a concept note circulated by Azerbaijan.<sup>217</sup> During the course of the debate, speakers made reference to actions taken by the Council under Chapters VI and VII of the Charter. The representative of Pakistan believed that the Council should rely more on diplomacy and the peaceful settlement of disputes under Chapter VI of the Charter.<sup>218</sup>

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<sup>212</sup> The search for Kuwaiti and third-country nationals and property had taken place under the auspices of the International Committee of the Red Cross, as provided for in resolution 686 (1991).

<sup>213</sup> Resolution 2107 (2013), fourth preambular paragraph and para. 2.

<sup>214</sup> *Ibid.*, para. 4.

<sup>215</sup> S/PV.6990, p. 2.

<sup>216</sup> *Ibid.*, p. 3.

<sup>217</sup> S/2013/613, annex.

<sup>218</sup> S/PV.7052, p. 15.

In his assessment, excessive reliance on Chapter VII could lead to impasse on several issues and create an erroneous impression of the “sanctity and force” of non-Chapter VII resolutions.<sup>219</sup> The representative of India emphasized that before mandating measures under Chapter VII of the Charter, the Council should first make serious efforts for the peaceful settlement of disputes through measures under Chapter VI.<sup>220</sup> The representative of New Zealand affirmed that much more needed to be done to enable the Council to perform more effectively its most neglected Charter responsibilities, namely those under Chapter VI, concerning conflict prevention and the peaceful settlement of disputes.<sup>221</sup> He recalled that preventive initiatives were less costly in terms of resources and lives than peacekeeping or peace enforcement, and were more likely to deliver lasting outcomes that would address the root causes of conflict.<sup>222</sup> Echoing the representative of New Zealand, the representative of Turkey said that the Council should make better use of measures under Chapter VI of the Charter.<sup>223</sup> He added that without prejudice to the measures under Chapter VII, the Council should “give some thought” to utilizing different ways to reach a peaceful settlement of disputes.<sup>224</sup>

#### **B. Referral of legal disputes in the light of Article 36 of the Charter**

Article 36 of the Charter provides that, as a general rule, legal disputes should be referred to the International Court of Justice by the parties. During the period under review, and as illustrated by the case featured below, speakers encouraged the Council to refer legal disputes more frequently to the Court and to seek the Court’s legal advice on issues of legal complexity. Speakers called upon the Council and Member States to strengthen the role of the Court by means of a more frequent recourse to the Court and by accepting its jurisdiction.

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<sup>219</sup> *Ibid.*

<sup>220</sup> *Ibid.*, p. 23.

<sup>221</sup> S/PV.7052 (Resumption 1), p. 8.

<sup>222</sup> *Ibid.* The idea was also stated by the representative of New Zealand during the 6903<sup>rd</sup> meeting of the Council, on United Nations peacekeeping operations (see S/PV.6903, p. 25).

<sup>223</sup> *Ibid.*, p. 10.

<sup>224</sup> *Ibid.*



**Case 8**  
**The promotion and strengthening of the rule of law in the maintenance of international peace and security**

At its 6705th meeting, on 19 January 2012, the Council considered the report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies.<sup>225</sup> Speakers agreed that the rule of law was critical in preventing conflict and rebuilding societies. To strengthen the rule of law, the representative of Germany proposed more frequent use of Article 36 of the Charter, which allowed the Council to recommend to States to refer legal aspects of international disputes to the International Court of Justice.<sup>226</sup> He called upon more Member States to accept the compulsory jurisdiction of the Court as a means of further anchoring the rule of law, both within the Council and in international relations.<sup>227</sup>

The representative of Pakistan agreed with the recommendation of the Secretary-General that the Council needed to strengthen its support for the International Court of Justice, including by requesting advisory opinions when faced with issues of legal intricacy.<sup>228</sup> Echoing the representative of Pakistan, the representative of South Africa added that making requests for advisory opinions would show that the old debate about whether the Council functioned above international law was “passé”, and that the Council operated within the framework of international law in its actions.<sup>229</sup> Similarly, the representative of Brazil affirmed that the work of the Court helped to uphold the primacy of law in international affairs and that the Council could further explore the advisory role of the Court.<sup>230</sup> The representative of Peru underscored the work of the Court in resolving disputes among States and, in this regard, noted that two factors determined the contribution and commitment of States to the maintenance of international peace and security, namely, the recognition of the Court’s contentious jurisdiction and the recognition of and full compliance with its rulings.<sup>231</sup> Echoing the position of Peru, the representative of Costa Rica emphasized that the

Council should maintain its support for the Court, in particular in the event of non-compliance with the obligations stemming from the decisions adopted by the Court, pursuant to Article 94 of the Charter.<sup>232</sup>

The representative of Mauritius affirmed that the international community had yet to set up adequate machinery for the settlement of legal disputes available to States. He noted that only about one third of the United Nations membership had made declarations under Article 36 of the Statute of the International Court of Justice accepting the compulsory jurisdiction of the Court, and that many States that had made such declarations had also voiced reservations limiting the Court’s jurisdiction or, in many cases, excluding it. He added that other States sought to vary or revoke their declaration when a dispute was submitted or was about to be submitted to exclude the competence of the Court over the dispute concerned, illustrating the difficulties faced by States in settling disputes under international law.<sup>233</sup> The representative of Kyrgyzstan affirmed that the role of the International Court of Justice as the principal judicial organ of the United Nations was significant and that the Court should be one of the key mechanisms for the peaceful settlement of disputes.<sup>234</sup>

During the course of the meeting, the Council issued a presidential statement, in which it emphasized the key role of the International Court of Justice in adjudicating disputes among States and the value of its work. To that end, the Council called upon States that had not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.<sup>235</sup>

On 17 October 2012, at its 6849th meeting, the Council considered the subject “Peace and justice, with a special focus on the International Criminal Court”, on the basis of a concept note circulated by Guatemala.<sup>236</sup> The representative of India stated that the Council needed to lay more emphasis on Chapter VI of the Charter rather than on coercive measures, and recalled that the International Court of Justice had a role under the Charter in adjudicating disputes between States.<sup>237</sup> In the same vein, the representative of Pakistan affirmed that the rule of law was strengthened if there were no exceptions or double standards in the application of international law,

<sup>225</sup> S/2011/634.

<sup>226</sup> S/PV.6705, p. 4.

<sup>227</sup> Similar calls were made by other speakers. See S/PV.6705, p. 6 (Portugal); p. 16 (Guatemala); p. 17 (Pakistan); p. 20 (South Africa); and S/PV.6705 (Resumption 1), p. 2 (European Union).

<sup>228</sup> Ibid., p. 17.

<sup>229</sup> Ibid., p. 20.

<sup>230</sup> Ibid., p. 23.

<sup>231</sup> Ibid., p. 26.

<sup>232</sup> Ibid., p. 29.

<sup>233</sup> S/PV.6705 (Resumption 1), pp. 10-11.

<sup>234</sup> Ibid., p. 21.

<sup>235</sup> S/PRST/2012/1, third paragraph.

<sup>236</sup> S/2012/731, annex.

<sup>237</sup> S/PV.6849, p. 11.

and that the Council would promote the rule of law by more frequent recourse to the International Court of Justice.<sup>238</sup> The representative of Honduras called upon States to accept the jurisdiction of the Court without reservation.<sup>239</sup>

### C. Reference to peaceful means of settlement in the light of Article 33 of the Charter

Article 33 of the Charter refers to a broad variety of means of resolving disputes. As illustrated by the cases included below, during the period under review, the Council continued to focus on the role of women in the peaceful settlement of disputes, as well as on the role of regional organizations for global conflict prevention.

With regard to the item “Women and peace and security”, members indicated consensus on the need for women’s involvement as a vehicle for conflict prevention, conflict resolution and peacebuilding and that such participation was indispensable in promoting lasting peace. The discussions on the topic resulted in the adoption of resolution [2122 \(2013\)](#), in which the Council expressed its intention to focus more attention on women’s participation in conflict resolution and peacebuilding and recognized the need to increase women’s participation in all discussions pertinent to the prevention and resolution of armed conflict.

The Council also dwelled on the regional dimensions of conflict prevention in its discussions under the item entitled “Peace and security in Africa”. During the discussions on that item, speakers praised the conflict prevention architecture developed by the African Union and emphasized the importance of partnerships between regional and subregional organizations. Speakers also made reference to other means of conflict prevention, such as good offices, mediation, dialogue, early warning mechanisms and preventive diplomacy.

#### Case 9 Women and peace and security

On 30 November 2012, at its 6877th meeting, in connection with women and peace and security, the Council considered the report of the Secretary-

General.<sup>240</sup> During the debate, speakers focused on the role of women in conflict prevention and peacebuilding.<sup>241</sup> The Under-Secretary-General for Peacekeeping Operations affirmed that women could and must play a leading role in political participation, conflict resolution and the transition from conflict to peace.<sup>242</sup> He also gave concrete examples of the successful resolution of conflicts by women.<sup>243</sup> The representative of the NGO Working Group on Women, Peace and Security noted that despite the constraints and barriers they faced, women played a central role in the prevention and resolution of conflicts and in peacebuilding at the community, national and international levels, from early warning to post-conflict reconstruction.<sup>244</sup> The representative of South Africa, however, noted with concern the continuing underrepresentation of women in formal peace processes and therefore called for a more regular review of the status of implementation of the recommendations of the Secretary-General in that regard.<sup>245</sup> The representative of the Russian Federation said that the direct involvement of women in conflict prevention and settlement was an important precondition for overcoming violence against them.<sup>246</sup> The representative of Guatemala stated that without security for women, no lasting peace could be achieved.<sup>247</sup> The representative of China noted that although women tended to be victims in conflict and post-conflict situations, they were also important partners in the prevention and mediation of conflicts and in post-conflict reconstruction,<sup>248</sup> a statement that was echoed by the representative of Croatia.<sup>249</sup> The representative of

<sup>240</sup> [S/2012/732](#).

<sup>241</sup> The participation of women in conflict prevention and conflict resolution was also discussed at other meetings of the Council. During its 6903<sup>rd</sup> meeting, on 21 January 2013, for instance, under the item “United Nations peacekeeping operations”, speakers welcomed the efforts of the Secretary-General in fostering greater representation of women in conflict prevention, conflict resolution and peacebuilding (see [S/PV.6903](#)). The Council at that meeting unanimously adopted resolution [2086 \(2013\)](#), in which it noted that multidimensional peacekeeping missions could be mandated to, inter alia, support the participation of women in conflict prevention, conflict resolution and peacebuilding (para. 8 (j)).

<sup>242</sup> [S/PV.6877](#), p. 6.

<sup>243</sup> *Ibid.*

<sup>244</sup> *Ibid.*, p. 8.

<sup>245</sup> *Ibid.*, p. 12.

<sup>246</sup> *Ibid.*, p. 15.

<sup>247</sup> *Ibid.*, p. 18.

<sup>248</sup> *Ibid.*, p. 24.

<sup>249</sup> *Ibid.*, p. 48.

<sup>238</sup> *Ibid.*, p. 12.

<sup>239</sup> [S/PV.6849 \(Resumption 1\)](#), p. 12.

China added that when deliberating on conflict and post-conflict situations, the Council should include as central elements the protection of women and their rights.<sup>250</sup> The representative of the European Union, echoing comments by most speakers, indicated that women's organizations played a particularly important role in conflict prevention, conflict resolution and building sustainable peace.<sup>251</sup> The representative of Lithuania remarked that mainstreaming gender perspectives into conflict prevention, conflict resolution and post-conflict rehabilitation remained an unfinished business and that continuous engagement by the Council on the subject was required.<sup>252</sup> The representative of Latvia recalled the need to build on the role of women as agents of conflict resolution and sustained recovery. She added that the role of women was important in the whole crisis cycle, from the prevention and resolution of conflict to peacebuilding, post-conflict reconciliation and reintegration.<sup>253</sup> In the same vein, the representative of Nigeria stressed the importance of creating enabling conditions for the participation of women during all stages of peace processes.<sup>254</sup> The representative of Tunisia highlighted the importance of further mobilizing technical support for civil society, in particular women's organizations, given their significant role in pre-empting the escalation of violence against women by enhancing early warning mechanisms and in developing women's capacities to participate actively in conflict prevention, mediation and resolution processes.<sup>255</sup>

On 24 June 2013, at its 6984th meeting, the Council considered the subject of sexual violence in conflict, having before it a concept note circulated by the United Kingdom.<sup>256</sup> The representative of Australia affirmed that sexual violence was both a tactic and a consequence of conflict. He added that it could prolong and deepen conflict and its prevention was intrinsic to the protection of civilians in conflict and to rebuilding societies devastated by conflict.<sup>257</sup> He clarified that women were not just victims, but were critical agents in conflict prevention, resolution, rebuilding and reconciliation, and he urged the Council to utilize its decisive power to bring

about peace.<sup>258</sup> The representative of Luxembourg stated that sexual violence was indisputably a subject directly linked to international peace and security and that both restorative and punitive justice for crimes committed could play a prevention role in terms of future conflict.<sup>259</sup> The representative of Sweden affirmed that the equal participation of men and women in conflict prevention and peacebuilding was fundamental to combating sexual violence.<sup>260</sup> The representative of the Netherlands noted that the role of women in finding solutions through conflict prevention, resolution and transformation was often underestimated, and their capacity in that regard was underutilized, ultimately decreasing the effectiveness and likelihood of success of any peace and reconstruction process.<sup>261</sup> He concluded that the participation of women in finding solutions to conflicts and in reconstruction processes was indispensable.<sup>262</sup> In the same vein, the representative of Canada affirmed that the Council should take concrete measures to support women's opportunities for equal participation and decision-making in all conflict-prevention and resolution processes.<sup>263</sup> Echoing previous interventions, the representative of Bosnia and Herzegovina stated that involving women in conflict prevention and mediation and deploying women's protection advisers to United Nations peacekeeping and special political missions was crucial to building and reinforcing peace.<sup>264</sup>

On 18 October 2013, at its 7044th meeting, the Council considered the subject of women, rule of law and transitional justice in conflict-affected situations on the basis of a concept note circulated by Azerbaijan.<sup>265</sup> At the meeting, the Council unanimously adopted resolution [2122 \(2013\)](#), in which it expressed its intention to focus more attention on women's leadership and participation in conflict resolution and peacebuilding, and recognized the need to increase women's participation and the consideration of gender-related issues in, inter alia, all discussions pertinent to the prevention and resolution of armed conflict.<sup>266</sup>

<sup>250</sup> Ibid., p. 24.

<sup>251</sup> Ibid., p. 29.

<sup>252</sup> Ibid., p. 52.

<sup>253</sup> Ibid., p. 53.

<sup>254</sup> Ibid., p. 61.

<sup>255</sup> Ibid., p. 67.

<sup>256</sup> [S/2013/335](#), annex.

<sup>257</sup> [S/PV.6984](#), p. 20.

<sup>258</sup> Ibid., p. 21.

<sup>259</sup> Ibid., p. 23.

<sup>260</sup> Ibid., p. 28.

<sup>261</sup> Ibid., p. 48.

<sup>262</sup> Ibid.

<sup>263</sup> Ibid., p. 51.

<sup>264</sup> Ibid., p. 56.

<sup>265</sup> [S/2013/587](#), annex.

<sup>266</sup> See resolution [2122 \(2013\)](#), paras. 1 and 7.

During the ensuing debate, the Secretary-General commended the Council for having adopted resolution 2122 (2013), underscoring the central importance of women's participation in conflict prevention, conflict resolution and peacebuilding.<sup>267</sup> The Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women emphasized that women's leadership was central to reconciliation and conflict resolution, and to peacebuilding efforts that brought results for families and communities.<sup>268</sup> The representative of the United States called upon the Council to take concrete steps so that women would share fully in efforts to avoid and contain conflict just, as they inevitably would share the suffering when such efforts were poorly designed or failed.<sup>269</sup> Many speakers noted the importance of the effective participation of women for sustainable peace and social stability.<sup>270</sup> The representative of Indonesia stated that the resolution adopted was a clear reflection of the resolve of the Council concerning the role of women in conflict prevention, conflict resolution, peacebuilding and peacekeeping.<sup>271</sup>

#### Case 10 Peace and security in Africa

On 15 April 2013, at its 6946th meeting, the Council considered the item "The prevention of conflicts in Africa: addressing the root causes", having before it a concept note circulated by Rwanda.<sup>272</sup> The President of the Council expressed the hope that the meeting would be an occasion for the Council to revisit the concept and practice of conflict prevention within the United Nations system.<sup>273</sup> The Secretary-General, in his address to the Council, emphasized the importance of mediation efforts to ensure that peace agreements were not just pacts between political elites to address an immediate political problem; they must also deal with the underlying causes of conflict and allow all stakeholders to participate.<sup>274</sup> He added that they should also be fully implemented,

monitored and enforced.<sup>275</sup> He also noted that, in an increasingly interconnected world, regional action to prevent or address conflicts was all the more important.<sup>276</sup> The representative of Togo emphasized the need for Africa to find locally generated structural solutions to address the deep causes of conflict.<sup>277</sup> He also called upon the Council to use conflict prevention mechanisms as much as possible, making reference to Articles 40 and 41 of the Charter, which, he assessed, would promote early warning systems and strengthen the role of the Council in conflict prevention.<sup>278</sup> The representative of Australia made reference to the peace and security architecture built by the African Union, in particular the strategic use by the African Union Peace and Security Council and Peace and Security Department of representatives and missions, the appointment of high-level mediators and the dispatch of fact-finding missions.<sup>279</sup> He encouraged support for the evolving conflict-prevention mechanisms of the African Union, such as the Continental Early Warning System, the Panel of the Wise and the African Peer Review Mechanism.<sup>280</sup> He also urged the Council to make better use of preventive tools, including horizon-scanning and increased responsiveness to early warning signs.<sup>281</sup> For the representative of the United States, there was a need to, *inter alia*, strengthen the focus on governance and institution-building as a means of preventing or overcoming conflict.<sup>282</sup> The representative of Argentina affirmed that any method that settled disputes peacefully was also worth using for settling conflicts, and emphasized in this regard the role entrusted in the Charter to the Secretary-General in the area of good offices and mediation and the obligation of Member States to consent to the peaceful resolution of disputes.<sup>283</sup> The representative of the Russian Federation noted that the successful prevention of conflicts, particularly in Africa, depended on the skilful use of a number of specific tools, including early warning and response, preventive diplomacy, mediation, good offices, reconciliation and confidence-building measures. He drew attention to the value of regional and subregional organizations and to the

<sup>267</sup> S/PV.7044, p. 3.

<sup>268</sup> *Ibid.*, pp. 5-6.

<sup>269</sup> *Ibid.*, p. 12.

<sup>270</sup> *Ibid.*, p. 13 (Australia), p. 20 (China), p.27 (Brazil), p. 33 (New Zealand), p. 37 (Lithuania) and pp. 48-49 (Bosnia and Herzegovina).

<sup>271</sup> *Ibid.*, p. 70.

<sup>272</sup> S/2013/204, annex.

<sup>273</sup> S/PV.6946, p. 2.

<sup>274</sup> *Ibid.*

<sup>275</sup> *Ibid.*

<sup>276</sup> *Ibid.*, p. 3.

<sup>277</sup> *Ibid.*, p. 6.

<sup>278</sup> *Ibid.*

<sup>279</sup> *Ibid.*, p. 8.

<sup>280</sup> *Ibid.*, p. 9.

<sup>281</sup> *Ibid.*

<sup>282</sup> *Ibid.*, pp. 9-10.

<sup>283</sup> *Ibid.*, p. 13.

availability of more customized preventive diplomacy mechanisms that took into account the local specifics.<sup>284</sup> The representatives of China and Luxembourg assessed that it was essential to leverage the role of the Peacebuilding Commission in helping post-conflict countries to consolidate peace.<sup>285</sup> The representative of Luxembourg also noted the importance of partnerships and cooperation among the Council, the African Union and subregional organizations in the area of conflict prevention.<sup>286</sup> The representative of Pakistan emphasized that greater reliance on the preventive diplomacy tools provided under Chapter VI of the Charter, as well as those under Chapter VIII, would help to prevent conflicts and stall their recrudescence.<sup>287</sup> He also lauded the role of the United Nations regional offices in providing services to prevent conflicts and in helping post-conflict countries with good offices, mediation, dialogue, electoral assistance and assistance for security sector reform and disarmament, demobilization and reintegration, as well as the African Union's resort to a wide array of tools available under Chapter VI of the Charter.<sup>288</sup> The representative of the United Kingdom stated that when a crisis was on the horizon, it was necessary to spot it early, and that improving early warning systems was vital.<sup>289</sup> He mentioned the role played in this regard by the United Nations Office for West Africa and the United Nations Regional Office for Central Africa and expressed hope about the then newly established United Nations Operations and Crisis Centre.<sup>290</sup> He affirmed, in addition, that much more was necessary with regard to mediation and preventive diplomacy, denouncing the fact that too many members of the Council shied away from their responsibilities with regard to conflict prevention.<sup>291</sup> The representative of Morocco acknowledged the unprecedented mobilization in Africa to address the security and stability challenges facing the region, through the mediation of the Economic Community of West African States, the Economic Community of Central African States and the International Conference on the Great Lakes Region.<sup>292</sup> He underlined that strengthening cooperation between the United Nations and the affected

countries of the region and the subregion in order to support State institutions and the various mechanisms established at the subregional level to tackle the underlying causes of conflicts was more essential than ever.<sup>293</sup> The representative of the Republic of Korea drew attention to home-grown conflict-resolution mechanisms rooted in local practice, arguing that they could fill the gap and meet local needs for justice, peace and reconciliation.<sup>294</sup> He added that institutions of national pride and integrity, such as a forum of elders, could offer a path to conflict prevention, reconciliation and peacebuilding, which would provide the best answers to conflicts involving diverse ethnic and cultural backgrounds.<sup>295</sup> In recalling the basic tools available under the Charter in case of conflict, the representative of France noted that the Council could also send political messages, take preventive measures and even impose sanctions as necessary.<sup>296</sup> As an example, he made reference to the mediation conducted by the former President of South Africa, Thabo Mbeki, between the Sudan and South Sudan, with the support of the Council, and the Secretary-General's framework agreement on the Democratic Republic of the Congo and the Great Lakes region, supported by the African Union, showing that the United Nations and African organizations had the ability to tackle together the specific root causes of conflicts.<sup>297</sup> The representative of Rwanda affirmed that the collaboration and partnership among the Council, the African Union and its subregional organizations was of the utmost importance, and welcomed the strengthening of that cooperation over recent years, including through the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.<sup>298</sup>

#### **D. Utilization of Article 99 by the Secretary-General for the pacific settlement of disputes**

Article 99 of the Charter provides that the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security. The utilization of Article 99 by the Secretary-

<sup>284</sup> *Ibid.*, p. 14.

<sup>285</sup> *Ibid.*, p. 16 (China) and p. 18 (Luxembourg).

<sup>286</sup> *Ibid.*, p. 18.

<sup>287</sup> *Ibid.*, p. 19.

<sup>288</sup> *Ibid.*, p. 20.

<sup>289</sup> *Ibid.*, p. 21.

<sup>290</sup> *Ibid.*

<sup>291</sup> *Ibid.*

<sup>292</sup> *Ibid.*, p. 22.

<sup>293</sup> *Ibid.*, p. 23.

<sup>294</sup> *Ibid.*, p. 24.

<sup>295</sup> *Ibid.*

<sup>296</sup> *Ibid.*, pp. 24-25.

<sup>297</sup> *Ibid.*, p. 25.

<sup>298</sup> *Ibid.*, p. 27.

General was explicitly discussed in the context of two meetings relating to the implementation of the note by the President of the Security Council ([S/2010/507](#)). In those meetings, several speakers supported the practice of horizon-scanning in application of Article 99, as described below.

**Case 11  
Implementation of the note by the President of  
the Security Council ([S/2010/507](#))**

During the discussion held at the 6870th meeting, on 26 November 2012, the representative of Luxembourg made reference to Article 99 of the Charter in affirming that the practice of horizon-scanning (initiated by the United Kingdom in November 2010) was a good example of applying that provision.<sup>299</sup> Other speakers also made reference to horizon-scanning and praised its utility for the Council, urging that it become a regular practice of the Council.<sup>300</sup>

On the same topic, at the 7052nd meeting, on 29 October 2013, the representative of the United Kingdom welcomed the Secretariat's readiness to bring troubling situations to the attention of the Council, thereby making Article 99 an active tool for conflict prevention.<sup>301</sup> Several Council members and non-members endorsed the use of means at the disposal of the Council to prevent conflicts, singling out horizon-scanning briefings from the Secretariat as a particularly useful tool to respond quickly to threats to peace and

security.<sup>302</sup> The representative of the Russian Federation, however, noted that horizon-scanning sessions had evolved into provisional discussions of issues that Council members themselves planned to discuss at a later time or that were beyond the Council's purview but were being discussed for the sole purpose of using a modern format. In his view, when the Council's programme was busy, such conduct became unnecessary.<sup>303</sup>

The representative of France also made reference to the utilization of Article 99 by the Secretary-General, in the context of the impasse that the Security Council faced in the context of the Syrian conflict owing to the use of the right of veto. He recalled the President of France's proposal to create a code of conduct, with guidelines for the use of the right of veto, and he emphasized that it would entail the suspension of the right of veto when a situation involving a crime on a massive scale was considered to have occurred.<sup>304</sup> In that connection, the representative of France suggested that, in the spirit of Article 99 of the Charter, the Secretary-General could have a central role in establishing an alert mechanism that would trigger the suspension of the right of veto.

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<sup>299</sup> [S/PV.6870](#), p. 26.

<sup>300</sup> *Ibid.*, p. 3 (Portugal); p. 7 (Germany); p. 9 (United Kingdom); p. 24 (New Zealand); and p. 30 (Switzerland).

<sup>301</sup> [S/PV.7052](#), p. 6.

<sup>302</sup> *Ibid.*, p. 4 (Luxembourg); p. 6 (United Kingdom); p. 16 (Australia); p. 20 (Switzerland); p. 26 (Sweden); [S/PV.7052 \(Resumption 1\)](#), p. 8 (New Zealand); p. 9 (Belgium, also on behalf of the Netherlands); p. 10 (Turkey); p. 12 (Spain); and p. 19 (Ireland).

<sup>303</sup> [S/PV.7052](#), p. 14.

<sup>304</sup> *Ibid.*, p. 13.

## **Part VII**

**Actions with respect to threats to the peace,  
breaches of the peace, and acts of  
aggression (Chapter VII of the Charter)**

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## Introductory note

Part VII deals with action taken by the Security Council with respect to threats to the peace, breaches of the peace or acts of aggression, within the framework of Chapter VII of the Charter (Articles 39 to 51).

During the period under review the Council reduced the number of resolutions adopted invoking explicitly Chapter VII of the Charter. Of the 53 resolutions adopted by the Council in 2012, 32 were adopted “acting under Chapter VII of the Charter” (60.3 per cent), while in 2013 only 24 of the 47 resolutions were adopted “acting under Chapter VII” (51 per cent). Most of those resolutions concerned the mandates of United Nations and regional peacekeeping missions or multinational forces, and the imposition, extension, modification or termination of sanctions measures.

In 2012 and 2013, the Council determined that there were several new and ongoing threats to regional and/or international peace and security. The Council determined the existence of new threats under Article 39 of the Charter in relation to the situation in Mali<sup>1</sup> and in relation to the use of chemical weapons in the Syrian Arab Republic.<sup>2</sup> The recurrence of cross-border violence between the Sudan and South Sudan<sup>3</sup> and the situation in the Central African Republic<sup>4</sup> merited renewed expressions of concern with regard to the threat posed to the peace.

There were ongoing threats to international peace and security relating to the situations in Afghanistan, the Democratic Republic of the Congo, Lebanon, Liberia, Mali, Somalia, West Africa and the Sahel. With respect to the situation in Afghanistan, the Council also recognized the threat posed to international peace and stability by illicit drug production, trade and trafficking. Terrorism was again referred to as the most serious threat to international peace and security, and the Council reaffirmed that the proliferation of nuclear, chemical and biological weapons continued to pose a threat to international peace and security in connection with the Democratic People’s Republic of Korea and the Islamic Republic of Iran. The Council expressed its concern during this period about the destabilizing effect of the accumulation and misuse of small arms and light weapons in many regions of the world, which it deemed a continuing threat to international peace and security.

The Council imposed new sanctions measures, of the type provided for under Article 41, against Guinea-Bissau and the Central African Republic. The Council modified or expanded the measures relating to Somalia and Eritrea, Al-Qaida and associated individuals and entities, Liberia, the Democratic Republic of the Congo, Côte d’Ivoire, the Sudan, the Democratic People’s Republic of Korea, the Taliban and associated individuals and entities and Libya. No changes were made to the measures imposed on Iraq, Lebanon and the Islamic Republic of Iran. No action was taken in 2012 and 2013 relating to judicial measures, such as referring a particular situation to a tribunal or to the International Criminal Court.

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<sup>1</sup> See resolution [2056 \(2012\)](#), sixteenth preambular paragraph.

<sup>2</sup> See resolution [2118 \(2013\)](#), thirteenth preambular paragraph and para. 1.

<sup>3</sup> See [S/PRST/2012/5](#), first paragraph.

<sup>4</sup> See resolution [2127 \(2013\)](#), third preambular paragraph.

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In relation to the maintenance or restoration of international peace and security, the Council authorized the use of force under Chapter VII of the Charter by United Nations peacekeeping missions and multinational forces in Afghanistan, Bosnia and Herzegovina, the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo, the Middle East, Somalia, South Sudan and the Sudan (including Darfur and Abyei).

During the two years under review, the Council authorized a new generation of so-called robust peacekeeping mandates. As part of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, the Council created the Intervention Brigade, which was authorized to take enforcement action and was the most robust mandate approved until then by the Council. The Council also authorized enforcement action by the African Union in the newly-established African-led International Support Mission in Mali and the African-led International Support Mission in the Central African Republic. Subsequent United Nations missions in Mali and the Central African Republic relied on robust mandates supported by French forces also authorized to use force (Operations Serval and Sangaris, respectively).

The Council further clarified the authorization of the use of force with respect to the African Union-United Nations Hybrid Operation in Darfur, the United Nations Interim Security Force for Abyei and the United Nations Mission in the Sudan.

In this period, the Council also reaffirmed, renewed or extended the authorization of the use of force by the Member States participating in the International Security Assistance Force deployed in Afghanistan, the African Union Mission in Somalia, the United Nations Operation in Côte d'Ivoire and the French forces supporting it, the European Union Force-Althea and the North Atlantic Treaty Organization presence in Bosnia and Herzegovina, and the United Nations Interim Force in Lebanon.

This part is divided into 10 sections, each focusing on selected material to highlight the interpretation and application of the provisions of Chapter VII of the Charter by the Council in its deliberations and decisions. Sections I to IV cover material related to Articles 39 to 42, which regulate the Council's power to determine threats to international peace and security and to take the appropriate actions in response to those threats, including the imposition of sanctions measures or the authorization of the use of force. Sections V and VI focus on Articles 43 to 47, regarding the command and deployment of military forces. Sections VII and VIII address, respectively, the obligations of Member States under Articles 48 and 49, while sections IX and X address, respectively, the practice of the Council with respect to Articles 50 and 51. Each section covers discussions held within the Council regarding the proper interpretation and implementation of these Articles, governing the Council's primary responsibility to maintain international peace and security.

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## I. Determination of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39 of the Charter

### *Article 39*

*The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.*

### **Note**

Section I concerns the practice of the Security Council with regard to the determination of the existence of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39. It provides information as to when the Council determined the existence of a threat and examines instances in which the existence of a threat was debated. The section is divided into two subsections: subsection A gives an overview of the relevant decisions of the Council, while subsection B presents case studies reflecting the arguments advanced during the Council's deliberations in connection with the adoption of some of the resolutions reflected in subsection A.

### **A. Decisions of the Security Council relating to Article 39**

During the period under review, the Council did not explicitly invoke Article 39 of the Charter in any of its decisions, nor did it determine the existence of any breach of the peace or act of aggression. The Council did however adopt numerous decisions in which it determined, emphasized, affirmed or expressed concern at the existence of a multiplicity of threats to the peace.

#### **New threats**

During the period under review, in four decisions, the Council determined the existence of new threats to international peace and security.

Given the rapidly deteriorating situation in the north of Mali, stemming from the actions carried out at the

beginning of 2012 by an armed group affiliated to the Mouvement national de libération de l'Azawad (MNLA), the Council determined in resolution [2056 \(2012\)](#), adopted under the item "Peace and security in Africa",<sup>5</sup> that the situation in Mali constituted a threat to international peace and security. MNLA had sought the independence of the north and had caused the movement of 15,000 displaced persons and refugees.

After the attainment of independence by South Sudan and repeated incidents of cross-border violence at the border with the Sudan, including troop movements, support to proxy forces and aerial bombardments, the Council viewed the situation as a serious threat to international peace and security.<sup>6</sup> While the Council had in previous years already declared the situation between the Sudan and South Sudan to be a threat to international peace and security, the aggravation of the situation led to a renewed emphasis on the threat posed to the peace by these events.

The deterioration of the situation in the Central African Republic at the end of 2013, similarly, added a new dimension to the conflict in that region and resulted in the determination by the Council of the situation in that country as a threat to international peace and security in resolution [2127 \(2013\)](#).

The use of chemical weapons in the context of the civil war unfolding in the Syrian Arab Republic led the Council to determine, in resolution [2118 \(2013\)](#), that the use of chemical weapons both in that country and elsewhere constituted a threat to international peace and security.

The relevant provisions of each decision relating to the determination of a threat to the peace adopted by the Council during the period under review are set out in table 1.

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<sup>5</sup> Pursuant to the note by the President of the Security Council dated 20 December 2012 ([S/2012/961](#)), issues pertaining to Mali were, from that date, considered under the item entitled "The situation in Mali", under which was subsumed the earlier consideration by the Council of those issues under the item entitled "Peace and security in Africa".

<sup>6</sup> See [S/PRST/2012/5](#).

Table 1  
**Determination of new threats to regional or international peace and security, 2012-2013**

<i>Decision and date</i>	<i>Provision</i>
Peace and security in Africa <sup>a</sup>	
Resolution <a href="#">2056 (2012)</a> 5 July 2012	Determining that the situation in Mali constitutes a threat to international peace and security in the region (penultimate preambular paragraph)
The situation in the Central African Republic	
Resolution <a href="#">2127 (2013)</a> 5 December 2013	Determining that the situation in the Central African Republic constitutes a threat to international peace and security (penultimate preambular paragraph)
Reports of the Secretary-General on the Sudan and South Sudan	
<a href="#">S/PRST/2012/5</a> 6 March 2012	The Security Council expresses grave concern about reports of repeated incidents of cross-border violence between the Sudan and South Sudan, including troop movements, support to proxy forces and aerial bombardments, and views the situation as a serious threat to international peace and security. The Council urges the two countries to implement and respect the letter and spirit of their Memorandum of Understanding on Non-aggression and Cooperation of 10 February 2012, which was agreed under the auspices of the African Union High-level Implementation Panel (first paragraph)
The situation in the Middle East	
Resolution <a href="#">2118 (2013)</a> 27 September 2013	Determining that the use of chemical weapons in the Syrian Arab Republic constitutes a threat to international peace and security (penultimate preambular paragraph)
	Determines that the use of chemical weapons anywhere constitutes a threat to international peace and security (para. 1)

<sup>a</sup> Pursuant to the note by the President of the Security Council dated 20 December 2012 ([S/2012/961](#)), issues pertaining to Mali were, from that date, considered under the item entitled “The situation in Mali”, under which was subsumed the earlier consideration by the Council of those issues under the item entitled “Peace and security in Africa”.

<sup>b</sup> Pursuant to the note by the President of the Security Council dated 11 November 2013 ([S/2013/657](#)), as from that date the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

### Continuing threats

During the years 2012 and 2013, the Council determined that the situations in Afghanistan, the Democratic Republic of the Congo, Lebanon, Liberia, Mali, Somalia, West Africa and the Sahel continued to constitute threats to “international peace and security”. It also determined that the presence and attacks of the Lord’s Resistance Army in parts of Central Africa continued to pose a threat to regional security and that the situation in Côte d’Ivoire posed a threat to international peace and security in the region. With regard to the Sudan and South Sudan, the Council determined that the situation in the two countries constituted a threat to international peace and security in the region, while the situation in Abyei as well as along the border between the

Sudan and South Sudan continued to constitute a threat to international peace and security.

With regard to Afghanistan, during the period under review, the Council emphasized the threat posed by illicit drug trafficking. In connection with Bosnia and Herzegovina, the Council determined that the situation in the region continued to constitute a threat to international peace and security. With regard to Liberia, the north of Mali, West Africa and the Sahel region, the Council found a common threat posed by transnational organized crime, including illicit weapons and drug trafficking, piracy and armed robbery at sea, as well as terrorism and its increasing links, in some cases, to transnational organized crime and drug trafficking. Terrorism was also deemed a threat in the context of the situation in the Middle East.

Concerning Somalia, the Council also considered that the cumulative effect of the situation in the country, Eritrea's influence in Somalia, and the dispute between Djibouti and Eritrea continued to constitute a threat to international peace and security in the region.

During the period 2012-2013, the decisions adopted under thematic items made reference to the same threats to international peace and security as those identified in country-specific and regional situations, such as terrorism, piracy and armed robbery at sea and the linkages with transnational organized crime and other illicit activities. As in previous periods, the Council deemed terrorism one of the most serious threats to international peace and security. In the area of non-proliferation, the Council considered that the

proliferation of weapons of mass destruction as well as nuclear, chemical and biological weapons and their means of delivery continued to pose a threat to international peace and security in connection with the Democratic People's Republic of Korea and the Islamic Republic of Iran. The Council also expressed its concern about the destabilizing effect of the accumulation and misuse of small arms and light weapons in many regions of the world, which it deemed to continue to pose threats to international peace and security.

The relevant provisions of all decisions adopted by the Council during the period under review, whether on country- or region-specific or thematic issues, relating to the determination of continuing threats to the peace, are set out in tables 2 and 3.

Table 2

**Decisions in which the Council referred to continuing threats to the peace, by region or country, 2012-2013**

<i>Decision and date</i>	<i>Provision</i>
Africa	
Peace and security in Africa	
<a href="#">S/PRST/2012/2</a> 21 February 2012	The Council expresses concern about the serious threats to international peace and stability in different regions of the world, in particular in West Africa and the Sahel region, posed by transnational organized crime, including illicit weapons and drug trafficking, piracy and armed robbery at sea, as well as terrorism and its increasing links, in some cases, with transnational organized crime and drug trafficking. The Council stresses that these growing international threats, particularly in West Africa and the Sahel region, contribute to undermining governance, social and economic development and stability and creating difficulties for the delivery of humanitarian assistance, while threatening to reverse peacebuilding advances in the region (second paragraph)
Resolution <a href="#">2056 (2012)</a> 5 July 2012	Expressing deep concern at the increased terrorist threat in the north of Mali and the region due to the presence of members of Al-Qaida in the Islamic Maghreb, and reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed (eleventh preambular paragraph)
Resolution <a href="#">2071 (2012)</a> 12 October 2012	Determining that the situation in Mali constitutes a threat to international peace and security (penultimate preambular paragraph)
<a href="#">S/PRST/2013/5</a> 13 May 2013	The Council notes with deep concern that terrorism continues to pose a serious threat to international peace and security, the enjoyment of human rights and the social and economic development of States, and undermines global stability and prosperity in Africa and, in particular, that this threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts including those motivated by intolerance and extremism (second paragraph)

<i>Decision and date</i>	<i>Provision</i>
	<p>The Council notes the changing nature and character of terrorism in Africa, expresses its concern regarding the connection, in many cases, between terrorism and transnational organized crime and illicit activities such as drug, arms and human trafficking and emphasizes the need to enhance coordination of efforts at the national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international peace and security (tenth paragraph)</p>
<p><a href="#">S/PRST/2013/10</a> 16 July 2013</p>	<p>The Council continues to be gravely concerned about the activities in the Sahel region of terrorist organizations, including Al-Qaida in the Islamic Maghreb and the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest, and reiterates its strong condemnation of the recent terrorist attacks perpetrated in the region. The Council considers sanctions an important tool in countering terrorism, and underlines the importance of prompt and effective implementation of its relevant resolutions, in particular resolutions <a href="#">1267 (1999)</a> and <a href="#">1989 (2011)</a>, as key instruments in the fight against terrorism. The Council also expresses its continued concern over the serious threats to peace and security posed by armed conflict, proliferation of arms and transnational organized crime, including illicit activities such as drug trafficking, in the Sahel region and its increasing links, in some cases, with terrorism. In this regard, the Council reiterates its call for a full implementation of its resolution <a href="#">2017 (2011)</a> (third paragraph)</p> <p><i>See also <a href="#">S/PRST/2013/22</a> (second paragraph)</i></p>
<p>Central African region</p>	
<p><a href="#">S/PRST/2012/18</a> 29 June 2012</p>	<p>The Security Council strongly condemns the ongoing attacks carried out by the Lord's Resistance Army (LRA) in parts of Central Africa, which pose a continuing threat to regional security. The Council reiterates its grave concern at the atrocities committed by LRA, which have serious humanitarian and human rights consequences, including the displacement of over 445,000 people across the region (first paragraph)</p>
<p>The situation in Côte d'Ivoire</p>	
<p>Resolution <a href="#">2045 (2012)</a> 26 April 2012</p>	<p>Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region (penultimate preambular paragraph)</p> <p><i>See also resolutions <a href="#">2062 (2012)</a> (penultimate preambular paragraph), <a href="#">2101 (2013)</a> (penultimate preambular paragraph) and <a href="#">2112 (2013)</a> (penultimate preambular paragraph)</i></p>
<p>The situation concerning the Democratic Republic of the Congo</p>	
<p>Resolution <a href="#">2053 (2012)</a> 27 June 2012</p>	<p>Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region (penultimate preambular paragraph)</p> <p><i>See also resolutions <a href="#">2076 (2012)</a> (penultimate preambular paragraph), <a href="#">2078 (2012)</a> (penultimate preambular paragraph) and <a href="#">2098 (2013)</a> (penultimate preambular paragraph)</i></p>
<p>The situation in Liberia</p>	
<p>Resolution <a href="#">2066 (2012)</a> 17 September 2012</p>	<p>Noting with concern the cross-border threats to subregional stability, including to Liberia, in particular threats posed by transnational organized crime, including illicit activities such as drug and arms trafficking (sixteenth preambular paragraph)</p>

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<i>Decision and date</i>	<i>Provision</i>
	Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph)  <i>See also resolutions 2079 (2012) (penultimate preambular paragraph), 2116 (2013) (penultimate preambular paragraph) and 2128 (2013) (penultimate preambular paragraph)</i>
The situation in Mali <sup>a</sup>	
Resolution 2085 (2012) 20 December 2012	Emphasizing that the situation and the entrenchment of terrorist groups and criminal networks in the north of Mali continue to pose a serious and urgent threat to the population throughout Mali, and to the stability of the Sahel region, the wider African region and the international community as a whole (third preambular paragraph)  Determining that the situation in Mali constitutes a threat to international peace and security (penultimate preambular paragraph)  <i>See also resolution 2100 (2013) (penultimate preambular paragraph)</i>
The situation in Somalia	
Resolution 2036 (2012) 22 February 2012	Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph)  <i>See also resolutions 2072 (2012) (fourth preambular paragraph), 2073 (2012) (fourth preambular paragraph) and 2093 (2013) (penultimate preambular paragraph)</i>
Resolution 2060 (2012) 25 July 2012	Determining that the situation in Somalia, Eritrea's influence in Somalia, as well as the dispute between Djibouti and Eritrea, continue to constitute a threat to international peace and security in the region (tenth preambular paragraph)  <i>See also resolution 2111 (2013) (penultimate preambular paragraph)</i>
Resolution 2077 (2012) 21 November 2012	Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph)  <i>See also resolution 2125 (2013) (penultimate preambular paragraph)</i>
Reports of the Secretary-General on the Sudan and South Sudan <sup>b</sup>	
Resolution 2035 (2012) 17 February 2012	Determining that the situation in the Sudan continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph)  <i>See also resolutions 2063 (2012) (ultimate preambular paragraph), 2091 (2013) (penultimate preambular paragraph) and 2113 (2013) (ultimate preambular paragraph)</i>
S/PRST/2012/12 12 April 2012	The Council views the current situation as a serious threat to international peace and security. It will continue to follow the situation closely, and will take further steps as necessary. The Council looks forward to receiving a briefing from the African Union High-level Implementation Panel and the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, in the coming days (seventh paragraph)
Resolution 2046 (2012) 2 May 2012	Determining that the prevailing situation along the border between the Sudan and South Sudan constitutes a serious threat to international peace and security (penultimate preambular paragraph)



<i>Decision and date</i>	<i>Provision</i>
Resolution <a href="#">2047 (2012)</a> 17 May 2012	Recognizing that the current situation in Abyei and along the border between the Sudan and South Sudan constitutes a serious threat to international peace and security (ultimate preambular paragraph)  <i>See also resolutions <a href="#">2075 (2012)</a> (penultimate preambular paragraph), <a href="#">2104 (2013)</a> (penultimate preambular paragraph) and <a href="#">2126 (2013)</a> (penultimate preambular paragraph)</i>
Resolution <a href="#">2057 (2012)</a> 5 July 2012	Determining that the situation faced by South Sudan continues to constitute a threat to international peace and security in the region (penultimate preambular paragraph)  <i>See also resolutions <a href="#">2109 (2013)</a> (penultimate preambular paragraph) and <a href="#">2132 (2013)</a> (penultimate preambular paragraph)</i>
Peace consolidation in West Africa	
Resolution <a href="#">2039 (2012)</a> 29 February 2012	Expressing its concern about the serious threats to international peace and stability in different regions of the world, in particular in West Africa and the Sahel region, posed by transnational organized crime, including illicit weapons and drug trafficking, piracy and armed robbery at sea (penultimate preambular paragraph)
Asia	
The situation in Afghanistan	
Resolution <a href="#">2041 (2012)</a> 22 March 2012	Encouraging the international community and regional partners to further effectively support Afghan-led sustained efforts to address drug production and trafficking, notably through the working group on counter-narcotics of the Joint Coordination and Monitoring Board, as well as regional initiatives, recognizing the threat posed by illicit drug production, trade and trafficking to international peace and stability in different regions of the world, and the important role played by the United Nations Office on Drugs and Crime in this regard, and stressing the important role of the United Nations in continuing to monitor the drug situation in Afghanistan (thirty-fourth preambular paragraph)  <i>See also resolutions <a href="#">2069 (2012)</a> (eighteenth preambular paragraph), <a href="#">2096 (2013)</a> (thirty-second preambular paragraph) and <a href="#">2120 (2013)</a> (eighteenth preambular paragraph)</i>
Resolution <a href="#">2069 (2012)</a> 9 October 2012	Determining that the situation in Afghanistan still constitutes a threat to international peace and security (antepenultimate preambular paragraph)  <i>See also resolution <a href="#">2120 (2013)</a> (antepenultimate preambular paragraph)</i>
Europe	
The situation in Bosnia and Herzegovina	
Resolution <a href="#">2074 (2012)</a> 14 November 2012	Determining that the situation in the region continues to constitute a threat to international peace and security (penultimate preambular paragraph)  <i>See also resolution <a href="#">2123 (2013)</a> (penultimate preambular paragraph)</i>
<b>Middle East</b>	
The situation in the Middle East	
Resolution <a href="#">2051 (2012)</a> 12 June 2012	Expressing grave concern at the security situation and continuing terrorist attacks, in particular by Al-Qaida in the Arabian Peninsula, within Yemen, and reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations (sixth preambular paragraph)

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<i>Decision and date</i>	<i>Provision</i>
Resolution 2064 (2012) 30 August 2012	Determining that the situation in Lebanon continues to constitute a threat to international peace and security (ultimate preambular paragraph)  <i>See also resolution 2115 (2013) (ultimate preambular paragraph)</i>
S/PRST/2013/15 2 October 2013	The Council moreover condemns increased terrorist attacks resulting in numerous casualties and destruction carried out by organizations and individuals associated with Al-Qaida, and calls upon all parties to commit to putting an end to terrorist acts perpetrated by such organizations and individuals. The Council reaffirms in this regard that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed (eighth paragraph)

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<sup>a</sup> Pursuant to the note by the President of the Security Council dated 20 December 2012 (S/2012/961), issues pertaining to Mali were, from that date, considered under the item entitled “The situation in Mali”, under which was subsumed the earlier consideration by the Council of those issues under the item entitled “Peace and security in Africa”.

<sup>b</sup> Pursuant to the note by the President of the Security Council dated 11 November 2013 (S/2013/657), as from that date the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

Table 3

### Decisions in which the Council referred to continuing threats to the peace, by thematic issue, 2012-2013

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<i>Decision and date</i>	<i>Provision</i>
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	
S/PRST/2013/12 6 August 2013	The Council recognizes the need to enhance coordination of efforts at the national, subregional, regional and international levels, as appropriate, in order to strengthen the global response to the serious challenge and threat to international peace and security posed by the proliferation of weapons of mass destruction and their means of delivery (twenty-third paragraph)  The Council welcomes the efforts undertaken by its subsidiary bodies with responsibilities in counter-terrorism to foster cooperation with regional and subregional organizations, and notes with appreciation the efforts made by an increasing number of regional and subregional organizations in countering terrorism. The Council urges all relevant regional and subregional organizations to enhance the effectiveness of their counter-terrorism efforts within their respective mandates and in accordance with international law, including with a view to developing their capacity to help Member States in their efforts to tackle the threats to international peace and security posed by acts of terrorism (twenty-fifth paragraph)
Maintenance of international peace and security	
S/PRST/2012/14 19 April 2012	The Security Council reaffirms that the proliferation of weapons of mass destruction, and their means of delivery, constitutes a threat to international peace and security (first paragraph)

<i>Decision and date</i>	<i>Provision</i>
<a href="#">S/PRST/2012/24</a> 19 November 2012	The Council continues to be gravely concerned by the threat that piracy and armed robbery at sea pose to international navigation, the safety of commercial maritime routes, and the security and economic development of States in the regions concerned, as well as to the safety and welfare of seafarers and other persons, including through their being taken as hostages, and the increasing violence employed by pirates and persons involved in piracy and armed robbery at sea. The Council condemns in the strongest terms hostage taking and the use of violence against hostages, and calls upon States to also cooperate, as appropriate, to secure the early release of hostages, including through sharing of information and intelligence (second paragraph)
Non-proliferation	
Resolution <a href="#">2049 (2012)</a> 7 June 2012	Determining that the proliferation of weapons of mass destruction, as well as their means of delivery, continues to constitute a threat to international peace and security (penultimate preambular paragraph)  <i>See also resolution <a href="#">2105 (2013)</a> (penultimate preambular paragraph)</i>
Non-proliferation/Democratic People's Republic of Korea	
Resolution <a href="#">2050 (2012)</a> 12 June 2012	Determining that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, continues to constitute a threat to international peace and security (penultimate preambular paragraph)  <i>See also resolution <a href="#">2094 (2013)</a> (second preambular paragraph)</i>
Resolution <a href="#">2094 (2013)</a> 7 March 2013	Expressing its gravest concern that the Democratic People's Republic of Korea's ongoing nuclear and ballistic missile-related activities have further generated increased tension in the region and beyond, and determining that there continues to exist a clear threat to international peace and security (penultimate preambular paragraph)
The promotion and strengthening of the rule of law in the maintenance of international peace and security	
<a href="#">S/PRST/2012/1</a> 19 January 2012	The Council notes with concern that transnational organized crime and drug trafficking can pose serious threats to international security in different regions of the world, notes also that these transnational crimes may threaten the security of countries on its agenda, including post-conflict States, encourages the coordination of United Nations actions as well as actions by Member States in fighting these threats through the implementation of national and international applicable norms, relevant international long-term capacity-building efforts and regional initiatives (tenth paragraph)
Threats to international peace and security caused by terrorist acts	
<a href="#">S/PRST/2012/17</a> 4 May 2012	The Council notes with concern that terrorism continues to pose a serious threat to international peace and security, the enjoyment of human rights and the social and economic development of States, and undermines global stability and prosperity, and that this threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts, including those motivated by intolerance and extremism, and reaffirms its determination to combat by all means, in accordance with the Charter and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts (third paragraph)  <i>See also <a href="#">S/PRST/2013/1</a> (second paragraph) and resolution <a href="#">2129 (2013)</a> (second preambular paragraph)</i>

<i>Decision and date</i>	<i>Provision</i>
Resolution 2082 (2012) 17 December 2012	Recognizing also that, notwithstanding the evolution of the situation in Afghanistan and progress in reconciliation, the situation in Afghanistan remains a threat to international peace and security, and reaffirming the need to combat this threat by all means, in accordance with the Charter of the United Nations and international law, including applicable human rights, refugee and humanitarian law, stressing in this regard the important role that the United Nations plays in this effort (eighth preambular paragraph)
Resolution 2083 (2012) 17 December 2012	Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims and the destruction of property and greatly undermining stability (second preambular paragraph)  <i>See also resolution 2129 (2013) (first preambular paragraph)</i>
Small arms	
Resolution 2117 (2013) 26 September 2013	Gravely concerned that the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons in many regions of the world continue to pose threats to international peace and security, cause significant loss of life, contribute to instability and insecurity and continue to undermine the effectiveness of the Council in discharging its primary responsibility for the maintenance of international peace and security (fourth preambular paragraph)

## B. Discussion relating to Article 39

During the period under review, several issues regarding the interpretation of Article 39 and the determination of a threat to international peace and security arose in the Council's debates. There were two explicit references to Article 39 during deliberations of the Council in relation to the items entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security" (case 1) and "Maintenance of international peace and security" (case 4).

During the period under review the threat posed by transnational and organized crime, including illicit cross-border activities, was discussed by the Council in connection with items such as "The promotion and strengthening of the rule of law in the maintenance of international peace and security" (case 1) and "Threats to international peace and security" (case 2). The Council also discussed the potential threat to international peace and security posed by grave crimes and crimes against humanity (case 3).

Terrorism and its growing linkages with transnational organized crime were also deemed a threat

that was discussed in connection with the item "Peace and security in Africa" under different sub-items (cases 5 and 6). Piracy, closely related to terrorism and transnational organized crime, and affecting regions as diverse as Somalia, the Gulf of Guinea and the South China Sea, was also considered by the Council, (case 4) as was the illicit extraction of and trade in natural resources, under the item "Maintenance of international peace and security" (case 7). In the context of the conflict in the Syrian Arab Republic, under the item "The situation in the Middle East", the Council discussed the threat posed to the peace by the use of chemical weapons (case 8).

### Case 1 The promotion and strengthening of the rule of law in the maintenance of international peace and security

On 19 January 2012, at its 6705th meeting, the Council considered the report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies dated 12 October 2011.<sup>7</sup> Several speakers referred to transnational crime as a new and real

<sup>7</sup> See [S/2011/634](#).

threat to international peace and security.<sup>8</sup> The representative of Pakistan recalled that resort to Article 39 of the Charter must be made “in accordance with the principles and purposes of the Charter”.<sup>9</sup> He also emphasized that, if the decisions of the Council were informed by the norms that it sought to promote, this would result in greater effectiveness of the Council. The representative of Costa Rica noted on his part that in seeking to address “new security threats”, the Council must be particularly cautious in ensuring that its actions remained governed by the specific situation and were time-bound and restricted by the provisions of Chapter VII of the Charter.<sup>10</sup> At that meeting, the Council issued a presidential statement in which it noted with concern that transnational organized crime and drug trafficking could pose serious threats to international peace and security in different regions of the world.<sup>11</sup>

## Case 2

### **Threats to international peace and security: securing borders against illicit cross-border trafficking and movement**

At its 6760th meeting, on 25 April 2012, the Council had before it a concept paper prepared by the United States on securing borders against illicit flows of materials and goods.<sup>12</sup> In his address to the Council, the Secretary-General recalled that insufficiently protected borders across the globe enabled the traffic of drugs, weapons, contraband, terrorist funding, materials related to weapons of mass destruction, conflict minerals, wildlife and people and that such illicit flows threatened peace and security.<sup>13</sup> He further noted that such threats were rightly the focus of the Council’s close attention. The representative of Colombia affirmed that illicit trafficking in nuclear, chemical or biological weapons and their delivery systems, as well as the movement of terrorists and their funds across borders, were recognized as “threats to international peace”.<sup>14</sup> The representative of Guatemala noted by contrast that not all illicit cross-border activities posed an actual threat to international peace and security, although some actually had that potential.<sup>15</sup> The representative of France emphasized that

illicit cross-border trafficking and flows encompassed various phenomena, some of which directly threatened international peace and security, such as the trafficking of weapons of mass destruction-related goods and technologies.<sup>16</sup> Several speakers defended the Council’s role in curbing illicit flows,<sup>17</sup> which, as noted by the representative of Germany, it had already addressed in relation to drug trafficking, organized crime and human trafficking. The representative of India cautioned, however, that the Council should step in only when there was a threat to international peace and security and in the context of specific situations, such as conflict and post-conflict situations and under specific sanctions regimes established pursuant to Chapter VII of the Charter.<sup>18</sup> The representative of Brazil also indicated that not every incidence of illicit cross-border trafficking posed a threat to international peace and security and that therefore the Council would have a role to play only in some cases.<sup>19</sup> The representative of Pakistan said that border security should become a concern of the Council only in those specific situations posing a threat to international peace and security.<sup>20</sup> The United States affirmed that illicit transfers undermined the sovereignty and internal stability not only of fragile or particularly vulnerable States and that the Council could respond and prevent such threats.<sup>21</sup> The representative of the United Kingdom held that the benefits of an interconnected world and the developments in technology were many but that such benefits were also available to those seeking to cause harm. For that reason, he asserted that the international community needed to work collectively to identify and tackle those threats.<sup>22</sup> At the meeting, the Council issued a presidential statement in which it acknowledged the evolving challenges and threats to international peace and security, and noted that threats posed by illicit cross-border trafficking had increased as the world had become more interconnected.<sup>23</sup>

<sup>8</sup> S/PV.6705, p. 7 (Portugal); and p. 13 (Morocco).

<sup>9</sup> Ibid., p. 17.

<sup>10</sup> Ibid., p. 29.

<sup>11</sup> S/PRST/2012/1, tenth paragraph.

<sup>12</sup> See S/2012/195.

<sup>13</sup> S/PV.6760, p. 2.

<sup>14</sup> Ibid., p. 4.

<sup>15</sup> Ibid., p. 7.

<sup>16</sup> Ibid., p. 14.

<sup>17</sup> Ibid., p. 9 (Russian Federation); p. 11 (China); and p. 11 (Germany).

<sup>18</sup> Ibid., p. 8.

<sup>19</sup> Ibid., p. 22.

<sup>20</sup> Ibid., p. 17.

<sup>21</sup> Ibid., p. 18.

<sup>22</sup> Ibid., p. 16.

<sup>23</sup> S/PRST/2012/16, second and fourth paragraphs.

### Case 3

#### **The promotion and strengthening of the rule of law in the maintenance of international peace and security: peace and justice with a special focus on the International Criminal Court**

On 17 October 2012, at its 6849th meeting, the Council held an open debate on peace and justice with a special focus on the role of the International Criminal Court, having before it a concept note prepared by Guatemala.<sup>24</sup> There was overall consensus about the fact that grave crimes and crimes against humanity could threaten international peace and security. Differences of opinion related mainly to the circumstances triggering a referral to the International Criminal Court. The representative of the Russian Federation argued that a referral to the Court required a Council decision under Chapter VII of the Charter, and that the Council may exercise its powers under Chapter VII only if there is a threat to the peace, breach of the peace or act of aggression.<sup>25</sup> The representative of Sri Lanka emphasized the principle of sovereign equality and non-intervention in the internal affairs of Member States in situations where there was no threat to international peace and security.<sup>26</sup> The representatives of Togo and Tunisia warned against double standards, depending on where situations arose, in referring situations to the Court.<sup>27</sup> Several speakers affirmed that the Security Council and the Court were complementary<sup>28</sup> and that the work of the Court prevented those crimes, thereby contributing to the maintenance of international peace and security.<sup>29</sup>

### Case 4

#### **Maintenance of international peace and security: piracy**

On 19 November 2012, having before it a concept note prepared by India,<sup>30</sup> the Council held an open debate on the issue of piracy. Speakers affirmed that piracy continued to threaten international peace and security<sup>31</sup>

and that therefore the Council had a role to play, while some noted that the Council could act in relation to piracy only to the extent that the specific situation threatened international peace and security.<sup>32</sup> As affirmed by the representative of Argentina, unless a situation qualified as a threat to international peace and security under Article 39 of the Charter and the Council decided to take action under Chapter VII, a situation of piracy was not a matter that would fall within the primary competence of the Council.<sup>33</sup> The representative of Japan stated that it had become a major threat along with other outstanding threats such as transnational crime and terrorism.<sup>34</sup> Speakers made explicit reference to Somalia, the Gulf of Guinea and the South China Sea as areas particularly affected by piracy.<sup>35</sup> At the meeting, the Council issued a presidential statement in which it expressed its grave concern about the threat that piracy and armed robbery at sea posed to international navigation, the safety of commercial maritime routes, and the security and economic development of States in the regions concerned.<sup>36</sup>

### Case 5

#### **Peace and security in Africa: the Sahel: towards a more comprehensive and coordinated approach**

On 10 December 2012, the Council held a meeting concerning the Sahel, having before it a concept note prepared by Morocco,<sup>37</sup> at which it was briefed by the Secretary-General, the Special Envoy of the Secretary-General for the Sahel and the United Nations High Commissioner for Refugees. At that meeting, the Council adopted a presidential statement in which it expressed concern over the insecurity in the Sahel region, further complicated by the continued proliferation of weapons that threatened peace, security and stability of States in the region.<sup>38</sup> The Secretary-General affirmed that in addition to arms smuggling, political turmoil, terrorist activity and drug trafficking were spilling over borders

<sup>24</sup> S/2012/731, annex.

<sup>25</sup> S/PV.6849, p. 20.

<sup>26</sup> S/PV.6849 (Resumption 1), p. 26.

<sup>27</sup> S/PV.6849, p. 22 (Togo); and S/PV.6849 (Resumption 1), p. 22 (Tunisia).

<sup>28</sup> S/PV.6849, p. 25 (Luxembourg); and S/PV.6849 (Resumption 1), p. 28 (Austria).

<sup>29</sup> S/PV.6849, p. 26 (Luxembourg); and S/PV.6849 (Resumption 1), p. 20 (Belgium).

<sup>30</sup> S/2012/814, annex.

<sup>31</sup> S/PV.6865 (Resumption 1), p. 10 (Luxembourg); p. 18 (Malaysia); p. 26 (New Zealand); p. 27 (Bangladesh); and p. 30 (Nigeria).

<sup>32</sup> S/PV.6865, p. 12 (South Africa).

<sup>33</sup> S/PV.6865 (Resumption 1), p. 6.

<sup>34</sup> *Ibid.*, p. 13.

<sup>35</sup> S/PV.6865, p. 12 (South Africa); p. 18 (Morocco); S/PV.6865 (Resumption 1), p. 5 (Denmark, Argentina); p. 6 (Saudi Arabia); p. 8 (Egypt); p. 10 (Luxembourg); p. 18 (Malaysia); p. 22 (Viet Nam); p. 27 (Bangladesh); and p. 30 (Nigeria).

<sup>36</sup> S/PRST/2012/24, second paragraph.

<sup>37</sup> S/2012/906, annex.

<sup>38</sup> S/PRST/2012/26, fourth paragraph.

and threatening peace and security.<sup>39</sup> The representative of Côte d'Ivoire highlighted the terrorist activity which, he said, threatened West Africa and the Sahel, as well as the Maghreb and beyond.<sup>40</sup> Similarly, the representative of the United Kingdom affirmed that the instability in the Sahel threatened not only the security and the livelihoods of the people in the region but also those of the neighbours and beyond.<sup>41</sup> The representative of Morocco added that separatists and criminals had committed acts of violence on over two thirds of the national territory of Mali, constituting a threat to the security and stability not only of Mali but throughout the region.<sup>42</sup> On the Sahel, he emphasized that the region had become a safe haven for terrorist groups, ideologically and methodologically affiliated with Al-Qaida, as well as for separatist groups and traffickers in drugs and human beings that were a threat to international peace and regional security.<sup>43</sup> The representatives of the United States and Portugal stated that the international community and the people of the Sahel faced a complex and multifaceted set of interrelated challenges threatening the security of the region and beyond.<sup>44</sup> Several speakers called for a coordinated and comprehensive action, including cooperation with regional organizations, in responding to the challenges and threats facing the Sahel region.<sup>45</sup>

**Case 6**  
**Peace and security in Africa: the challenges of the fight against terrorism in Africa in the context of maintaining international peace and security**

On 13 May 2013, the Council held a public debate on the fight against terrorism in Africa in the context of the maintenance of international peace and security, having before it a concept note prepared by Togo.<sup>46</sup> The Council was briefed by the Secretary-General and the Director General of the Intergovernmental Action Group

against Money Laundering in West Africa. Both speakers agreed that terrorism was a threat to peace and security. While the Secretary-General stated that it was a threat to peace, security and development in Africa,<sup>47</sup> the Director General of the Intergovernmental Action Group said that the challenges of fighting terrorism in Africa constituted the major threat to international peace and security.<sup>48</sup> Many speakers were of the view that terrorism was a threat to international peace and security and particularly serious in Africa, given the challenges in combating it. Several speakers confirmed that Africa was the new frontier for international terrorism.<sup>49</sup> Some speakers alluded to the fact that terrorism in Africa not only threatened international peace and security but also, as stated by the Secretary-General, the socioeconomic development of the continent.<sup>50</sup> At that meeting, the Council issued a presidential statement, in which it noted that terrorism continued to pose a serious threat to international peace and security and undermined global prosperity and stability in Africa.<sup>51</sup>

**Case 7**  
**Maintenance of international peace and security: conflict prevention and natural resource**

On 19 June 2013, the Council held an open debate on the question of conflict prevention and natural resources, having before it a concept note prepared by the United Kingdom.<sup>52</sup> The Council was briefed by four speakers, including the Under-Secretary-General and Associate Administrator of the United Nations Development Programme,<sup>53</sup> who cautioned that, in the light of population growth, climate change and scarce natural resources, conflict related to natural resources could become a definite threat to global peace and security in the present century.<sup>54</sup> The representative of the United States called on the members of the Council to act in those cases where the illicit extraction of, and trade in, natural resources threatened international peace and

<sup>39</sup> S/PV.6882, p. 4.

<sup>40</sup> Ibid., p. 10.

<sup>41</sup> Ibid., p. 16.

<sup>42</sup> Ibid., p. 10. During the discussion several other speakers referred to the situation in Mali as a specific threat within the broader context of the crisis affecting the Sahel; see S/PV.6882, p. 20 (Russian Federation); p. 21 (Portugal); p. 23 (Pakistan); p. 25 (Guatemala); p. 27 (Germany); and p. 30 (European Union).

<sup>43</sup> S/PV.6882, p. 10.

<sup>44</sup> Ibid., p. 14 (United States); and p. 21 (Portugal).

<sup>45</sup> Ibid., p. 15 (United States); p. 20 (China); and p. 23 (Pakistan).

<sup>46</sup> S/2013/264, annex.

<sup>47</sup> S/PV.6965, p. 2.

<sup>48</sup> Ibid., p. 4.

<sup>49</sup> Ibid., pp. 18-19 (Russian Federation); p. 22 (Pakistan); and p. 26 (Australia).

<sup>50</sup> Ibid., p. 16 (Argentina); p. 20 (Azerbaijan); and p. 38 (United Republic of Tanzania).

<sup>51</sup> S/PRST/2013/5, second paragraph.

<sup>52</sup> S/2013/334, annex.

<sup>53</sup> The Council was briefed also by the Deputy Secretary-General, the Chair of the Africa Progress Panel and the Managing Director of the World Bank.

<sup>54</sup> S/PV.6982, p. 9.

security.<sup>55</sup> The representative of Guatemala distinguished between situations where the control of natural resources – as in Africa – could lead to conflict and constitute a threat to international peace and security and those in which the struggle over natural resources could create tensions not rising to the level of threatening international peace and security. He said in most cases that there was no relationship between natural resources and conflict and that, therefore, the jurisdiction of the Council in this area was very limited.<sup>56</sup> The representatives of Argentina and Qatar said that Council intervention should occur only in conflict or post-conflict situations that represented a threat to international peace and security.<sup>57</sup>

### Case 8

#### The situation in the Middle East

On 27 September 2013, the Council held a meeting on the situation in the Middle East at which it adopted resolution 2118 (2013), concerning the use of chemical weapons in the Syrian Arab Republic. In that resolution,

<sup>55</sup> Ibid., p. 10.

<sup>56</sup> Ibid., p. 19.

<sup>57</sup> Ibid., p. 20 (Argentina); and S/PV.6982 (Resumption 1), p. 10 (Qatar).

the Council determined that “the use of chemical weapons anywhere” constituted a threat to international peace and security.<sup>58</sup> In the discussion that followed the adoption of the resolution, most speakers affirmed that the use of chemical weapons was a threat to international peace and security.<sup>59</sup> Some speakers stated that this authorized the Council to be immediately seized of the issue in the future, as a guarantor of chemical disarmament;<sup>60</sup> it was also noted that the resolution would make it easier for the Council to deal with such weapons in future.<sup>61</sup> The representative of Australia affirmed that the statement in the resolution to the effect that the use of chemical weapons anywhere constituted a threat to international peace and security would act as a strong deterrent to anyone contemplating the use of chemical weapons in future.<sup>62</sup>

<sup>58</sup> See resolution 2118 (2013), para. 1.

<sup>59</sup> Some speakers emphasized that the use of chemical weapons per se was a threat to international peace and security regardless of the circumstances; see S/PV.7038, p. 4 (United States); p. 6 (Luxembourg); p. 9 (Republic of Korea); and p. 15 (Australia).

<sup>60</sup> S/PV.7038, p. 6 (Luxembourg); and p. 7 (France).

<sup>61</sup> Ibid., p. 12 (Morocco).

<sup>62</sup> Ibid., p. 15.

## II. Provisional measures to prevent the aggravation of a situation in accordance with Article 40 of the Charter

### Article 40

*In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.*

### Note

Section II covers the practice of the Security Council in relation to Article 40 of the Charter, regarding provisional measures that the Council called upon the parties to comply with in order to prevent an aggravation of the situation. No explicit reference to Article 40 was

made in any of the deliberations of the Council during the period under review.

### Decisions of the Security Council relating to Article 40

During the period under review, Article 40 of the Charter was not explicitly cited in any decision adopted by the Council. Having determined the existence of a threat to the peace, the Council did adopt three decisions, acting under Chapter VII of the Charter, which, while not explicitly citing Article 40, can be considered of relevance for the interpretation and application of this provision. The relevant provisions of the three decisions are set out in table 4.

The prolonged and complex nature of the conflicts dealt with by the Council and the rapidly evolving conditions of most of those conflicts have led the Council to impose provisional measures in conjunction with the



adoption of measures under Articles 41 and 42 of the Charter. In other words, while Article 40 suggests that provisional measures to prevent the aggravation of a conflict would be adopted prior to the imposition of the range of measures available under Chapter VII (Articles 41 and 42), the practice of the Council reflects a more flexible interpretation of that provision.

As in the past, during the period under review provisional measures were adopted simultaneously with the adoption of measures under Chapter VII. For example, while commending the efforts of the United Nations Interim Security Force for Abyei in carrying out its mandate under Chapter VII,<sup>63</sup> the Council adopted a series of measures with a view to de-escalating the tensions between the Sudan and South Sudan,<sup>64</sup> subject to a series of timelines and with a clear threat to adopt measures under Article 41 in the event of non-compliance.<sup>65</sup> In relation to the situation in Mali, the Council expanded the measures applicable in the framework of resolution 1989 (2011) against Al-Qaida to include individuals, groups, undertakings and entities associated with Al-Qaida in the Sahel region and notably

in the north of Mali.<sup>66</sup> It adopted a series of measures with a view to ensuring the cessation of hostilities, restoring the constitutional order and the safe return of the interim President, reserving its right to adopt further action in case of non-compliance.<sup>67</sup> With respect to the situation in the Central African Republic, the Council authorized the deployment of and the use of force by the African-led International Support Mission in the Central African Republic,<sup>68</sup> in parallel with the adoption of a series of measures to ensure the respect of the transitional arrangements for the restoration of the constitutional order and the holding of elections in the country, and decided that any delay, impediment or violation of the transitional arrangements could lead to the imposition of additional sanctions measures.<sup>69</sup>

In sum, during the period under review, the Council called for compliance with provisional measures relating to, *inter alia*, (a) cessation of hostilities, (b) withdrawal of armed forces, (c) activation of border security mechanisms, (d) implementation of transitional arrangements, (e) respect for the constitutional order, and (f) resumption of negotiations, which were deemed of relevance for the interpretation and application of Article 40 of the Charter (see table 4).

<sup>63</sup> See resolution 2046 (2012), para. 8; and resolution 1990 (2011), para. 3, in which the Council authorized the use of force by the United Nations Interim Security Force for Abyei.

<sup>64</sup> See resolution 2046 (2012), paras. 1 and 2.

<sup>65</sup> See resolution 2046 (2012), paras. 3, 5 and 6.

<sup>66</sup> See resolution 2056 (2012), para. 24.

<sup>67</sup> See resolution 2056 (2012), paras. 4, 6, 7 and 9.

<sup>68</sup> See resolution 2127 (2013), para. 28.

<sup>69</sup> See resolution 2127 (2013), paras. 1, 5, 10 and 56.

Table 4

**Decisions calling for compliance with provisional measures and providing for Council action in the event of non-compliance**

<i>Type of measure</i>	<i>Provision</i>
<b>The situation in the Central African Republic</b> (resolution 2127 (2013) of 5 December 2013)	
Implementation of transitional arrangements	Demands the swift implementation of transitional arrangements referred to in paragraph 1, which shall lead to the holding of free, fair and transparent presidential and legislative elections 18 months after the beginning of the transition period as defined in article 102 of the Transitional Charter, which took effect on 18 August 2013, and called for in the N'Djamena Declaration (para. 5)
Council action in the event of failure to comply	Decides that any attempt to delay, impede or violate the transitional arrangements referred to in paragraph 1 shall be considered as an impediment to the peace process and could lead to the imposition of appropriate measures defined in paragraph 56 (para. 10)
<b>The situation in Mali<sup>a</sup></b> (resolution 2056 (2012) of 5 July 2012)	
Respect for the constitutional order	Calls upon all national stakeholders in Mali to create the conditions necessary for enabling the transitional authorities to fully exercise their primary responsibilities and to ensure the full restoration and preservation of constitutional order (para. 2)

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<i>Type of measure</i>	<i>Provision</i>
Cessation of hostilities	Demands the full, immediate and unconditional cessation of hostilities by rebel groups in the north of Mali (para. 9)
Council action in the event of failure to comply	Takes note of the decisions of the Economic Community of West African States and the African Union to adopt targeted sanctions in Mali, and reserves the right to consider appropriate measures as necessary (para. 6)

### Reports of the Secretary-General on the Sudan and South Sudan<sup>b</sup> (resolution [2046 \(2012\)](#) of 2 May 2012)

Cessation of hostilities	Decides that the Sudan and South Sudan shall take the following actions with immediate effect unless otherwise specified below:  Immediately cease all hostilities, including aerial bombardments, with the parties formally conveying their commitment in this respect to the Chairperson of the African Union Commission and the President of the Security Council no later than 48 hours from the adoption of the present resolution (para. 1(i))
Withdrawal of armed forces	Unconditionally withdraw all of their armed forces to their side of the border, in accordance with previously adopted agreements, including the Agreement on the Border Monitoring Support Mission of 30 July 2011 (para. 1 (ii))
Activation of border security mechanisms	Activate, within no more than a week of the adoption of the present resolution, the necessary border security mechanisms, namely the Joint Border Verification and Monitoring Mechanism and the Safe Demilitarized Border Zone, in accordance with the administrative and security map presented to the parties by the African Union High-level Implementation Panel in November 2011, it being understood that this map in no way prejudices ongoing negotiations on the disputed areas and demarcation of the border (para. 1 (iii))
Cessation of harbouring of armed elements	Cease the harbouring of or support to rebel groups against the other State (para. 1 (iv))
Cessation of hostile propaganda	Immediately cease hostile propaganda and inflammatory statements in the media, as well as any attacks against the property and religious and cultural symbols belonging to the nationals of the other State, with the two Governments assuming full responsibility for the protection of each other's nationals in line with international principles, consistent with the Framework Agreement on the Status of Nationals of the Other State and Related Matters initialled in March 2012 (para. 1 (vi))
Implementation of transitional arrangements	Implement pending aspects of the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011, in particular the redeployment, within no more than two weeks of the adoption of the present resolution, of all Sudanese and South Sudanese forces out of the Abyei Area (para. 1 (vii))
Resumption of negotiations	Decides also that the Sudan and South Sudan shall unconditionally resume negotiations, under the auspices of the African Union High-level Implementation Panel and with the support of the Chairperson of the Intergovernmental Authority on Development, at a time to be set by the Panel in consultation with relevant international partners, but within no more than two weeks from the time of adoption of the present resolution (para. 2)

Type of measure	Provision
Council action in the event of failure to comply	Requests the Secretary-General to consult with the African Union on the implementation of the present resolution and the decisions of the Peace and Security Council of the African Union, to work closely with the African Union High-level Implementation Panel in support of its facilitation efforts, and to inform the Security Council within 15 days and at two-week intervals thereafter on the status of compliance by the Sudan, South Sudan and the Sudan People's Liberation Movement-North with the decisions set forth in the present resolution, and expresses its intention, in the event that any or all of the parties have not complied with the decisions set forth in the present resolution, to take appropriate additional measures under Article 41 of the Charter, as necessary (para. 6)

<sup>a</sup> Pursuant to the note by the President of the Security Council dated 20 December 2012 (S/2012/961), issues pertaining to Mali were, from that date, considered under the item entitled "The situation in Mali", under which was subsumed the earlier consideration by the Council of those issues under the item entitled "Peace and security in Africa".

<sup>b</sup> Pursuant to the note by the President of the Security Council dated 11 November 2013 (S/2013/657), as from that date the wording of the item "Reports of the Secretary-General on the Sudan" was revised to read "Reports of the Secretary-General on the Sudan and South Sudan".

### III. Measures not involving the use of armed force in accordance with Article 41 of the Charter

#### Article 41

*The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.*

#### Note

Section III covers decisions of the Security Council imposing measures not involving the use of armed force, pursuant to Article 41 of the Charter. During the period under review, the Council imposed sanctions measures under Chapter VII, Article 41, on Guinea-Bissau and the Central African Republic, modified the measures concerning Somalia and Eritrea, Al-Qaida and associated individuals and entities, the Taliban and associated individuals and entities, Liberia, the Democratic Republic of the Congo, Côte d'Ivoire, the Sudan, the Democratic People's Republic of Korea and Libya, and expanded the measures against Somalia and the Democratic People's Republic of Korea. No changes were made to the measures imposed under Article 41 on Iraq, Lebanon and the Islamic Republic of Iran.

No judicial measures were imposed under Article 41 during the period under review. The Tribunals for the former Yugoslavia and Rwanda continued to function in parallel with the International Residual Mechanism for Criminal Tribunals, established in 2010 with a view to bringing those Tribunals to a close.<sup>70</sup>

The Council expressly referred to Article 41 in the preambles to five resolutions<sup>71</sup> and in the operative provisions of two resolutions.<sup>72</sup> The Council also expressly referred to Article 41 in presidential statements on the Sudan and Yemen, expressing its intention in each instance to consider further or appropriate measures under Article 41, if necessary.<sup>73</sup>

This section is divided into two subsections. Subsection A outlines decisions by which the Council imposed, modified or terminated measures under Article 41, in connection with items of a thematic nature as well as country-specific questions. Subsection B examines salient issues raised in the deliberations of the Council relating to Article 41, in connection with both thematic and country-specific items.

<sup>70</sup> See part IX, sect. IV, "Tribunals".

<sup>71</sup> Resolutions 2048 (2012), 2049 (2012), 2050 (2012), 2094 (2013) and 2105 (2013).

<sup>72</sup> Resolutions 2046 (2012), para. 6; and 2051 (2012), para. 6.

<sup>73</sup> S/PRST/2012/19, fourteenth paragraph (Sudan); and S/PRST/2013/3, fourth paragraph (Yemen).

## A. Decisions of the Security Council relating to Article 41

### Decisions on thematic issues relating to Article 41

During the period under review, the Council adopted several decisions of a thematic nature containing provisions relating to Article 41, in connection with the items “Children and armed conflict”, “Protection of civilians in armed conflict”, “Small arms and light weapons”, “The promotion and strengthening of the rule of law in the maintenance of international peace and security” and “Women and peace and security”.

The Council, through those decisions, expressed its readiness to adopt “targeted and graduated” sanctions measures against persistent perpetrators of violations and abuses against children and civilians in armed conflict,<sup>74</sup> and against perpetrators of sexual violence in conflict.<sup>75</sup> The Council also reaffirmed its responsibility to monitor arms embargoes and take appropriate measures to strengthen such embargoes.<sup>76</sup> Moreover, the Council recognized sanctions as an important tool in the

maintenance and restoration of international peace and security, and expressed its commitment to ensuring fair procedures for placing individuals and entities on sanctions lists and for granting humanitarian exemptions.<sup>77</sup>

### Decisions on country-specific questions relating to Article 41

During 2012 and 2013, the Council imposed new sanctions measures in connection with two country-specific situations,<sup>78</sup> while measures previously adopted under Article 41 in connection with 12 country-specific situations<sup>79</sup> remained in place, or were extended, modified, strengthened or terminated. The decisions of the Council relating to changes, if any, to country-specific sanctions regimes during the period under review, in chronological order from the earliest regime established (Somalia and Eritrea) to the most recent (Central African Republic), are described below. An overview of the sanctions measures in place during 2012-2013 is provided in table 5 (resolutions) and table 6 (measures).

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<sup>74</sup> Resolution 2068 (2012), para. 3 (b), and S/PRST/2013/8, thirteenth paragraph.

<sup>75</sup> S/PRST/2012/3, fourth paragraph, and resolution 2106 (2013), para. 13.

<sup>76</sup> Resolution 2117 (2013), para. 6.

<sup>77</sup> S/PRST/2012/1, fifteenth paragraph.

<sup>78</sup> Guinea-Bissau and Central African Republic.

<sup>79</sup> Somalia and Eritrea, Taliban, Al-Qaida, Iraq, Liberia, Democratic Republic of the Congo, Côte d’Ivoire, Sudan, Lebanon, Democratic People’s Republic of Korea, Iran (Islamic Republic of ) and Libya.

Table 5  
**Overview of decisions on measures pursuant to Article 41, in place or imposed, 2012-2013\***

<i>Somalia and Eritrea</i>	<i>Taliban and associated individuals and entities</i>	<i>Al-Qaida and associated individuals and entities</i>	<i>Iraq</i>	<i>Liberia</i>	<i>Democratic Republic of the Congo</i>	<i>Côte d'Ivoire</i>	<i>Sudan</i>	<i>Lebanon</i>	<i>Democratic People's Republic of Korea</i>	<i>Islamic Republic of Iran</i>	<i>Libya</i>	<i>Guinea-Bissau</i>	<i>Central African Republic</i>
<b>Resolutions by which measures were established or subsequently modified</b>													
733 (1992)	1267 (1999)	1267 (1999)	1483 (2003)	1521 (2003)	1493 (2003)	1572 (2004)	1556 (2004)	1636 (2005)	1695 (2006)	1737 (2006)	1970 (2011)	2048 (2012)	2127 (2013)
1356 (2001)	1333 (2000)	1333 (2000)	1546 (2004)	1532 (2004)	1533 (2004)	1584 (2005)	1591 (2005)	1701 (2006)	1718 (2006)	1747 (2007)	1973 (2011)		
1425 (2002)	1388 (2002)	1388 (2002)	1956 (2010)	1683 (2006)	1596 (2005)	1643 (2005)	1672 (2006)		1874 (2009)	1803 (2008)	2009 (2011)		
1725 (2006)	1390 (2002)	1390 (2002)	1957 (2010)	1688 (2006)	1649 (2005)	1893 (2009)	1706 (2006)			1929 (2010)	2016 (2011)		
1744 (2007)	1452 (2002)	1452 (2002)		1689 (2006)	1671 (2006)	1946 (2010)	1945 (2010)						
1816 (2008)	1699 (2006)	1699 (2006)		1731 (2006)	1698 (2006)	1975 (2011)							
1844 (2008)	1735 (2006)	1735 (2006)		1753 (2007)	1756 (2007)	1980 (2011)							
1851 (2008)	1822 (2008)	1822 (2008)		1792 (2007)	1807 (2008)								
1872 (2009)	1904 (2009)	1904 (2009)		1903 (2009)	1856 (2008)								
1907 (2009)	1988 (2011)	1989 (2011)			1857 (2008)								
1910 (2010)					1925 (2010)								
1916 (2010)					1952 (2010)								
2002 (2011)					2021 (2011)								
2023 (2011)													
<b>Resolutions adopted in 2012-2013</b>													
2036 (2012)	2082 (2012)	2083 (2012)	No resolutions adopted	2079 (2012)	2076 (2012)	2045 (2012)	2035 (2012)	No resolutions adopted	2050 (2012)	2049 (2012)	2040 (2012)	2048 (2012)	2127 (2013)
2060 (2012)				2128 (2013)	2078 (2012)	2062 (2012)	2091 (2013)		2087 (2013)	2105 (2013)	2095 (2013)	2092 (2013)	
2077 (2012)					2098 (2013)	2101 (2013)	2113 (2013)		2094 (2013)				
2093 (2013)						2112 (2013)							
2111 (2013)													
2124 (2013)													
2125 (2013)													

\* Included in this table are resolutions by which new sanctions measures were established and resolutions by which existing measures (including those relating to exemptions) were modified and terminated. Resolutions in which sanctions measures were simply extended or reiterated are not included.

Table 6  
**Overview of measures pursuant to Article 41 in place or imposed, 2012-2013**

<i>Type of measure</i>	<i>Somalia and Eritrea</i>	<i>Taliban and associated individuals and entities</i>	<i>Al-Qaida and associated individuals and entities</i>	<i>Iraq</i>	<i>Liberia</i>	<i>Democratic Republic of the Congo</i>	<i>Côte d'Ivoire</i>	<i>Sudan</i>	<i>Lebanon</i>	<i>Democratic People's Republic of Korea</i>	<i>Islamic Republic of Iran</i>	<i>Libya</i>	<i>Guinea-Bissau</i>	<i>Central African Republic</i>
<b>Sanctions measures</b>														
Arms embargo	X	X	X	X	X	X	X	X	X	X	X	X		X
Travel ban or restrictions	X	X	X		X	X	X	X	X	X	X	X	X	
Asset freeze	X	X	X	X	X	X	X	X	X	X	X	X		
Ban on arms exports by target State										X	X			
Business restrictions	X (Eritrea)											X		
Financial restrictions	X (Eritrea)									X	X			
Non-proliferation measures										X	X			
Prohibition on bunkering services										X	X			
Public financial support for trade restrictions										X	X			
Restrictions on ballistic missiles										X	X			
Transport and aviation sanctions								X				X		
Diamond embargo							X							
Diplomatic/overseas representation restrictions										X				
Luxury goods embargo										X				
<b>Enforcement measures</b>														
Seizing of arms	X				X	X	X			X	X	X		X
Cargo inspections	X (Eritrea)					X	X			X	X			
Transport and aviation control						X						X		
Border/customs controls						X								

## Somalia and Eritrea

During the biennium under review, the Council adopted seven resolutions concerning the sanctions measures against Somalia and Eritrea, more than for any other sanctions regime during this period. As further described below, the Council made a number of modifications to the sanctions measures concerning Somalia and Eritrea, including establishing new exemptions to the respective arms embargoes on Somalia and Eritrea, extending certain exemptions to the asset freeze, and modifying the reporting obligations applicable to Somalia as well as to all Member States. The Council also imposed a new sanctions measure in the form of a ban on the export of charcoal from Somalia. An overview of changes to the sanctions measures concerning Somalia and Eritrea is provided in table 7.

On 25 July 2012, the Council, by resolution 2060 (2012), created an exemption to the arms embargo on Somalia for supplies of weapons and military equipment, or the provision of assistance, solely for the support of or use by the United Nations Political Office for Somalia (UNPOS). By resolution 2093 (2013) of 6 March 2013, the Council extended the exemption to the arms embargo to United Nations personnel, including UNPOS and its successor mission, and, under certain conditions, the strategic partners of the African Union Mission in Somalia.

Also by resolution 2093 (2013), the Council partially lifted the arms embargo for deliveries of weapons or military equipment or the provision of advice, assistance or training intended solely for the development of the Security Forces of the Federal Government of Somalia, and to provide security for the Somali people. By resolution 2111 (2013) of 24 July 2013 the Council extended this partial lifting of the arms embargo until 6 March 2014, except in relation to items listed in the annex to that resolution, which included surface-to-air missiles, anti-tank guided weapons, and weapon sights with a night vision capability, which could be supplied to the Federal Government of Somalia only upon approval in advance, on a case-by-case basis, by the Committee pursuant to resolutions 751 (1992) and 1907 (2009).

The Council created exemptions to the arms embargo that had been imposed on Eritrea by resolution 1907 (2009) in response to the support Eritrea had been providing to armed groups engaged in undermining peace and reconciliation in Somalia and regional stability. In resolution 2060 (2012), the Council decided that the arms embargo would not apply to protective clothing including flak jackets and military helmets, temporarily exported to Eritrea by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only, or to supplies of

non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee.

By resolution 2111 (2013), the Council consolidated the exemptions to the arms embargo against Somalia and Eritrea in one single resolution.

With regard to the asset freeze, established in resolution 1844 (2008) on individuals and entities designated by the Committee pursuant to criteria for listing provided in that resolution, the Council extended until 25 October 2014 earlier exemptions to the asset freeze for payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia.

Adopting a new sanctions measure, the Council, by resolution 2036 (2012) of 22 February 2012, imposed a ban on the export and direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia. Further, the Council, considering that the commerce of charcoal might pose a threat to the peace, security, or stability of Somalia, decided that the Committee could designate individuals and entities engaged in such commerce as subject to the targeted measures established by resolution 1844 (2008).<sup>80</sup>

During the period under review, the Council also modified reporting obligations concerning Somalia and all Member States. First, the Council demanded that all Member States report to the Committee within 120 days on the steps they had taken towards effective implementation of the charcoal ban. Secondly, the Federal Government of Somalia was requested to report to the Council within one month, and every six months thereafter, on the structure of the Security Forces of the Federal Government of Somalia; the infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Security Forces; and the procedures and codes of conduct in place for the registration, distribution, use and storage of weapons by the Security Forces, and training needs in that regard.<sup>81</sup>

The Council expressed its readiness to apply targeted sanctions against individuals and entities that met the listing criteria provided in resolutions 1844 (2008) and 2002 (2011),<sup>82</sup> and decided to review within 12 months the effects of the modifications to the sanctions regime introduced in 2013.<sup>83</sup>

<sup>80</sup> Resolution 2036 (2012), para. 23.

<sup>81</sup> Resolutions 2036 (2012), para. 22; and 2093 (2013), para. 39.

<sup>82</sup> Resolution 2060 (2012), paras. 1-3.

<sup>83</sup> Resolution 2093 (2013), para. 42.

Table 7

**Changes to the measures imposed pursuant to Article 41 concerning Somalia and Eritrea, 2012-2013**

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the period</i>					
		2036 (2012)	2060 (2012)	2077 (2012)	2093 (2013)	2111 (2013)	2124 (2013) 2125 (2013)
Arms embargo	733 (1992), para. 5		Exemption, para. 10	Exemption, para. 14	Exemptions, paras. 33, 36-38 Modified, para. 34	Exemptions, paras. 6, 10, 13-15 Modified, paras. 6-8	Exemption, para. 14
Arms embargo (Eritrea)	1907 (2009), para. 5		Exemptions, paras. 11-12			Exemptions, paras. 12-13	
Asset freeze	1844 (2008), para. 3		Exemption, para. 7			Exemption, para. 22	
Charcoal ban	2036 (2012), para. 22	New					



### The Taliban and associated individuals and entities

On 17 December 2012, the Council, by resolution [2082 \(2012\)](#), extended the application of the sanctions measures, namely the asset freeze, travel restrictions and arms embargo, on the Taliban and other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, as designated by the Committee established pursuant to resolution [1988 \(2011\)](#). An overview of the changes to the sanctions measures during the period under review is provided in table 8.

By resolution [2082 \(2012\)](#), the Council recalled that exemptions to the asset freeze created by resolutions [1452 \(2002\)](#) and [1735 \(2006\)](#) continued to be available to Member States. Further, recognizing the importance of a comprehensive political process in Afghanistan to support

peace and reconciliation among all Afghans, the Council decided that the travel ban did not apply to individuals whose travel was necessary to participate in meetings in support of peace and reconciliation, as confirmed to the Committee by the Government of Afghanistan. That exemption to the travel ban, to be granted only for the requested period of time and for travel limited to a specified location or locations, was conditional on the determination by the Committee, on a case-by-case basis, that the concerned individual's entry or transit was justified. The listed individuals would remain subject to the other sanctions measures in the resolution. Finally, the Council expressed its intention to review the implementation of the measures in 18 months, and make adjustments as necessary.<sup>84</sup>

<sup>84</sup> Resolution [2082 \(2012\)](#), para. 39.

Table 8

### Changes to the measures imposed pursuant to Article 41 concerning the Taliban and associated individuals and entities, 2012-2013

	Resolutions establishing measures	Resolutions adopted during the period
		<a href="#">2082 (2012)</a>
Arms embargo	<a href="#">1333 (2000)</a> , para. 5	Reaffirmed, para. 1 (c)
Asset freeze	<a href="#">1267 (1999)</a> , para. 4 (b)	Reaffirmed, para. 1 (a) Exemption, para. 8
Travel ban or restrictions	<a href="#">1390 (2002)</a> , para. 2 (b)	Reaffirmed, para. 1 (b) Exemptions, paras. 1 (b), 9, 10 and 11

### Al-Qaida and associated individuals and entities

On 17 December 2012, the Council, by resolution [2083 \(2012\)](#), extended the sanctions measures, namely the asset freeze, travel ban and arms embargo, against Al-Qaida and associated individuals, groups, undertakings and entities, with modifications to the asset freeze and the travel ban. An overview of the changes to the sanctions measures during the period under review is provided in table 9.

The asset freeze on designated individuals and entities associated with Osama bin Laden and Al-Qaida, including proceeds derived from crime and narcotic drugs and payment of ransom to individuals and entities on the sanctions list, was modified with regard to assets that had been frozen as a result of the listing of Osama bin Laden,

who was killed in May 2011. The Council required Member States to submit a request to unfreeze such assets to the Committee established pursuant to resolution [1267 \(1999\)](#), with assurances that the assets would not be transferred, directly or indirectly, to a listed individual, group, undertaking or entity, or otherwise used for terrorist purposes in line with Council resolution [1373 \(2001\)](#). The assets could be unfrozen only in the absence of an objection by a Committee member. The Council stressed “the exceptional nature” of the provision, emphasizing that it was not to be considered as establishing a precedent.<sup>85</sup> The Council also encouraged

<sup>85</sup> Resolution [2083 \(2012\)](#), para. 32.

Member States to make use of available exemptions to the asset freeze provided for in earlier resolutions.<sup>86</sup>

By the same resolution, the Council authorized the Ombudsperson,<sup>87</sup> in instances in which the Ombudsperson was unable to interview a petitioner in his or her State of residence, to request the Committee to

<sup>86</sup> Ibid., para. 8.

<sup>87</sup> The Office of the Ombudsperson was created by resolution 1904 (2009), para. 20, to assist the Committee with delisting requests.

consider granting an exemption to the travel ban for the sole purpose of allowing the petitioner to travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary.

The Council decided to review the sanctions measures, with a view to possibly further strengthening them in 18 months or sooner if necessary.<sup>88</sup>

<sup>88</sup> Resolution 2083 (2012), para. 63.

Table 9  
Changes to the measures imposed pursuant to Article 41 concerning Al-Qaida and associated individuals and entities, 2012-2013

Provisions relating to sanctions measures	Resolutions establishing measures	Resolutions adopted during the period
		2083 (2012)
Arms embargo	1333 (2000), para. 5	Reaffirmed, para. 1 (c)
Asset freeze	1267 (1999), para. 4 (b)	Reaffirmed, para. 1 (a) Modified, paras. 5, 6 and 32
Travel ban or restrictions	1390 (2002), para. 2 (b)	Reaffirmed, para. 1 (b) Exemption, para. 36

### Iraq

The Council adopted no resolutions concerning the remaining sanctions measures against Iraq, which, during the period under review, consisted of an arms embargo, with exemptions,<sup>89</sup> and a freeze on financial assets of the former Iraqi regime and its senior officials, State bodies, corporations and agencies. The Committee established pursuant to resolution 1518 (2003) continued to oversee the implementation of the asset freeze and maintain the list of individuals and entities to whom the asset freeze applied.

### Liberia

The Council adopted two resolutions concerning the sanctions measures against Liberia in 2012-2013, which, during this period, consisted of an arms embargo, a travel ban and an asset freeze. An overview of the changes to the measures during the period under review is provided in table 10.

<sup>89</sup> Resolution 1546 (2004), para. 21.

On 12 December 2012, the Council, by resolution 2079 (2012), extended the arms embargo and the travel ban for a period of 12 months, reaffirmed that the asset freeze established by resolution 1532 (2004) on the former President of Liberia, Charles Taylor, his immediate family members, senior officials of the former regime, and other associates and allies, remained in force, and demanded that the Government of Liberia make all necessary efforts to fulfil its obligations. The Council, recognizing the progress achieved in the stabilization of Liberia, expressed its intention to review and possibly modify or lift all or part of the sanctions measures at the end of the 12-month period.<sup>90</sup>

By resolution 2128 (2013) of 10 December 2013, the Council welcomed the “sustained progress” made by the Government of Liberia in rebuilding the country, but determined that the situation in Liberia remained fragile and continued to constitute a threat to international peace and security in the region.<sup>91</sup> Consequently, the Council

<sup>90</sup> Resolution 2079 (2012), para. 2 (c).

<sup>91</sup> Resolution 2128 (2013), second and fifteenth preambular paragraphs.

renewed the arms embargo and travel ban for a period of another 12 months, and reaffirmed that the asset freeze remained in force. The Council did, however, modify the notification requirements associated with the arms embargo, by providing that notification for non-lethal materials and associated training was no longer required, that the Liberian authorities now had the primary responsibility of notifying the Committee established pursuant to resolution 1521 (2003) of the shipment of any supplies of lethal arms and related material or military assistance, advice or training for the Government of Liberia, and that Member States could, in the alternative, make such notifications in consultation with the

Government of Liberia.<sup>92</sup> The Council decided to review the sanctions measures six months from the adoption of the resolution, with a view to modifying or lifting all or part of the measures, dependent upon Liberia’s progress towards meeting the conditions set out in resolution 1521 (2003) for terminating those measures.<sup>93</sup>

<sup>92</sup> Resolution 2128 (2013), para. 2 (b). The Council had, by resolution 1903 (2009), para. 6, placed a requirement on States to notify the Committee established by resolution 1521 (2003) in advance of shipments of arms and military assistance or training they provided to the Government of Liberia.

<sup>93</sup> Resolution 2128 (2013), para. 4.

Table 10

**Changes to the measures imposed pursuant to Article 41 concerning Liberia, 2012-2013**

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the period</i>	
		<i>2079 (2012)</i>	<i>2128 (2013)</i>
Arms embargo	1521 (2003), para. 2	Extended, para. 2 (b)	Extended, para. 2 (b) Modified, para. 2 (b) (i)-(iv)
Asset freeze	1532 (2004), para. 1	Reaffirmed, para. 1	Reaffirmed, para. 1
Travel ban or restrictions	1521 (2003), para. 4	Extended, para. 2 (a)	Extended, para. 2 (a)

**Democratic Republic of the Congo**

In October 2012, responding to the emergence in the eastern Democratic Republic of the Congo of the rebel military group known as the 23 March Movement (M23), the Council issued a presidential statement condemning the group’s attacks on civilians, peacekeepers and humanitarian workers, its human rights abuses, including summary executions, sexual violence and recruitment of child soldiers, as well as its attempts to establish a parallel administration in the region. The Council expressed its intention to apply targeted sanctions against the leadership of M23 and those acting in violation of the sanctions regime.<sup>94</sup> By resolution 2076 (2012) of 20 November 2012, the Council reiterated its condemnation of M23, called on the Committee established pursuant to resolution 1533 (2004) to review, “as a matter of urgency”, the activities of named M23 commanders and others who met the criteria for designation, and expressed its intention to consider additional targeted sanctions against the leadership of

M23 and those acting in violation of the sanctions regime.<sup>95</sup>

On 28 November 2012 the Council adopted resolution 2078 (2012), by which it extended the sanctions measures concerning the Democratic Republic of the Congo, including the arms embargo, the asset freeze and travel restrictions, and the border and transport and aviation controls. The Council renewed the exemptions to the travel ban, but modified them to include, inter alia, cases in which the entry or transit of a listed individual was necessary for the fulfilment of judicial process. An overview of the changes to the sanctions measures during the period under review is provided in table 11.

By resolution 2078 (2012), the Council expanded the criteria for listing individuals and entities subject to the asset freeze and travel ban to include individuals or entities “acting on behalf of or at the direction of a designated individual or entity owned or controlled by a designated individual”, and those who planned, sponsored

<sup>94</sup> S/PRST/2012/22.

<sup>95</sup> Resolution 2076 (2012), paras. 1-3, 7 and 8.

or participated in attacks against peacekeepers in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).<sup>96</sup> The Council further expressed its intention to consider additional targeted sanctions against the leadership of M23 and those who provided external support to M23, and to review the sanctions measures, with a view to adjusting them, if appropriate, no later than 1 February 2014.<sup>97</sup>

In resolution 2098 (2013) of 28 March 2013, the Council welcomed the signing by the Democratic Republic of the Congo and its neighbouring countries of

the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region in February 2013, and reiterated its condemnation of M23 and other armed groups operating in the Democratic Republic of the Congo.<sup>98</sup> The Council extended the mandate of MONUSCO, including the authorization for the Mission to monitor the implementation of the arms embargo, with the authority to seize, collect and dispose of arms and related material whose presence in the Democratic Republic of the Congo violated the terms of the embargo.<sup>99</sup>

<sup>96</sup> Resolution 2078 (2012), para. 4 (h) and (i).

<sup>97</sup> Ibid., paras. 9 and 23.

<sup>98</sup> Resolution 2098 (2013), paras. 1 and 8.

<sup>99</sup> Ibid., paras. 9 and 12 (c).

Table 11

**Changes to the measures imposed pursuant to Article 41 concerning the Democratic Republic of the Congo, 2012-2013**

<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the period</i>		
	<i>2076 (2012)</i>	<i>2078 (2012)</i>	<i>2098 (2013)</i>
<b>Provisions relating to sanctions measures</b>			
Arms embargo	1493 (2003), para. 20	Extended, para. 1	
Asset freeze	1596 (2005), para. 15	Extended, para. 3	
Border / customs controls	1596 (2005), para. 10	Extended, para. 2	
Measures on transport and aviation	1596 (2005), paras. 6-8, 10, 12	Extended, para. 2	
Travel ban	1596 (2005), para. 13	Extended, para. 10 Modified, para. 10 (a)-(d)	
<b>Provisions relating to enforcement measures</b>			
Seizing of arms	1533 (2004), para. 4		Extended, para. 12 (c)

**Côte d'Ivoire**

During the two years under review, the Council adopted four resolutions by which it extended the sanctions measures and related enforcement measures concerning Côte d'Ivoire. An overview of the changes to the sanctions measures pursuant to those resolutions is provided in table 12.

By resolution 2045 (2012) of 26 April 2012, the Council decided to replace the arms embargo provisions in resolution 1572 (2004) with new provisions

re-imposing the embargo. However, the Council created several exemptions to the embargo, for the provision of training and expertise related to security and military activities; supplies of civilian vehicles to the Ivorian security forces; supplies intended solely for the support of or use by the United Nations Operation in Côte d'Ivoire (UNOCI); supplies of non-lethal military equipment intended solely for humanitarian or protective use; supplies of protective clothing for the personal use of United Nations personnel, representatives of the media and humanitarian workers; supplies temporarily exported

to the forces of a State evacuating its nationals from Côte d'Ivoire; supplies of non-lethal law enforcement equipment intended to enable the Ivorian security forces to maintain public order; and supplies of arms and other related lethal equipment to the Ivorian security forces, intended solely for security sector reform. A number of those exemptions were to be approved in advance by the Committee established pursuant to resolution 1572 (2004) to assist with the implementation of the sanctions measures.

The Council extended the remaining sanctions measures, namely the asset freeze, travel ban and diamond embargo, by resolutions 2045 (2012) and 2101

(2013). In connection with the arms embargo, the Council extended the authorization for UNOCI to conduct cargo inspections and to seize and destroy arms, by resolutions 2062 (2012) and 2112 (2013).

The Council expressed its intention to review the sanctions measures, as appropriate, in accordance with the progress achieved in Côte d'Ivoire in relation to, inter alia, disarmament, security sector reform and national reconciliation.<sup>100</sup>

<sup>100</sup> Resolutions 2045 (2012), paras. 7 and 21; and 2101 (2013), paras. 6, 7 and 24.

Table 12

**Changes to the measures imposed pursuant to Article 41 concerning Côte d'Ivoire, 2012-2013**

	Resolutions establishing measures	Resolutions adopted during the period			
		2045 (2012)	2062 (2012)	2101 (2013)	2112 (2013)
<b>Provisions relating to sanctions measures</b>					
Arms embargo	1572 (2004), para. 7	Modified, para. 1, 2 Exemptions, paras. 1, 3		Extended, para. 1	
Asset freeze	1572 (2004), para. 11	Extended, para. 6		Extended, para. 6	
Diamond embargo	1643 (2005), para. 6	Extended, para. 6		Extended, para. 6	
Travel ban	1572 (2004), para. 9	Extended, para. 6		Extended, para. 6	
<b>Provisions relating to enforcement measures</b>					
Cargo inspections	1584 (2005), para. 2 (a)		Extended, para. 1		Extended, paras. 1, 6 (e)
Seizing of arms	1584 (2005), para. 2 (b)		Extended, para. 1		Extended, paras. 1, 6 (e)

**Sudan**

The Council adopted three resolutions concerning the sanctions measures against the Sudan during the period under review. By resolution 2035 (2012), the Council ended the exemptions to the arms embargo that had been established in resolution 1591 (2005) with respect to assistance and supplies provided in support of the implementation of the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army, signed in 2005. This was the only change to the sanctions measures

concerning the Sudan during the period, as shown in table 13.

The Council also clarified that, in the light of the creation of two new states in the Darfur region, previous references to states of Darfur would apply to all the territory of Darfur including the new ones.<sup>101</sup>

In two resolutions the Council urged all States to report to the Committee established pursuant to resolution 1591 (2005) on the actions they had taken to implement

<sup>101</sup> Resolution 2035 (2012), para. 2.

the sanctions measures, and to be mindful of the risk that certain items continued to be converted to military purposes and transferred to Darfur.<sup>102</sup> The Council also expressed its concern that technical assistance and support to the Sudan could be used by the Government of the Sudan to support military aircraft being used in violation of the sanctions measures.<sup>103</sup> Condemning

attacks on the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the Council noted that individuals who planned, sponsored or participated in such attacks constituted a threat to stability in Darfur and might therefore meet the criteria for designation on the Sanctions List.<sup>104</sup>

<sup>102</sup> Resolutions [2035 \(2012\)](#), paras. 11-13; and [2091 \(2013\)](#), paras. 9, 12 and 13.

<sup>103</sup> Resolution [2091 \(2013\)](#), para. 2.

<sup>104</sup> Resolution [2113 \(2013\)](#), para. 11.

Table 13

**Changes to the measures imposed pursuant to Article 41 concerning the Sudan, 2012-2013**

Provisions relating to sanctions measures	Resolutions establishing measures	Resolutions adopted during the period		
		<a href="#">2035 (2012)</a>	<a href="#">2091 (2013)</a>	<a href="#">2113 (2013)</a>
Arms embargo	<a href="#">1556 (2004)</a> , paras. 7 and 8	Modified, para. 4		

**Lebanon**

During the period under review, the Council did not make any modifications to the sanctions measures concerning Lebanon, consisting of an asset freeze and travel restrictions on individuals designated as suspected of involvement in the terrorist bombing in Beirut on 14 February 2005, in which the former Prime Minister of Lebanon, Rafiq Hariri, and 22 others were killed,<sup>105</sup> unless travel was authorized by the Government of Lebanon or by the United Nations Interim Force in Lebanon, and an arms embargo on any entity or individual in Lebanon.<sup>106</sup>

**Democratic People's Republic of Korea**

The Council adopted three resolutions relating to the sanctions regime concerning the Democratic People's Republic of Korea in 2012 and 2013.<sup>107</sup> An overview of the changes to the sanctions measures pursuant to those resolutions is provided in table 14.

By resolution [2087 \(2013\)](#) of 22 January 2013, the Council condemned the launch of a rocket by the Democratic People's Republic of Korea on 12 December 2012, and strengthened the extensive sanctions measures against that country, underlining that the measures were not intended to have adverse humanitarian consequences for the civilian population.<sup>108</sup> The Council extended the application of the arms embargo, the ban on arms exports by the Democratic People's Republic of Korea, and the non-proliferation measures to items listed in two information circulars issued by the International Atomic Energy Agency concerning nuclear material, equipment and technology,<sup>109</sup> as well as to items in the Council document related to ballistic missile programmes.<sup>110</sup> The Council extended the remaining sanctions measures and expanded the asset freeze and travel ban to individuals and entities listed in annexes I and II to the resolution. The Council also called on Member States "to exercise enhanced vigilance" with regard to the financial restrictions established in resolution [1874 \(2009\)](#), including monitoring the activities of their nationals, persons in their territories, financial institutions and other entities with or on behalf of financial institutions in the Democratic People's Republic of Korea.<sup>111</sup>

<sup>105</sup> Resolution [1636 \(2005\)](#), para. 3 (a). As at the end of 2013, no individuals had been designated and registered by the Committee established pursuant to resolution [1636 \(2005\)](#) for this purpose.

<sup>106</sup> Resolution [1701 \(2006\)](#), para. 15.

<sup>107</sup> One resolution (resolution [2050 \(2012\)](#) of 12 June 2012) concerned only the Panel of Experts created in 2009 to assist the Committee established pursuant to resolution [1718 \(2006\)](#) in carrying out its mandate. For more information see part IX, sect. I.

<sup>108</sup> Resolution [2087 \(2013\)](#), para. 18.

<sup>109</sup> International Atomic Energy Agency information circulars INFCIRC/254/Rev.11/Part 1 and INFCIRC/254/Rev.8/Part 2. <sup>110</sup> [S/2012/947](#).

<sup>111</sup> Resolution [2087 \(2013\)](#), para. 6.

By resolution [2094 \(2013\)](#) of 7 March 2013, the Council made several modifications to the sanctions measures. The arms embargo and non-proliferation measures were expanded to include nuclear, missile and chemical weapons-related items listed in annex III to that resolution. The Council also added a requirement on Member States to prevent, by their nationals or from their territories, the provision of “brokering or other intermediary services” in relation to the prohibited items. The asset freeze was expanded to encompass individuals and entities listed in annexes I and II to the resolution, including an organization involved in research and development of advanced weapons systems. Expressing its concern that transfers of bulk cash to the Democratic People’s Republic of Korea might be used to evade the sanctions measures, the Council clarified that the financial restrictions on the country included restrictions on the transfers of bulk cash that could contribute to its nuclear or ballistic missile programmes.

Also by resolution [2094 \(2013\)](#), the Council reaffirmed the luxury goods embargo, clarifying that “luxury goods” included items specified in annex IV to the resolution, including precious and semi-precious stones, yachts, and automobiles and motor vehicles to transport people (other than public transport). Further, the Council extended the travel ban to three individuals listed

in annex I to the resolution, including two representatives of a corporation classified as the primary arms dealer of the Democratic People’s Republic of Korea, and to individuals acting on their behalf. The travel ban was also extended to any individuals that a State determined was working on behalf of or at the direction of a designated individual or entity or individuals assisting the evasion of sanctions or their violation. The Council made it a requirement for States to repatriate from their territories such individuals who were nationals of the Democratic People’s Republic of Korea, with exceptions in the case of, inter alia, medical, safety or other humanitarian purposes.

Finally, the Council adopted a new provision, a call upon States to exercise enhanced vigilance over diplomatic personnel of the Democratic People’s Republic of Korea, in order to prevent such individuals from contributing to that country’s nuclear or ballistic missile programme or other activities prohibited by the sanctions regime. The Council called upon all States to report to the Council within 90 days on “concrete measures” they had taken to implement the provisions of the resolution.<sup>112</sup>

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<sup>112</sup> Resolution [2094 \(2013\)](#), para. 25.

Table 14  
**Changes to the measures imposed pursuant to Article 41 concerning the Democratic People's Republic of Korea, 2012-2013**

	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the period</i>		
		2050 (2012)	2087 (2013)	2094 (2013)
<b>Provisions relating to sanctions measures</b>				
Arms embargo	1718 (2006), para. 8 (a) (i), (c)		Reaffirmed, para. 4 Modified, para. 5 (b)	Reaffirmed, para. 7 Modified, paras. 7, 20, 22
Asset freeze	1556 (2004), para. 8 (d)		Reaffirmed, para. 4 Modified, para. 5 (a)	Modified, para. 8
Chemical and biological weapons embargo	1718 (2006), para. 6, 8 (a) (ii),(f)			Modified, para. 20
Diplomatic or overseas representation restrictions	2094 (2013), para. 24			New
Financial restrictions	1874 (2009), para. 18, 19		Reaffirmed, para. 4 Modified, para. 6	Modified, paras. 11, 14
Luxury goods embargo	1718 (2006), para. 8 (a) (iii)		Reaffirmed, para. 4 Modified, para. 5 (b)	Reaffirmed, para. 23
Non-proliferation measures	1718 (2006), para.2, 7, 8 (a) (ii), (c), (f)		Reaffirmed, para. 4 Modified, para. 5 (b)	Reaffirmed, paras. 6, 7 Modified, paras. 7, 20, 22
Prohibition of bunkering services	1874 (2009), para. 17		Reaffirmed, para. 4	
Public financial support for trade restrictions	1874 (2009), para. 20		Reaffirmed, para. 4	Modified, para. 15
Restrictions on ballistic missiles	1718 (2006), para. 2, 5, 7, 8 (a) (ii)		Reaffirmed, para. 4	Reaffirmed, para. 6
Travel ban or restrictions	1718 (2006), para. 8 (e)		Reaffirmed, para. 4 Modified, para. 5 (a)	Modified, paras. 9, 10
<b>Provisions relating to enforcement measures</b>				
Cargo inspections	1718 (2006), para. 8 (f)			Modified, paras. 16, 17



### Islamic Republic of Iran

During the period under review, no changes were made to the sanctions measures concerning the Islamic Republic of Iran, which included an arms embargo, a ban on arms exports by the country, an asset freeze and travel ban on designated individuals and entities, non-proliferation measures, restrictions on ballistic missiles, financial restrictions on Iranian banks, and a prohibition on providing bunkering services to vessels owned or contracted by the Islamic Republic of Iran.<sup>113</sup>

### Libya

During the period under review, the Council adopted two resolutions concerning the sanctions measures against Libya, by which it modified enforcement aspects of the arms embargo. The existing sanctions measures, including an asset freeze and travel ban on listed individuals or entities, remained in place. An overview of changes to the measures taken in connection with Libya during the period under review is provided in table 15.

<sup>113</sup> The Council did adopt resolutions 2049 (2012) and 2105 (2013) during the period under review, by both of which it extended the mandate of the Panel of Experts established by resolution 1929 (2010) to assist the Committee established pursuant to resolution 1737 (2006). For more information, see part IX, sect I.

By resolution 2040 (2012) the Council, while underscoring the importance of the full implementation of the arms embargo on Libya, terminated the authorization in resolution 1973 (2011) for Member States to carry out cargo inspections and related obligations in connection with enforcement of the embargo. The Council urged all States, relevant United Nations bodies, including the United Nations Support Mission in Libya, and other interested parties, to cooperate fully with the Committee established pursuant to resolution 1970 (2011) and with the Panel of Experts established by resolution 1973 (2011), in particular by supplying any information regarding the implementation of the sanctions regime and incidents of non-compliance.<sup>114</sup>

By resolution 2095 (2013), adopted on 14 March 2013, the Council decided that approval by the Committee for supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training was no longer necessary. The Council also decided that supplies of non-lethal military equipment, and the provision of any technical assistance, training or financial assistance, when intended solely for security or disarmament assistance to the Libyan Government, would no longer require notification to, or the absence of a negative decision by, the Committee.

<sup>114</sup> Resolution 2040 (2012), para. 11. The Council reiterated this the following year in resolution 2095 (2013), para. 15.

Table 15

### Changes to the measures imposed pursuant to Article 41 concerning Libya, 2012-2013

Resolutions establishing measures	Resolutions adopted during the period	
	2040 (2012)	2095 (2013)
<b>Provisions relating to sanctions measures</b>		
Arms embargo	1970 (2011), para. 9	Modified, para. 9, 10
<b>Provisions relating to enforcement measures</b>		
Cargo inspections	1973 (2011), para. 13	Terminated, para. 8

### Guinea-Bissau

During the period under review, the Council established sanctions measures in relation to Guinea-Bissau for the first time, in response to a military coup in that country. An overview of the sanctions measures is provided in table 16.

On 18 May 2012, condemning the military coup of 12 April in Guinea-Bissau, and demanding that the new “Military Command” take immediate steps to restore constitutional order and a democratic electoral process, the Council by resolution 2048 (2012) imposed a travel ban on the chief of staff and deputy chief of staff of the armed forces and other members of the “Military Command” listed in the annex to the resolution, as well as on other individuals as designated by the Committee

established for this purpose by the same resolution.<sup>115</sup> The Council provided for exemptions to the travel ban in cases where the travel was justified on grounds of humanitarian need, including religious obligation, where the entry or transit was necessary for the fulfilment of a judicial process, or where an exemption would further the objectives of peace and national reconciliation in Guinea-Bissau, as determined by the Committee on a case-by-case basis.<sup>116</sup> The Council also provided criteria for the Committee to designate individuals subject to the sanctions measures, namely, individuals who were seeking to prevent the restoration of constitutional order or taking action that undermined stability in Guinea-Bissau, in particular those who played a leading role in the coup d'état of 12 April 2012, and those acting for or on behalf of or at the direction of or otherwise supporting or financing such individuals, including support or financing by means of proceeds of organized crime and

<sup>115</sup> Resolution 2048 (2012), paras. 4, 5 and 9 (b).

<sup>116</sup> Ibid., para. 5.

the illicit cultivation, production and trafficking of narcotic drugs and their precursors.<sup>117</sup> The Council also called upon Member States to report to the Committee on the steps they had taken to implement the travel ban.<sup>118</sup> The Council indicated that it would keep the situation in Guinea-Bissau under continuous review, and would be prepared to review the appropriateness of the sanctions measures, including strengthening them through additional measures such as an arms embargo or financial restrictions, and modifying, suspending or lifting the measures, as may be needed, in the light of the progress achieved in Guinea-Bissau.<sup>119</sup>

In a second resolution, the Council expressed its willingness to consider further action against those involved in drug trafficking and organized crime in Guinea-Bissau, in line with resolution 2048 (2012).<sup>120</sup>

<sup>117</sup> Ibid., paras. 6 and 7.

<sup>118</sup> Ibid., para. 10.

<sup>119</sup> Ibid., para. 12.

<sup>120</sup> Resolution 2092 (2013), para. 7.

Table 16

**Measures imposed pursuant to Article 41 concerning Guinea-Bissau, 2012-2013**

<i>Provisions relating to sanctions measures</i>	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the period</i>	
		2048 (2012)	2092 (2013)
Travel ban	2048 (2012), para. 4	New	

**Central African Republic**

Starting late in 2012, the Central African Republic saw an increasingly deteriorating security and human rights situation in the context of a civil war between mainly Muslim and mainly Christian armed groups. Following on its earlier resolutions and statements on the situation in the Central African Republic, the Council on 5 December 2013 condemned the continued violations of international humanitarian law and widespread human rights abuses perpetrated by armed groups, as well as the illegal exploitation of natural resources in the country that contributed to the perpetuation of the conflict.<sup>121</sup> The Council imposed an arms embargo on the Central African Republic, applicable to weapons and ammunition, military vehicles and equipment, paramilitary equipment, and financial and technical assistance and training related to military activities, with exemptions for, inter alia, non-lethal military equipment intended solely for

<sup>121</sup> Resolution 2127 (2013), paras. 16 and 17.

humanitarian or protective use, and supplies of arms to the Central African Republic security forces intended solely for security sector reform. The Council also authorized Member States to seize, register and dispose of all prohibited items that were discovered. An overview of the new sanctions regime concerning the Central African Republic is provided in table 17.

By resolution 2127 (2013), the Council established a Committee to monitor the implementation of the measures, and a Panel of Experts to assist the Committee in carrying out its mandate. The Council called on Member States to report to the Committee on the steps they had taken to implement the sanctions measures. The Council expressed its intention to swiftly consider imposing targeted measures, including travel bans and asset freezes, against individuals who acted to undermine the peace, stability and security in the Central African Republic.<sup>122</sup>

<sup>122</sup> Ibid., paras. 56-59.

Table 17

**Measures imposed pursuant to Article 41 concerning the Central African Republic, 2012-2013**

	<i>Resolutions establishing measures</i>	<i>Resolutions adopted during the period</i>
<b>Provisions relating to sanctions measures</b>		
Arms embargo	2127 (2013), para. 54	New
<b>Provisions relating to enforcement measures</b>		
Seizing of arms	2127 (2013), para. 55	New

**B. Discussion relating to Article 41**

The present subsection covers discussions in the Council regarding the appropriate role and use of sanctions and other measures under Article 41. Discussions on thematic issues and discussions on country-specific issues are dealt with under separate headings.

In its thematic discussions the Council dealt with the question of imposing and/or expanding targeted measures to help to enforce its decisions on children and armed conflict (case 9) and women and peace and security (case 10). In country-specific discussions, the Council considered the role of sanctions in relation to the Sudan and South Sudan (case 11), debated options for an appropriate response to the coup in Guinea-Bissau (case 12), and considered the use of Article 41 measures in the context of the Syrian crisis (case 13).

**Discussion of a thematic nature**

**Case 9**

**Children and armed conflict**

At its 6838th meeting, on 19 September 2012, the Council held an open debate on children and armed conflict, having before it the annual report of the Secretary-General.<sup>123</sup> At the beginning of the meeting, it adopted resolution 2068 (2012), in which it reiterated its readiness to adopt targeted and graduated sanctions measures against persistent perpetrators.<sup>124</sup>

In her briefing following the vote, the Special Representative of the Secretary-General for Children and Armed Conflict proposed targeted measures against

persistent perpetrators listed in the report, starting with those individuals in situations for which a sanctions committee was already in place.<sup>125</sup> Several participants highlighted the inclusion of grave violations against children as a listing criteria by the sanctions committees concerning Côte d'Ivoire, the Democratic Republic of the Congo, Somalia and the Sudan.<sup>126</sup> Some speakers proposed that child protection criteria should be included also in the mandates of the other sanctions committees that were being renewed or established.<sup>127</sup> The representative of Guatemala specifically expressed the hope that other sanctions regimes such as those against Al-Qaida and the Taliban would include criteria defining serious violations against children.<sup>128</sup>

As a further measure, the representative of New Zealand called for greater use of child protection experts in groups of experts supporting or assisting the work of the sanctions committees.<sup>129</sup> Other speakers advocated for a strong relationship between the Working Group on Children and Armed Conflict, the Special Representative of the Secretary-General and the country-specific sanctions committees through, inter alia, briefings by the Special Representatives of the Secretary-General to the sanctions committees.<sup>130</sup>

The representatives of China and Portugal advocated for caution in adopting sanctions measures.

<sup>123</sup> S/2012/261.

<sup>124</sup> For more information, see part I, sect. 28, "Children and armed conflict".

<sup>125</sup> S/PV.6838, p. 5.

<sup>126</sup> *Ibid.*, p. 13 (United States); p. 20 (South Africa); p. 27 (Guatemala); S/PV.6838 (Resumption 1), p. 4 (Canada); p. 10 (Finland); and p. 28 (New Zealand).

<sup>127</sup> S/PV.6838, p. 18 (Portugal); and p. 32 (European Union).

<sup>128</sup> *Ibid.*, p. 27.

<sup>129</sup> S/PV.6838 (Resumption 1), p. 28.

<sup>130</sup> S/PV.6838, p. 20 (South Africa); p. 32 (European Union); S/PV.6838 (Resumption 1), p. 10 (Finland); p. 18 (Bosnia and Herzegovina); and p. 19 (Slovenia)

They argued that strengthening national capacities should be given priority and that sanctions should remain the last resort available to the Council.<sup>131</sup> Similarly, the representative of Brazil recalled that sanctions alone were insufficient and reminded the Council not to lose sight of the importance of cooperating with Governments and parties to conflict to find sustainable solutions for the protection of children.<sup>132</sup>

As a possible means of addressing the problem of perpetrators in situations where no sanctions committee existed, the representatives of Portugal and Japan suggested the establishment of a thematic sanctions committee.<sup>133</sup> Similarly, the representatives of France and Liechtenstein supported the possible use of the Working Group as a sanctions committee.<sup>134</sup> The representative of Argentina called for a discussion on how to sanction perpetrators in situations where no sanctions committee existed,<sup>135</sup> and the representative of New Zealand said that those situations required a degree of innovation in the Council's working methods.<sup>136</sup> Conversely, the representative of the United States expressed his view that a free-standing sanctions regime on children in armed conflict would not seem to address the need for better tools to deal with persistent perpetrators.<sup>137</sup>

Some participants expressed concern about the prospect of sanctions in situations not on the agenda of the Council. On the one hand, the representative of Colombia said that there were other bodies and other ways of dealing with the protection of children in situations that could not be defined as armed conflict. He reminded the Council, as did also the representative of Brazil, that targeted sanctions mechanisms were applicable only in situations on the Council's agenda that constituted a threat to international peace and security pursuant to Article 39 of the Charter of the United Nations.<sup>138</sup>

<sup>131</sup> [S/PV.6838](#), p. 12 (China); and p. 18 (Portugal).

<sup>132</sup> *Ibid.*, p. 31.

<sup>133</sup> [S/PV.6838](#), p. 18 (Portugal); and p. 29 (Japan).

<sup>134</sup> *Ibid.*, p. 17 (France); and [S/PV.6838 \(Resumption 1\)](#), p. 16 (Liechtenstein).

<sup>135</sup> [S/PV.6838 \(Resumption 1\)](#), p. 5.

<sup>136</sup> *Ibid.*, p. 28.

<sup>137</sup> [S/PV.6838](#), p. 13.

<sup>138</sup> *Ibid.*, p. 14 (Colombia); and p. 30 (Brazil).

## Case 10

### Women and peace and security

At its 6722nd meeting, on 23 February 2012, the Council considered the Secretary-General's annual report on conflict-related sexual violence,<sup>139</sup> which contained information on parties to armed conflict around the world credibly suspected of sexual violence. The annex to the report contained a list of parties suspected of sexual violence in situations of armed conflict on the Council agenda. In the debate, many speakers welcomed the instrument for listing perpetrators of sexual violence in conflict by the relevant sanctions committees.<sup>140</sup>

At its 6948th meeting, on 17 April 2013, the Council considered the Secretary-General's annual report on sexual violence in conflict, in which the Secretary-General called for the adoption of targeted measures by relevant sanctions committees, and for the Council to consider means by which such measures could also be taken in relevant contexts where no sanctions committees were in place.<sup>141</sup> Several participants in the debate echoed the Secretary-General's call and welcomed the expansion of designation criteria in sanctions regimes to explicitly address sexual and gender-based violence.<sup>142</sup> Some speakers also called for enhanced collaboration and exchange between the Special Representative of the Secretary-General on Sexual Violence in Conflict and relevant sanctions committees.<sup>143</sup>

<sup>139</sup> [S/2012/33](#).

<sup>140</sup> [S/PV.6722](#), p. 4 (Special Representative of the Secretary-General on Sexual Violence in Conflict); p. 20 (Portugal); p. 21 (France); p. 29 (Belgium); [S/PV.6722 \(Resumption 1\)](#), p. 3 (Australia); p. 6 (European Union); pp. 8-9 (Switzerland); p. 9 (Liechtenstein); p. 10 (Israel); p. 12 (Italy); p. 16 (Japan); p. 17 (Estonia); p. 18 (Canada); p. 20 (Luxembourg); p. 23 (Ireland); p. 28 (Mexico); and p. 29 (Sweden).

<sup>141</sup> [S/2013/149](#), para. 128.

<sup>142</sup> [S/PV.6948](#), p. 9 (Republic of Korea); pp. 16-17 (Pakistan); p. 23 (Luxembourg); p. 24 (Australia); p. 29 (Rwanda); p. 30 (Norway); p. 33 (European Union); p. 38 (Canada); p. 39 (Botswana); p. 42 (Kazakhstan); p. 53 (Estonia); p. 57 (Italy); p. 59 (Lithuania); p. 66 (Germany); p. 68 (New Zealand); and p. 70 (Belgium).

\* Pursuant to the note by the President of the Security Council dated 11 November 2013 ([S/2013/657](#)), as from that date the wording of the item "Reports of the Secretary-General on the Sudan" was revised to read "Reports of the Secretary-General on the Sudan and South Sudan".

<sup>143</sup> *Ibid.*, p. 34 (Slovenia, on behalf of the Human Security Network); p. 42 (Kazakhstan); and p. 59 (Lithuania).

The representative of Ireland said that she strongly endorsed the recommendation by the Secretary-General that the Council expand its institutional capacity to develop ways to apply sanctions where no committees were in place.<sup>144</sup> Conversely, the representative of Brazil called for more discussion on that point, as he thought that such an expansion could amount to applying restrictive measures in situations that the Council had not determined to constitute threats to international peace and security.<sup>145</sup>

At its 6984th meeting, on 24 June 2013, the Council adopted resolution [2106 \(2013\)](#), in which it urged existing sanctions committees to apply targeted sanctions against those who perpetrate and direct sexual violence in conflict; and reiterated its intention, when adopting or renewing targeted sanctions in situations of armed conflict, to consider including designation criteria pertaining to sexual violence. At the same meeting, the representative of Ireland expressed his disappointment to see little evidence of progress on the part of the Council in identifying ways to target suspected perpetrators with sanctions and other measures in countries where no sanctions regime applied.<sup>146</sup>

## **Country-specific discussion relating to Article 41**

### **Case 11**

#### **Reports of the Secretary-General on the Sudan and South Sudan\***

At its 6764th meeting, on 2 May 2012, the Council adopted resolution [2046 \(2012\)](#), in which it condemned repeated incidents of cross-border violence between the Sudan and South Sudan and determined that the situation along the border between the Sudan and South Sudan constituted a serious threat to international peace and security. The Council decided that the Sudan and South Sudan should immediately cease all hostilities and resume negotiations under the auspices of the African Union High-level Implementation Panel, and expressed its intention to take measures under Article 41 of the Charter in the event of non-compliance.<sup>147</sup>

Speaking after the vote, several speakers welcomed the fact that the resolution had been adopted under Chapter VII of the Charter and that its obligations were

therefore binding.<sup>148</sup> The representative of the United States expressed support for the efforts of the African Union High-level Implementation Panel, but at the same time underlined that the Council was determined to hold both sides accountable, and that it stood ready to impose Chapter VII sanctions on either party or both.<sup>149</sup>

Several other speakers expressed caution with regard to sanctions, however.<sup>150</sup> The representative of the Russian Federation considered sanctions to be an extreme step for influencing both parties. He believed that the African Union High-level Implementation Panel should continue its active efforts to mediate and remain the chief mechanism for normalizing relations between the two countries.<sup>151</sup> The representative of Morocco said that his country believed in sanctions only when they were absolutely necessary. He cited the call of the League of Arab States on the two parties to settle the problems between them through negotiation.<sup>152</sup>

Reiterating the need to keep the process of conflict settlement within the African continent, the representative of the Sudan stated that the resolution included under Chapter VII the issue of the two States of Southern Kordofan and Blue Nile, despite the fact that the Peace and Security Council of the African Union had not requested that they be included under that Chapter. He said, further, that the resolution contained a threat of resort to measures under Article 41 of the Charter, but the African Union had not requested that either.<sup>153</sup>

### **Case 12**

#### **The situation in Guinea-Bissau**

Following a military coup d'état in Guinea-Bissau, the Council, at its 6754th meeting, on 19 April 2012, heard a briefing by the Special Representative of the Secretary-General and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau. He said that the Community of Portuguese-speaking Countries and the African Union had suggested that targeted individual sanctions be applied to the military and political leaders associated with the coup.<sup>154</sup> The

<sup>144</sup> *Ibid.*, p. 63.

<sup>145</sup> *Ibid.*, p. 44.

<sup>146</sup> [S/PV.6984](#), p. 59.

<sup>147</sup> For more information, see part I, sect. 12, "Reports of the Secretary-General on the Sudan and South Sudan".

<sup>148</sup> [S/PV.6764](#), p. 4 (South Africa); pp. 4-5 (Germany); p. 6 (France); and p. 8 (United Kingdom).

<sup>149</sup> *Ibid.*, p. 3.

<sup>150</sup> *Ibid.*, p. 3 (China); p. 5 (Russian Federation); p. 7 (Morocco); and p. 8 (Pakistan).

<sup>151</sup> *Ibid.*, p. 5.

<sup>152</sup> *Ibid.*, p. 7.

<sup>153</sup> *Ibid.*, pp. 11-12.

<sup>154</sup> [S/PV.6754](#), p. 3.

representative of Portugal said that the European Union would be ready to move forward with sanctions on individuals who continued to obstruct peace, security and the normal functioning of constitutional institutions, and called on the Council to consider similar targeted measures.<sup>155</sup> Two days later, the Council issued a presidential statement,<sup>156</sup> in which it expressed its readiness to consider targeted sanctions against the perpetrators and supporters of the military coup d'état.

At the 6766th meeting, on 7 May 2012, the Minister for Foreign Affairs and International Cooperation of Guinea-Bissau called for the imposition of sanctions on the coup leaders and their associates.<sup>157</sup> The Minister for External Relations of Angola, speaking on behalf of the Community of Portuguese-speaking Countries, appealed to the Council to impose targeted sanctions on the military personnel and civilians involved in the coup d'état.<sup>158</sup> Finally, the representative of the Economic Community of West African States (ECOWAS) informed the Council of a series of targeted sanctions on the military command and its associates, along with diplomatic, economic and financial sanctions on the country, that were imposed after the failure of consultations between ECOWAS and the military junta.<sup>159</sup>

Eleven days later, by resolution [2048 \(2012\)](#), adopted unanimously, the Council imposed a travel ban on the military junta. It also affirmed that it would continuously review the situation and be prepared to impose additional measures, or to modify, suspend or lift the measures already imposed. Speaking after the vote, the representatives of Portugal and Morocco welcomed the adoption of the resolution as a strong message calling for the restoration of the constitutional order.<sup>160</sup>

At the 6963rd meeting, on 5 June 2013, the representative of Côte d'Ivoire spoke on behalf of ECOWAS. He described transitional political arrangements and progress made towards the holding of elections.<sup>161</sup> Against this background, he called for a lifting of the sanctions, arguing that they inflicted the greatest suffering on those who were poor and without a voice.<sup>162</sup> At the same meeting, the representative of

Mozambique, speaking on behalf of the Community of Portuguese-speaking Countries, proposed the establishment of a panel of experts to fight drug trafficking networks. He argued that facilitating the adoption of sanctions against traffickers would constitute a concrete contribution to overcoming the problem of drug trafficking in Guinea-Bissau, and thus contribute to the promotion of stability in the country.<sup>163</sup>

At the 7070th meeting, on 26 November 2013, the Minister for Foreign Affairs of Guinea-Bissau called on Guinea-Bissau's partner organizations to lift the sanctions currently imposed. He said that the effects of the sanctions went beyond political considerations and should rather be looked at from a humanitarian perspective.<sup>164</sup>

At its 7074th meeting, on 9 December 2013, the Council issued a presidential statement, in which it recalled its resolution [2048 \(2012\)](#) and reiterated its readiness to consider further measures, including targeted sanctions against individuals who undermined efforts to restore the constitutional order.<sup>165</sup>

### **Case 13** **The situation in the Middle East**

At its 6710th meeting, on 31 January 2012, the Council heard a briefing by the Prime Minister and Minister for Foreign Affairs of Qatar. Speaking in his capacity as Chairman of the Ministerial Committee of the League of Arab States on the Syrian Arab Republic, he informed the Council about a package of sanctions agreed at the Ministerial Council of the League. He emphasized that the sanctions envisaged would not directly affect the Syrian people.<sup>166</sup> The representative of France said that the European Union had considerably expanded its sanctions on the regime and its leaders since the beginning of the crisis. He added that the actions of the European Union or the League of Arab States could not replace action by the Council.<sup>167</sup>

Speaking against the backdrop of the possible imposition of sanctions, the representative of the Russian Federation said that the role of the international community should not be to exacerbate conflict or meddle in internal affairs by using economic sanctions. He also criticized the sanctions measures of the League of Arab States as counterproductive.<sup>168</sup> In the same vein, the

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<sup>155</sup> *Ibid.*, p. 13.

<sup>156</sup> [S/PRST/2012/15](#).

<sup>157</sup> [S/PV.6766](#), p. 7.

<sup>158</sup> *Ibid.*, pp. 7-8.

<sup>159</sup> *Ibid.*, p. 10.

<sup>160</sup> [S/PV.6774](#), p. 2 (Portugal); and p. 3 (Morocco).

<sup>161</sup> For more information, see part I, sect. 9, "The situation in Guinea-Bissau".

<sup>162</sup> [S/PV.6963](#), pp. 7-8.

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<sup>163</sup> *Ibid.*, p. 10.

<sup>164</sup> [S/PV.7070](#), p. 6.

<sup>165</sup> [S/PRST/2013/19](#).

<sup>166</sup> [S/PV.6710](#), p. 3.

<sup>167</sup> *Ibid.*, p. 15.

<sup>168</sup> *Ibid.*, p. 24.

representative of China recalled his country's cautious approach to sanctions, expressing his belief that, rather than assisting in resolving an issue, sanctions often led to the further complication of the situation.<sup>169</sup>

Four days later, the Council failed to adopt a draft resolution concerning the Syrian Arab Republic,<sup>170</sup> owing to the negative vote of two permanent members of the Council. Speaking after the vote, several speakers expressed their disappointment and highlighted the fact that the text put to a vote did not mention sanctions.<sup>171</sup> The representative of France announced that his country would continue to increase the pressure on the Syrian Arab Republic by imposing further sanctions of the European Union.<sup>172</sup>

At its 6756th meeting, on 21 April 2012, the Council adopted resolution 2043 (2012), by which it established the United Nations Supervision Mission in the Syrian Arab Republic. Speaking after the adoption of the resolution, the representative of France said that if the observer mission should find that the Syrian Arab Republic had not met its obligations, the Council would have to consider other options, including possible sanctions.<sup>173</sup> The representative of the United Kingdom added that any attempt to hinder the work of the mission would have to be met with robust sanctions.<sup>174</sup>

At its 6810th meeting, on 19 July 2012, the Council failed to adopt a draft resolution<sup>175</sup> when two permanent members cast a negative vote. By the draft resolution the Council would have decided that the Syrian authorities should implement their commitments relating to a withdrawal of troops and heavy weapons from population centres to facilitate a sustained cessation of violence. The resolution would have been adopted under Chapter VII and would have imposed sanctions measures under Article 41 of the Charter in the event of non-compliance.

Speaking after the vote, the representatives of the United Kingdom and Portugal said that the imposition of sanctions would not have been automatic in case of non-compliance, but would have required further steps by the Council, namely another resolution defining the sanctions that would apply.<sup>176</sup> The representative of the United States added that the resolution would not have authorized or even "paved the way" for foreign military intervention.<sup>177</sup> The representative of the Russian Federation argued, by contrast, that his country could not accept a decision under Chapter VII of the Charter that would open the way to sanctions and external military involvement in Syrian domestic affairs. He criticized the fact that the threat of sanctions was levelled exclusively against the Government of the Syrian Arab Republic.<sup>178</sup> The representative of South Africa echoed this point, saying that the text threatened sanctions only against the Government of the Syrian Arab Republic without realistically allowing any action to be taken against the opposition.<sup>179</sup> The representative of the United States made clear that the threat of sanctions was directed against the only party to the conflict using heavy weaponry against its own cities and citizens.<sup>180</sup>

The representative of the Syrian Arab Republic affirmed that imposing sanctions was illegitimate and harmed the Syrian people, negatively affecting their daily lives.<sup>181</sup> The question of the humanitarian effects of sanctions was taken up on 30 August 2012 at the 6826th meeting of the Council by the representative of the Russian Federation, who said that the unilateral economic sanctions denied the Syrian citizens the opportunity to meet their basic needs and fully enjoy basic human rights. He called upon the States that had imposed sanctions against the Syrian Arab Republic to lift them immediately.<sup>182</sup>

<sup>169</sup> *Ibid.*, p. 25.

<sup>170</sup> [S/2012/77](#).

<sup>171</sup> [S/PV.6711](#), p. 5 (Germany, United States); p. 6 (Portugal); and p. 7 (United Kingdom).

<sup>172</sup> *Ibid.*, p. 4.

<sup>173</sup> [S/PV.6756](#), p. 3.

<sup>174</sup> *Ibid.*, p. 6.

<sup>175</sup> [S/2012/538](#).

<sup>176</sup> [S/PV.6810](#), p. 3 (United Kingdom); and p. 8 (Portugal).

<sup>177</sup> *Ibid.*, p. 10.

<sup>178</sup> *Ibid.*, pp. 8-9.

<sup>179</sup> *Ibid.*, p. 12.

<sup>180</sup> *Ibid.*, p. 10.

<sup>181</sup> *Ibid.*, p. 16.

<sup>182</sup> [S/PV.6826](#), p. 25.

## IV. Measures to maintain or restore international peace and security in accordance with Article 42 of the Charter

### Article 42

*Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.*

### Note

Section IV covers the practice of the Security Council in relation to Article 42 of the Charter, regarding the authorization of the use of force by peacekeeping operations and multinational forces, as well as interventions by regional organizations.<sup>183</sup>

During the period under review, the Council authorized the use of force under Chapter VII of the Charter, relating to the maintenance or restoration of international peace and security by several peacekeeping missions and multinational forces in Afghanistan, Bosnia and Herzegovina, the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo, the Middle East, the Sudan (including Darfur and Abyei), South Sudan and Somalia. The Council authorized enforcement action for the African-led International Support Mission in Mali (AFISMA), the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and the African-led International Support Mission in the Central African Republic (MISCA).

The section is divided into two subsections. Subsection A outlines decisions of the Council authorizing the use of force under Chapter VII of the Charter. Subsection B covers discussions of the Council of relevance for Article 42, and contains five case studies relating to thematic and country-specific items.

<sup>183</sup> The Council's authorization of the use of force by regional organizations is covered in part VIII, "Regional arrangements". The authorization of the use of force by peacekeeping operations is also covered in part X, in the context of the mandates of peacekeeping operations.

### A. Decisions of the Security Council relating to Article 42

During the period 2012 - 2013, the Council made no explicit reference to Article 42 of the Charter in its decisions. The Council nevertheless adopted several resolutions under Chapter VII authorizing peacekeeping missions and multinational forces, including those deployed by regional organizations, to use "all necessary measures" or "all necessary means" relating to the maintenance or restoration of international peace and security.

During the period under review, the Council authorized, for the first time in relation to the situation in Mali, the use of force by AFISMA, MINUSMA and the French forces supporting those missions,<sup>184</sup> and in relation to the situation in the Central African Republic by MISCA and the French forces supporting it.<sup>185</sup>

In relation to Mali, the authorization to use force by the different entities mentioned above was made in connection with mandates involving, in the first instance, support to the Malian authorities in, inter alia, recovering territory under the control of terrorist and armed groups, protecting the civilian population, and creating a secure environment for the civilian-led delivery of humanitarian assistance;<sup>186</sup> and, in the second instance, the extension and re-establishment of State administration throughout the country, the protection of civilians and United Nations personnel, installations and equipment, support for humanitarian assistance, support for the efforts of the transitional authorities to bring to justice perpetrators of war crimes and crimes against humanity, and assistance to protecting from attack cultural and historical sites.<sup>187</sup> Most significantly, the Council also provided MINUSMA with a robust mandate with a view to stabilizing key population centres and deterring threats.<sup>188</sup>

In the case of the Central African Republic, the authorization to use force related to the mandate to contribute, inter alia, to the protection of civilians,

<sup>184</sup> See resolutions [2085 \(2012\)](#), para. 9; and [2100 \(2013\)](#), paras. 17 and 18.

<sup>185</sup> See resolution [2127 \(2013\)](#), paras. 28 and 50.

<sup>186</sup> See resolution [2085 \(2012\)](#), para. 9.

<sup>187</sup> See resolution [2100 \(2013\)](#), para. 16.

<sup>188</sup> See resolution [2100 \(2013\)](#), para. 16 (a) (i).



stabilization of the country, restoration of State authority, creation of conditions conducive to the provision of humanitarian assistance, and the disarmament, demobilization and reintegration process led by the transitional authorities.<sup>189</sup>

The Council also expanded the area of operations of the African Union Mission in Somalia (AMISOM) with a view to reducing the threat posed by Al-Shabaab and other armed opposition groups.<sup>190</sup> The Council reinforced the measures relating to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), enabling the Mission to undertake offensive operations, and added specific resources to the existing military component of MONUSCO by creating an Intervention Brigade.<sup>191</sup> The Council clarified the scope of the authorization to use force by the United Nations Interim Security Force for Abyei and the United Nations Mission in South Sudan (UNMISS), underscoring that the mandate set out in previous resolutions (resolutions 1990 (2011) and 1996 (2011), respectively) included “taking the actions necessary to protect civilians under imminent threat of physical violence”.<sup>192</sup> The Council urged the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to take all necessary measures within its rules of engagement to protect United Nations personnel and equipment, thereby clarifying the mandate provided for in paragraph 15 of resolution 1769 (2007).

During the period under review, the Council also reaffirmed, renewed or extended the authorization of the use of force by the International Security Assistance Force and its participating Member States in connection with the situation in Afghanistan;<sup>193</sup> UNMISS in the context of the situation in South Sudan;<sup>194</sup> AMISOM and relevant Member States cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea in the context of the situation in Somalia;<sup>195</sup> the United Nations Operation in Côte

d’Ivoire and the French forces supporting it in relation to the situation in Côte d’Ivoire;<sup>196</sup> the European Union Force-Althea in connection with the situation in Bosnia and Herzegovina;<sup>197</sup> and the United Nations Interim Force in Lebanon in relation to Lebanon.<sup>198</sup> With regard to the deteriorating situation in the Golan Heights as a result of the civil war unfolding in the Syrian Arab Republic, which had resulted in the detention of peacekeepers of the United Nations Disengagement Observer Force (UNDOF) and observers of the United Nations Truce Supervision Organization by armed elements of the Syrian opposition, the Council underscored the need for UNDOF to have the means, required capacity and resources to carry out and fulfil its mandate.<sup>199</sup> For more information on the specific mandates of each of the United Nations peacekeeping operations, see part X.

## B. Discussion relating to Article 42

This subsection highlights the themes that arose in the deliberations of the Council with regard to measures under Article 42 of the Charter and the authorization of the use of force.

During the period under review, the debates in the Council focused on the changing nature of peacekeeping in increasingly challenging environments as exemplified by the situations in Mali, the Central African Republic and the Democratic Republic of the Congo. Council members dwelled on the scope of the authorization of the use of force under mandates to protect civilians and on the appropriateness and impact of increasingly robust mandates of peacekeeping missions. The case studies that follow, relating to the protection of civilians in armed conflict (case 14), the situation concerning the Democratic Republic of the Congo (case 15), the situation in Mali (case 16), the situation in the Central African Republic (case 17) and United Nations peacekeeping operations (case 18), focus on the key elements of those debates.

<sup>189</sup> See resolution 2127 (2013), para. 28.

<sup>190</sup> See resolution 2036 (2012), para. 1.

<sup>191</sup> See resolution 2098 (2013), paras. 9 and 12 (b). For more information, see part X, sect. I, “Peacekeeping operations”.

<sup>192</sup> See resolutions 2104 (2013), para. 4; and 2109 (2013), para. 4.

<sup>193</sup> See resolutions 2069 (2012), paras. 1 and 2; and 2120 (2013), paras. 1 and 2.

<sup>194</sup> See resolutions 2057 (2012), para. 5; and 2109 (2013), para. 8.

<sup>195</sup> See resolutions 2036 (2012), para. 18; 2072 (2012), para. 1; 2073 (2012), para. 1; 2077 (2012), para. 12; 2093 (2013), para. 1; 2124 (2013), para. 1; and 2125 (2013), para. 12.

<sup>196</sup> See resolutions 2062 (2012), paras. 5 and 14; and 2112 (2013), paras 7 and 21.

<sup>197</sup> See resolution 2123 (2013), paras. 14 and 15.

<sup>198</sup> See resolutions 2064 (2012), para. 1; and 2115 (2013), paras. 1 and 13.

<sup>199</sup> See resolutions 2108 (2013), tenth preambular paragraph and para. 7; and 2131 (2013), ninth preambular paragraph and para. 6.

**Case 14**  
**Protection of civilians in armed conflict**

Having before it the latest report of the Secretary-General, the Council held an open debate on 25 June 2012 on the protection of civilians in armed conflict. Against the backdrop of the implementation of resolution 1973 (2011), concerning the situation in Libya, the representative of the Russian Federation noted that “any reactive measure to protect civilians” required Council authorization and regretted the unsatisfactory implementation of Council resolutions relating to the protection of civilians.<sup>200</sup> The representative of the United States stated that resolution 1973 (2011) had been adopted without opposition to authorize the use of force to prevent brutal actions by the Gaddafi regime against the Libyan people and contained a strong civilian-protection mandate.<sup>201</sup> Some speakers referred to the use of force as a measure of last resort.<sup>202</sup> The representative of China argued that the authorization of the use of force in the protection of civilians had to be approached with extreme caution.<sup>203</sup> The representative of Chile stressed the need to establish common criteria for the implementation of the authorization of the use of force by the Council. He suggested criteria such as the principle of the protection of civilians or the principle of the responsibility to protect.<sup>204</sup> The representative of Pakistan warned against misplaced expectations for peacekeeping missions exemplified by the mandate to peacekeepers to pre-empt threats to the civilian population. He added that the use of force in peacekeeping “under the garb of civilian protection” was not helpful and that it was necessary to carefully evaluate all legal aspects of civilian protection in peacekeeping operations.<sup>205</sup>

On 13 February 2013, the Council held a second open debate on the protection of civilians in armed conflict. The circumstances of the civilian deaths in Libya as a result of NATO airstrikes continued to be part of the background of the discussion. The representative of the Russian Federation reiterated that the international community should take proactive steps to protect civilians, if that involved the use of force, only if

endorsed by the Security Council and in full compliance with the Charter.<sup>206</sup> The representative of Brazil noted that the use of force in the protection of civilians stood out as an issue that divided opinion and compromised efforts towards the peaceful settlement of disputes. He made reference to a concept paper on “responsibility while protecting” prepared by Brazil in 2011<sup>207</sup> and said that resort to military action should always be an exceptional measure, after all peaceful means had been exhausted and only upon the authorization of the Council. He indicated that if force was authorized it had to be judicious, proportionate and limited to the objectives established by the Council.<sup>208</sup> Portugal also recalled Brazil’s paper of 2011 as a means of improving implementation when the use of force is authorized by the Council.<sup>209</sup> As in the previous debate, some speakers noted that the use of force should be a measure of last resort.<sup>210</sup>

On 19 August 2013, the Council held an open debate on the protection of civilians in armed conflict, having before it a concept note circulated by Argentina.<sup>211</sup> The representative of the Russian Federation deemed unacceptable the attempts to manipulate mandates and clarified that the use of force to protect civilians was only possible with the approval of the Council and “unwavering compliance” with the Charter.<sup>212</sup> The representative of Brazil recalled the meaning of protection, criticizing the attitude of some with regard to what she described as “an almost automatic link between the protection of civilians and the use of force”, and added that the use of force should be a measure of last resort.<sup>213</sup> By contrast, the representative of France lauded the action of the Council in providing robust mandates to peacekeeping missions in order to “put an end to situations where civilians are threatened”.<sup>214</sup>

<sup>200</sup> S/PV.6790, p. 22.

<sup>201</sup> Ibid., p. 26.

<sup>202</sup> See S/PV.6790 (Resumption 1), p. 5 (Argentina); and p. 24 (Bangladesh).

<sup>203</sup> S/PV.6790, p. 28.

<sup>204</sup> S/PV.6790 (Resumption 1), p. 26.

<sup>205</sup> S/PV.6790, p. 17.

<sup>206</sup> S/PV.6917, p. 26.

<sup>207</sup> S/2011/701.

<sup>208</sup> S/PV.6917, pp. 28-29.

<sup>209</sup> S/PV.6917 (Resumption 1), p. 14.

<sup>210</sup> Ibid., p. 24 (Bosnia and Herzegovina); p. 39 (Bangladesh); and p. 45 (Bolivarian Republic of Venezuela).

<sup>211</sup> S/2013/447, annex.

<sup>212</sup> S/PV.7019, p. 10.

<sup>213</sup> Ibid., p. 30.

<sup>214</sup> Ibid., p. 23.

**Case 15**  
**The situation concerning the Democratic Republic of the Congo**

On 28 March 2013, the Council adopted resolution 2098 (2013), by which it decided that MONUSCO would include, “on an exceptional basis and without creating a precedent or any prejudice to the agreed principles of peacekeeping”, an Intervention Brigade under the direct command of the MONUSCO Force Commander, with the responsibility of neutralizing armed groups and the objective of contributing to reducing the threat posed by armed groups to State authority and civilian security in the eastern Democratic Republic of the Congo, and to make space for stabilization activities. In the debate that ensued, Council members overwhelmingly welcomed the creation of the Intervention Brigade. Many speakers however dwelled on the risks that the peace-enforcement mandate of the newly created Intervention Brigade would entail for the neutrality and impartiality of the United Nations activities in the country.<sup>215</sup> The representative of Guatemala explicitly noted that his country would have preferred the Brigade to be defined as a self-contained unit with specific responsibilities, “clearly distinguishable from the mandates of the other MONUSCO brigades”. He added that many conceptual, operational and legal considerations had not been adequately explored in the course of negotiating the text of the resolution.<sup>216</sup> The representative of Argentina stressed that the resolution separated the tasks of the military and the civilian components of the mission, while admitting that Argentina also harboured “some concerns and well-founded doubts as to the establishment of the Intervention Brigade”.<sup>217</sup> Expressing concerns about the safety and security of peacekeepers, the representative of Pakistan highlighted that the resolution clearly defined the goals and tasks of the Intervention Brigade.<sup>218</sup> Several speakers emphasized that the deployment of the Intervention Brigade did not constitute any precedent nor did it affect adherence to the principles of peacekeeping.<sup>219</sup>

<sup>215</sup> See S/PV.6943, p. 3 (Rwanda); p. 4 (Guatemala); p. 6 (Argentina); and p. 7 (Pakistan).

<sup>216</sup> Ibid., p. 4.

<sup>217</sup> Ibid., p. 5.

<sup>218</sup> Ibid., p. 7.

<sup>219</sup> Ibid., p. 5 (United Kingdom); p. 7 (Pakistan); and p. 8 (China).

**Case 16**  
**The situation in Mali**

On 20 December 2012, by resolution 2085 (2012), the Council authorized the deployment of AFISMA to support the Malian authorities in recovering the areas in the north of its territory under the control of terrorist, extremist and armed groups and in reducing the threat posed by terrorist organizations. During the discussion that ensued, the representative of Côte d’Ivoire affirmed that the resolution provided the “necessary international legitimacy” to carry out the actions required to restore the sovereignty and territorial integrity of Mali with the objective of retaking the territory under the control of terrorist and extremist groups.<sup>220</sup>

Less than six months later, on 25 April 2013, faced with the aggravation of the security situation in the north of Mali, the Council adopted resolution 2100 (2013), by which it established MINUSMA and providing it with a robust mandate (including the use of all necessary means) to, inter alia, stabilize key population centres and to extend and re-establish State administration in support of the transitional authorities of Mali, as well as bringing to justice those responsible for war crimes and crimes against humanity in Mali.<sup>221</sup> In the discussion that ensued, the representative of the Russian Federation cautioned against operations by peacekeepers to arrest those accused by the International Criminal Court, which in his view should be conducted by specially trained troops.<sup>222</sup>

**Case 17**  
**The situation in the Central African Republic**

On 25 November 2013, against the background of the unfolding crisis in the Central African Republic, the Deputy Secretary-General reported on the technical assistance mission dispatched to the country and called for prompt and decisive action in the form of a “robust international action”.<sup>223</sup> The Secretary-General of the Economic Community of Central African States (ECCAS) reiterated the request of the Heads of State and Government of ECCAS “for a robust mandate under Chapter VII of the Charter”.<sup>224</sup>

<sup>220</sup> S/PV.6898, p. 3.

<sup>221</sup> See resolution 2100 (2013), para. 16 (a) (i) and (ii).

<sup>222</sup> S/PV.6952, p. 2.

<sup>223</sup> S/PV.7069, p. 2.

<sup>224</sup> Ibid., p. 6.

Ten days later, on 5 December 2013, the Council unanimously adopted resolution 2127 (2013), by which it authorized the deployment of MISCA with the mandate to, inter alia, contribute to protecting civilians, restoring security and public order, stabilizing the country and restoring State authority.<sup>225</sup> During the discussion that followed the adoption of the resolution, the representatives of France and Togo welcomed the resolution.<sup>226</sup> While the representative of France underlined the robust mandate of MISCA under Chapter VII of the Charter,<sup>227</sup> the representative of Togo highlighted the authorization to the French forces to take “every measure necessary” to support MISCA in carrying out its mandate.<sup>228</sup>

### Case 18 United Nations peacekeeping operations

On 21 January 2013, by resolution 2086 (2013), the Council reaffirmed that respect for the basic principles of peacekeeping, including the consent of the parties,

<sup>225</sup> See resolution 2127 (2013), para. 28.

<sup>226</sup> S/PV.7072, p. 2 (Togo); and p. 4 (France).

<sup>227</sup> Ibid., p. 4.

<sup>228</sup> Ibid., pp. 2-3.

impartiality and non-use of force except in self-defence and defence of the mandate, is essential to the success of peacekeeping operations. During the discussions before and after the adoption of the resolution, under the item entitled “United Nations peacekeeping: a multidimensional approach”, speakers reflected on the changing and challenging circumstances of peacekeeping. Some of them stated that sometimes the Council needed to formulate more robust mandates to be effective;<sup>229</sup> and in some cases, as argued by the representative of Côte d’Ivoire, for the “imposition of peace”.<sup>230</sup> At a meeting of the Council on 26 June 2013 under the item “United Nations peacekeeping operations”, speakers again dwelled on the changing landscape of peacekeeping and in particular on the MONUSCO Intervention Brigade,<sup>231</sup> the use of unmanned aerial vehicles,<sup>232</sup> and the increasingly robust mandates of certain peacekeeping operations.<sup>233</sup>

<sup>229</sup> S/PV.6903, p. 38 (United Republic of Tanzania); p. 53 (Uganda); and p. 64 (South Sudan).

<sup>230</sup> Ibid., p. 51.

<sup>231</sup> S/PV.6987, p. 12 (Argentina).

<sup>232</sup> Ibid., p. 7 (Pakistan); and p. 9 (Russian Federation).

<sup>233</sup> Ibid., p. 18 (Republic of Korea).

## V. Consideration of Articles 43 to 45 of the Charter

### Article 43

1. *All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.*

2. *Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.*

3. *The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.*

### Article 44

*When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member’s armed forces.*

### Article 45

*In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.*

## Note

Under Article 43 of the Charter all Member States undertake to make available to the Council, for the maintenance of international peace and security, armed forces, assistance and facilities in accordance with special agreements. Such agreements were conceived to be entered into by the Council and Member States to regulate the numbers and types of troops, their readiness and location and the nature of facilities to be provided.

No agreements under Article 43 were ever concluded, however, and in the absence of such agreements there is therefore no practice in application of Article 43. The United Nations has developed practical arrangements to carry out military operations in the absence of such agreements. The Council authorizes peacekeeping forces (under the command and control of the Secretary-General and assembled pursuant to ad hoc agreements entered into by the United Nations and Member States), and national or regional forces (under national or regional command and control) to conduct military action. Peacekeeping operations, as well as their mandates, are covered in detail in part X.

Articles 44 and 45 of the Charter make explicit reference to Article 43 and are therefore intimately linked. As with Article 43, there is no practice in application of Articles 44 and 45. The Council has however developed practice to, on the one hand, consult with Member States contributing troops for United Nations peacekeeping activities and, on the other, call upon Member States to contribute military air assets in the context of peacekeeping. During the period under review, the Council did not explicitly refer to Articles 43 to 45 in any of its decisions nor was there any constitutional discussion about these Articles. Below is an overview of the practice of the Council during 2012 and 2013 concerning consultation with troop- and police-contributing countries (subsection A) and the contribution of military air assets (subsection B) to peacekeeping operations.

### A. Recognition of the need to consult with troop- and police-contributing countries

During the period under review the Council recognized in a number of its decisions the need for and

importance of further cooperation and consultation with troop- and police-contributing countries.<sup>234</sup>

At Council meetings, members dwelled upon the importance of cooperation and regular consultations with troop- and police-contributing countries. In connection with the item “Implementation of the note by the President of the Security Council (S/2010/507)”, on 26 November 2012, speakers mentioned the need to strengthen the interaction with troop- and police-contributing countries.<sup>235</sup> At the 6870th meeting, some speakers advocated for more regular participation of troop- and police-contributing countries as a means of improving the definition of the mandates and the decision-making concerning peacekeeping operations.<sup>236</sup> At the 6903rd meeting, under the item “United Nations peacekeeping operations”, several speakers emphasized the importance of the “triangular cooperation” between the Council, the Secretariat and the troop-contributing countries in the decision-making process.<sup>237</sup> The representative of Pakistan highlighted the need for sound planning and coordination in mandating and deploying peacekeeping missions through consultations with all stakeholders, especially troop-contributing countries.<sup>238</sup> Several speakers favoured and demanded strengthened cooperation and regular consultations with troop- and police-contributing countries.<sup>239</sup> The representative of India recalled the presidential statement of 2011 (S/PRST/2011/17) calling for meaningful engagement by the Council with troop-contributing countries.<sup>240</sup> The representative of Nepal argued that a framework for consultation with troop-contributing and police-contributing countries should be “substantive, institutionalized and structured”.<sup>241</sup>

<sup>234</sup> See S/PRST/2012/22, twelfth paragraph; and resolutions 2053 (2012), para. 27; 2086 (2013), para. 17; 2098 (2013), para. 31; and 2113 (2013), para. 11.

<sup>235</sup> S/PV.6870, p. 3 (Portugal); p. 5 (Colombia); p. 6 (Russian Federation); p. 11 (Pakistan); p. 13 (Togo); p. 14 (Morocco); p. 16 (South Africa); S/PV.6870 (Resumption 1), p. 7 (Sweden); and p. 12 (Indonesia).

<sup>236</sup> S/PV.6870, p. 20 (India); and p. 33 (Ireland).

<sup>237</sup> S/PV.6903, p. 11 (Guatemala); p. 20 (Morocco); p. 36 (Chile); and p. 39 (Uruguay).

<sup>238</sup> Ibid., p. 4.

<sup>239</sup> Ibid., p. 21 (Azerbaijan); p. 41 (Cuba); p. 45 (Thailand); and p. 46 (Ukraine).

<sup>240</sup> Ibid., p. 31.

<sup>241</sup> Ibid., pp. 42-43.

## B. Question of contributing military air assets

During 2012 and 2013, the Council adopted a number of decisions calling upon Member States to contribute personnel, equipment and other resources to United Nations as well as Member State-led enforcement operations and peacekeeping missions,<sup>242</sup> including military air assets.<sup>243</sup> It called on Member States to contribute air assets in the context of military action carried out pursuant to Chapter VII of the Charter in the Democratic Republic of the Congo,<sup>244</sup> Somalia<sup>245</sup> and the Sudan and South Sudan.<sup>246</sup>

On 21 January 2013, in connection with the item “United Nations peacekeeping operations”, speakers

<sup>242</sup> See, for example, resolutions 2069 (2012), para. 3; 2085 (2012), para. 15; 2086 (2013), para. 11; 2120 (2013), para. 3; 2122 (2013), para. 9; and 2124 (2013), para. 6.

<sup>243</sup> See, for example, resolutions 2053 (2012), para. 27; 2057 (2012), para. 24; 2098 (2013), para. 31; 2109 (2013), para. 33; and 2113 (2013), para. 11.

<sup>244</sup> See resolutions 2053 (2012), para. 27; and 2098 (2013), para. 31.

<sup>245</sup> See resolution 2124 (2013), para. 6.

<sup>246</sup> See resolutions 2057 (2012), para. 24; 2109 (2013), para. 33; and 2113 (2013), para. 11.

mentioned the need for Member States to adequately support and equip United Nations peacekeeping missions. At the 6903rd meeting, the Secretary-General called on Member States to provide key military assets and enabling capabilities to operate in ever more challenging environments. He also emphasized that when Member States “show the will to make the right contributions at the right time”, the United Nations can deploy more quickly and operate more effectively.<sup>247</sup> The representatives of India and Rwanda made reference to the importance of resources,<sup>248</sup> and the representative of Rwanda recalled his country’s deployment of military utility helicopters to the United Nations Mission in South Sudan in response to the Secretary-General’s requests.<sup>249</sup>

<sup>247</sup> S/PV.6903, p. 3.

<sup>248</sup> Ibid., p. 19 (Rwanda); and p. 31 (India).

<sup>249</sup> Ibid., p. 19. At the 6993<sup>rd</sup> meeting of the Council, on 8 July 2013, the Special Representative of the Secretary-General and Head of the United Nations Mission in South Sudan (UNMISS), in her briefing, highlighted that UNMISS was facing a mobility crisis which was having an especially detrimental effect on the Mission’s ability to protect civilians, mainly due to aviation safety procedures and to a lack of aviation capabilities, particularly helicopters. She urged the Council to take urgent action to support the Mission in filling those gaps (S/PV.6993, p. 4).

## VI. Role and composition of the Military Staff Committee in accordance with Articles 46 and 47 of the Charter

### Article 46

*Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.*

### Article 47

1. *There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council’s military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.*

2. *The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be*

*associated with it when the efficient discharge of the Committee’s responsibilities requires the participation of that Member in its work.*

3. *The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.*

4. *The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.*

### Note

Section VI covers the practice of the Security Council in relation to Articles 46 and 47 of the Charter regarding the Military Staff Committee, including

instances in which the Council considered the role of the Military Staff Committee in planning the application of armed force and in advising and assisting the Council on the military requirements for the maintenance of international peace and security.

During the period under review and by contrast with previous periods, the Military Staff Committee received little attention from the Council in its decisions and deliberations. This notwithstanding, interest remained in the enhancement of its role as attested by the fact that that question remained before the Council in discussions under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”.

During the period under review, the Council did not explicitly refer to either Article 46 or 47 in any of its decisions, nor did it make reference to the Military Staff Committee in any decision. As is customary, the activities of the Military Staff Committee were covered in the annual reports of the Council to the General Assembly.<sup>250</sup> The discussions of the Council of relevance to Articles 46 and 47 are described below.

### **Discussion relating to Articles 46 and 47**

During the period under review, no explicit references to Articles 46 and 47 were made at any of the

<sup>250</sup> See [A/67/2](#), part IV, [A/68/2](#), part IV, and [A/69/2](#), part IV.

meetings of the Council. The Military Staff Committee was however mentioned at two meetings of the Council. On 20 June 2012, at the 6789th meeting, under the item “United Nations peacekeeping operations”, the representative of the Russian Federation said that the Military Staff Committee needed to step up its activities in order to fulfil the Charter purpose of providing the necessary level of military expertise for measures taken in the framework of peacekeeping.<sup>251</sup> On 26 November 2012, at the 6870th meeting, under the item “Implementation of the note by the President of the Security Council (S/2010/507)”, the representative of the Netherlands said it would be interesting to explore whether the Military Staff Committee could provide military advice when the Council considered the mandate of a military operation.<sup>252</sup> This comment was made in reference to the concept note on Council working methods prepared by India and Portugal, in which enhancing the role of the Military Staff Committee was listed as a possible topic for discussion.<sup>253</sup>

<sup>251</sup> [S/PV.6789](#), p. 16.

<sup>252</sup> [S/PV.6870 \(Resumption 1\)](#), p. 6.

<sup>253</sup> [S/2012/853](#), annex. The same topic was listed for possible discussion in the concept note of Azerbaijan ([S/2013/613](#), annex), but no reference was made to the Military Staff Committee at the Council meeting at which that note was considered.

## **VII. Action required of Member States under Article 48 of the Charter**

### *Article 48*

1. *The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.*

2. *Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.*

### **Note**

Section VII covers the practice of the Council in relation to Article 48 of the Charter, regarding the obligation of all or some Member States to carry out the

decisions of the Council for the maintenance of international peace and security. Under Article 48 (2), Member States shall carry out the decisions directly, or through international organizations of which they are members. The present section focuses on the types of obligations imposed on Member States in accordance with Article 48, and on the range of addressees designated by the Council to implement, or comply with, decisions adopted. While Article 48 relates to requests to Member States to carry out action decided upon by the Council, during the period 2012 - 2013 the Council addressed some of its pleas to various “parties”<sup>254</sup> and “non-State

<sup>254</sup> See resolutions [2035 \(2012\)](#), para. 12; [2040 \(2012\)](#), para. 11; [2045 \(2012\)](#), paras. 23 and 26; [2049 \(2012\)](#), para. 5; [2050 \(2012\)](#), para. 5; [2060 \(2012\)](#), para. 16; [2091 \(2013\)](#), para. 12; [2095 \(2013\)](#), para. 15; [2098 \(2013\)](#), para. 32; [2101 \(2013\)](#), para. 28; [2105 \(2013\)](#), para. 5; [2111 \(2013\)](#), para. 32; and [2127 \(2013\)](#), para. 60.

actors”<sup>255</sup> in decisions dealing with the ever-increasing number of items on its agenda involving intra-State conflict.

During the period under review, the Council did not explicitly invoke Article 48 in its decisions. However, in several instances, the Council adopted resolutions which underlined the obligation of Member States to comply with the measures imposed under Chapter VII of the Charter of relevance to Article 48.

This section is divided into two subsections. Subsection A covers decisions of the Council requiring Member States to carry out action in relation to measures under Article 41; subsection B covers decisions of the Council requiring Member States to carry out action in relation to measures under Article 42. During the two years under review, only one explicit reference was found to Article 48 in the communications to the Council<sup>256</sup> and no constitutional discussions were held in relation to the interpretation or application of this Article.

#### **A. Decisions of the Security Council requiring Member States to carry out action in relation to measures under Article 41 of the Charter**

During the period under review and in relation to decisions adopted pursuant to Article 41 concerning sanctions, the Council called on Member States (a) to comply with their obligation to implement sanctions measures by, *inter alia*, taking “all necessary measures”;<sup>257</sup> (b) to report to the relevant sanctions committees or to the Council directly;<sup>258</sup> (c) to ensure full cooperation with the relevant committee, panel of experts

or monitoring group;<sup>259</sup> and (d) to provide unhindered access to and ensure the safety of panels of experts and monitoring groups assisting sanctions committees.<sup>260</sup> The Council addressed those requests to all Member States, all States concerned and States in the subregion,<sup>261</sup> as well as to Member States individually or within the framework of international organizations, reflecting Article 48 (2) of the Charter.<sup>262</sup>

During the period under review, the Council urged Member States to assist the committees and panels of experts also in providing publicly available reasons for listing individuals and entities affected by the sanctions measures imposed pursuant to Article 41.<sup>263</sup>

Regarding decisions adopted in accordance with Article 41 relating to judicial measures, the Council called on Member States to cooperate with tribunals.<sup>264</sup> During the period under review, the Council called for cooperation with the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, the International Residual Mechanism for Criminal Tribunals and the International Criminal Court. It requested all Member States, all States “in a position to do so”,<sup>265</sup> States where fugitives were suspected to be at

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<sup>255</sup> See resolution 2077 (2012), para. 26.

<sup>256</sup> Letter dated 31 December 2012 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities addressed to the President of the Security Council (S/2012/968).

<sup>257</sup> See, for example, resolutions 2036 (2012), para. 22; 2045 (2012), para. 8; 2048 (2012), para. 4; 2056 (2012), para. 23; 2062 (2012), para. 9; 2082 (2012), para. 1; 2083 (2012), paras. 1 and 20; 2094 (2013), paras. 13, 22 and 30; 2101 (2013), para. 1; 2111 (2013), para. 18; and 2127 (2013), paras. 54 and 55.

<sup>258</sup> See, for example, resolutions 2035 (2012), para. 13; 2078 (2012), para. 22; 2094 (2013), para. 25; and 2127 (2013), para. 58.

<sup>259</sup> See, for example, resolutions 2035 (2012), para. 12; 2040 (2012), para. 11; 2045 (2012), paras. 14 and 23; 2049 (2012), para. 5; 2050 (2012), para. 5; 2056 (2012), para. 24; 2060 (2012), para. 16; 2077 (2012), para. 8; 2078 (2012), para. 9; 2079 (2012), para. 7; 2091 (2013), para. 12; 2095 (2013), para. 15; 2101 (2013), paras. 17 and 21; 2105 (2013), para. 5; 2111 (2013), para. 32; 2127 (2013), para. 60; and 2128 (2013), para. 7.

<sup>260</sup> See, for example, resolutions 2045 (2012), paras. 12 and 26; and 2101 (2013), paras. 15 and 30.

<sup>261</sup> See, for example, resolutions 2045 (2012), paras. 8 and 14, concerning sanctions measures against Côte d’Ivoire, and 2060 (2012), para. 16, concerning the sanctions measures in place against Somalia and Eritrea.

<sup>262</sup> See, for example, resolution 2077 (2012), para. 28, concerning the sanctions measures in place against Somalia and Eritrea.

<sup>263</sup> See, for example, resolution 2079 (2012), para. 4, concerning the sanctions regime in Liberia. See also resolution 2083 (2012), paras. 14 and 38, which was adopted under the item entitled “Threats to international peace and security caused by terrorist acts”.

<sup>264</sup> See, for example, resolutions 2054 (2012), paras. 5 and 6; 2074 (2012), para. 3; 2080 (2012), paras. 3 and 4; 2081 (2012), para. 4; 2095 (2013), para. 11; 2123 (2013), para. 3; and 2130 (2013), para. 3.

<sup>265</sup> See, for example, resolutions 2054 (2012), para. 6; and 2080 (2012), para. 4.



large,<sup>266</sup> and States individually concerned<sup>267</sup> to take measures with a view to cooperating with those tribunals.

With regard to Article 48 (2), the Analytical Support and Sanctions Monitoring Team stated in its thirteenth report that Article 48 of the Charter required Member States to observe mandatory decisions of the Council “not only directly but also through their action in appropriate international agencies of which they are members”.<sup>268</sup>

## **B. Decisions of the Security Council requiring Member States to carry out action in relation to measures under Article 42 of the Charter**

During the period under review, the Council urged, called upon, encouraged, requested and authorized action by a particular Member State, a designated group of Member States and/or all Member States in relation to measures adopted under Article 42 of the Charter. In connection with the situation in Afghanistan, the Council continued to authorize Member States “participating in the International Security Assistance Force” to take all necessary measures to fulfil the mandate of that mission.<sup>269</sup> Similarly, the Council continued to authorize “the Member States acting through or in cooperation with the European Union” to establish for a further period of 12 months a multinational stabilization force (European Union Force-Althea), legal successor of the NATO-led Stabilization Force, in Bosnia and Herzegovina.<sup>270</sup> In connection with the situation in Somalia, the Council renewed its call upon States “that have the capacity to do so” to take part in the fight against piracy and armed

robbery at sea off the coast of Somalia;<sup>271</sup> and renewed the authorization to “States members of the African Union” to maintain the deployment of the African Union Mission in Somalia, which was authorized to take all necessary measures to carry out its mandate.<sup>272</sup> During the period under review, the Council authorized the “French forces in the Central African Republic” to take all necessary measures to support the African-led International Support Mission in the Central African Republic.<sup>273</sup> The Council also called upon “neighbouring countries of the Central African Republic” to take appropriate measures to support the action of the French forces.<sup>274</sup>

The Council would frequently in these cases request Member States or coalitions of Member States to report to it on the implementation of mandates, as was the case in connection with the situations in Afghanistan,<sup>275</sup> Bosnia and Herzegovina,<sup>276</sup> the Central African Republic,<sup>277</sup> Mali<sup>278</sup> and Somalia.<sup>279</sup>

The Council called upon “Member States, especially those in the region” to ensure the free, unhindered and expeditious movement to and from Mali of all personnel, as well as equipment, provisions, supplies and other goods which were for the exclusive use of the United Nations Multidimensional Integrated Stabilization Mission in Mali.<sup>280</sup> In connection with the Sudan and South Sudan, the Council called upon both States to ensure the free, unhindered and expeditious

<sup>266</sup> See, for example, resolutions [2054 \(2012\)](#), para. 5; and [2080 \(2012\)](#), para. 3.

<sup>267</sup> See, for example, resolution [2095 \(2013\)](#), para. 4, concerning the Council’s call on the Government of Libya to continue to cooperate fully with the International Criminal Court and the Prosecutor pursuant to resolution [1970 \(2011\)](#).

<sup>268</sup> See the annex to the letter dated 31 December 2012 from the Chair of the Security Council Committee pursuant to resolutions [1267 \(1999\)](#) and [1989 \(2011\)](#) concerning Al-Qaida and associated individuals and entities addressed to the President of the Security Council ([S/2012/968](#)).

<sup>269</sup> Resolutions [2069 \(2012\)](#), para. 2; and [2120 \(2013\)](#), para. 2.

<sup>270</sup> Resolutions [2074 \(2012\)](#), para. 10; and [2123 \(2013\)](#), para. 10.

<sup>271</sup> Resolutions [2077 \(2012\)](#), para. 10; and [2125 \(2013\)](#), para. 10. In paragraphs 11 to 30 of resolution [2077 \(2012\)](#), the Council specified a number of actions to be taken by Member States, including to continue to support the efforts of the Contact Group on Piracy off the Coast of Somalia, cooperate with the Somali authorities and in the prosecution of perpetrators, and criminalize piracy under their domestic law.

<sup>272</sup> Resolutions [2093 \(2013\)](#), para. 1; and [2124 \(2013\)](#), para. 1.

<sup>273</sup> Resolution [2127 \(2013\)](#), para. 50.

<sup>274</sup> *Ibid.*

<sup>275</sup> Resolutions [2069 \(2012\)](#), para. 8; and [2120 \(2013\)](#), para. 8.

<sup>276</sup> Resolutions [2074 \(2012\)](#), para. 18; and [2123 \(2013\)](#), para. 18.

<sup>277</sup> Resolution [2127 \(2013\)](#), para. 50.

<sup>278</sup> Resolution [2085\(2012\)](#), para. 10.

<sup>279</sup> Resolutions [2077 \(2012\)](#), para. 33; and [2125 \(2013\)](#), para. 29.

<sup>280</sup> Resolution [2100 \(2013\)](#), para. 20.

movement to and from Abyei of personnel and equipment for the exclusive use of the United Nations Interim Security Force for Abyei.<sup>281</sup> The Council also called upon “all Member States” to ensure the free, unhindered and expeditious movement to and from South Sudan of personnel and equipment for the exclusive use of the United Nations Mission in South Sudan.<sup>282</sup>

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<sup>281</sup> Resolution 2104 (2013), para. 13.

<sup>282</sup> Resolution 2109 (2013), para. 12.

In some instances, the Council requested action of Member States acting “through” other international entities, pursuant to Article 48 (2) of the Charter.<sup>283</sup>

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<sup>283</sup> For example, the Council requested “all States contributing through the Contact Group on Piracy off the Coast of Somalia” to report on their efforts to establish jurisdiction and cooperation on the investigation and prosecution of piracy (resolution 2077 (2012), para. 33).

## VIII. Mutual assistance pursuant to Article 49 of the Charter

### *Article 49*

*The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.*

### **Note**

Section VIII covers the practice of the Security Council in relation to Article 49 of the Charter. The section covers decisions of the Council relating to mutual assistance among Member States in the implementation of measures adopted by the Council under Chapter VII of the Charter.

During the period 2012-2013, the Council did not explicitly invoke Article 49 in any of its decisions. The Council did however request Member States to join in providing mutual assistance among, and to, Member States carrying out measures under Chapter VII. During the period, there was no constitutional discussion in the Council relating to the interpretation or application of Article 49 of the Charter. There was no reference to Article 49 in the communications received by the Council.

### **Decisions of the Security Council relating to mutual assistance in the implementation of measures under Chapter VII of the Charter**

During the period under review, the Council called upon Member States to enhance their cooperation, within and outside peacekeeping missions, to carry out measures decided upon by the Council. The Council addressed its calls for mutual assistance to individual Member States,

to neighbouring or particularly concerned States, and to “all Member States”. The types of assistance requested of Member States varied greatly, from military assets and other resources to less tangible contributions such as assistance or efforts in the consolidation of State authority and the promotion of peace and security in the region concerned.

In connection with the situation in Afghanistan, the Council called upon “Member States” to contribute personnel, equipment and other resources to the International Security Assistance Force and to pursue efforts to support security, stability and transition in Afghanistan.<sup>284</sup>

In connection with Côte d’Ivoire, the Council called on the Governments of Côte d’Ivoire and Liberia to continue to enhance their cooperation “particularly with respect to the border area” in developing and implementing a shared border strategy to support the disarmament and repatriation of foreign armed elements on both sides of the border.<sup>285</sup> The Council also urged “all States” to cooperate with the sanctions committee and its group of experts as well as with the French forces in delivering their respective mandates, in particular by supplying information at their disposal on possible violations of the relevant resolutions.<sup>286</sup>

With regard to the situation in Liberia, the Council encouraged the Governments of Liberia, Sierra Leone, Côte d’Ivoire and Guinea to intensify coordination and exchange of information with regard to cross-border threats to peace and security, as well as to illicit arms

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<sup>284</sup> Resolutions 2069 (2012), para. 3; and 2120 (2013), para. 3.

<sup>285</sup> Resolution 2112 (2013), para. 25. Resolution 2066 (2012), para. 12, relating to the situation in Liberia, contains identical language.

<sup>286</sup> Resolution 2101 (2013), para. 28.

trafficking, and encouraged “the international community” to support Liberia’s reform efforts aimed at ensuring that natural resources contributed to peace, security and development.<sup>287</sup>

In connection with the Central African Republic, the Council called upon Member States to provide financial support and contributions in kind to the African-led International Support Mission in the Central African Republic (MISCA) to enable its deployment and the implementation of its mandate, and to contribute generously to the United Nations Trust Fund for MISCA.<sup>288</sup>

With regard to Libya, the Council encouraged Libya and “neighbouring States” to continue efforts to promote regional cooperation aimed at stabilization of the situation in the country and to prevent former regime elements and violent extremist groups from using their territories to carry out illicit acts to destabilize the country and the region.<sup>289</sup>

In connection with Mali, the Council urged “Member States” to assist efforts to undertake reform and capacity-building of the Malian security forces in order to restore the authority of the State of Mali over its territory, to uphold the unity and territorial integrity of Mali and to reduce the threat posed by Al-Qaida and affiliated groups.<sup>290</sup> It also urged “Sahel and Maghreb States” to enhance interregional cooperation and coordination in relation to counter-terrorism strategies and activities against Al-Qaida in the Sahel and Maghreb.<sup>291</sup>

Subsequently, the Council urged Member States to provide assistance, expertise, training, and capacity-building to the Malian Defence and Security Forces, and called upon Member States “including from the Sahel region” to contribute troops to the African-led International Support Mission in Mali (AFISMA).<sup>292</sup> It further urged Member States to provide coordinated support to AFISMA, including military training, provision of equipment, intelligence, logistical support and any necessary assistance in efforts to reduce the threat posed by terrorist organizations.<sup>293</sup> The Council further called upon “the international community” to meet regularly in and outside Mali to assist the transitional authorities of Mali to implement the transitional road map and to continue contributing to the promotion of lasting peace, stability and reconciliation in Mali.<sup>294</sup> The Council also urged “Member States” to provide coordinated assistance, expertise, training and capacity-building support to the Malian Defence and Security Forces, including through the United Nations Trust Fund established pursuant to resolution 2085 (2012).<sup>295</sup> The Council urged “the Sahel and Maghreb States” to enhance interregional cooperation and coordination in order to develop inclusive and effective strategies to combat in a comprehensive and integrated manner the activities of terrorist groups and prevent their expansion, as well as to limit the proliferation of all arms and transnational organized crime.<sup>296</sup>

<sup>287</sup> Resolution 2128 (2013), paras. 10 and 12.

<sup>288</sup> Resolution 2127 (2013), paras. 42 and 44.

<sup>289</sup> Resolution 2095 (2013), para. 6.

<sup>290</sup> See resolution 2056 (2012), para. 22.

<sup>291</sup> Ibid., para. 23.

<sup>292</sup> Resolution 2085 (2012), paras. 7 and 13.

<sup>293</sup> Resolutions 2085 (2012), para. 14; and 2100 (2013), para. 10.

<sup>294</sup> Resolution 2100 (2013), para. 5.

<sup>295</sup> Ibid., para. 23. See also resolution 2085 (2012), para. 7.

<sup>296</sup> Resolution 2100 (2013), para. 29.

## IX. Special economic problems of the nature described in Article 50 of the Charter

### Article 50

*If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.*

### Note

Section IX covers the practice of the Security Council in relation to Article 50 of the Charter, regarding the right of Member States to consult the Council with a view to resolving special economic problems arising from the implementation of preventive or enforcement measures, such as sanctions, imposed by the Council.

During the period 2012 - 2013, there was no explicit reference to or invocation of Article 50 of the Charter in any decision of the Council or in any of the annual reports of the subsidiary bodies overseeing sanctions regimes. This is consistent with the trend observed in previous periods, due mainly to the continued use of targeted, as opposed to comprehensive, sanctions by the Council, thereby considerably minimizing the negative effects on third, non-targeted, States.<sup>297</sup>

<sup>297</sup> For more information on sanctions measures, see part VII, sect. III, "Measures not involving the use of armed force in accordance with Article 41 of the Charter".

Article 50 of the Charter was not invoked in any communication to the Council.

In spite of the absence of explicit references to Article 50 of the Charter, the Council continued to adopt decisions, in particular in connection with piracy off the coast of Somalia, in which it urged cooperating States to take appropriate steps to ensure that the activities they undertook pursuant to relevant resolutions did not have the "practical effect of denying or impairing the right of innocent passage",<sup>298</sup> echoing the intention behind Article 50 of avoiding unintended economic problems arising for third States from the carrying out of measures imposed by the Council.

At a meeting under the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council", on 7 December 2012, the representative of Portugal, concerned about the unintended consequences of sanctions for populations and third States, proposed two concrete initiatives, namely, (a) to consider humanitarian exemption to help populations affected by the freezing of national assets and funds, and (b) to clarify whether subsidiaries of listed entities would also be subject to sanctions.<sup>299</sup>

<sup>298</sup> See resolutions [2077 \(2012\)](#), para. 15; and [2125 \(2013\)](#), para. 15.

<sup>299</sup> [S/PV.6881](#), p. 6.

## X. Right of individual or collective self-defence in accordance with Article 51 of the Charter

### Article 51

*Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it*

*deems necessary in order to maintain or restore international peace and security.*

### Note

Section X covers the practice of the Security Council in relation to Article 51 of the Charter, regarding the inherent right of individual or collective self-defence in the event of an armed attack against a Member State. The section is divided into three subsections. Sub-section A covers decisions adopted by the Council relating to

Article 51, subsection B covers the discussions of the Council of relevance to the interpretation and application of Article 51 and subsection C covers references to Article 51 and the principle of self-defence in communications addressed to the Council.

### A. Decisions of the Security Council relating to Article 51

During the period under review, the Council made reference to Article 51 of the Charter in one decision. In resolution 2117 (2013), noting the significance of small arms and light weapons as the most frequently used weapons in the majority of recent armed conflicts, the Council emphasized that the right of individual and collective self-defence recognized in Article 51 of the Charter should be “fully taken into account”.<sup>300</sup>

### B. Discussion relating to Article 51

During the period under review, explicit references to Article 51 of the Charter were made in the deliberations of the Council on several agenda items, but none of those references led to a constitutional discussion on the interpretation or application of Article 51.

On 25 April 2012, at a meeting held in connection with the theme “Securing borders against illicit cross-border trafficking and movement” under the item “Threats to international peace and security”, the representative of the Bolivarian Republic of Venezuela defended the need to establish controls on small arms and light weapons so as to limit their supply to Governments and their authorized bodies, which he deemed to be “in accordance with international law, in particular the right to self-defence enshrined in Article 51 of the Charter”.<sup>301</sup>

On 15 January 2013, under the item “Threats to international peace and security”, the representative of Egypt, speaking on behalf of the Organization of Islamic Cooperation, emphasized the need to distinguish between terrorism and the exercise of the legitimate right of peoples to resist foreign occupation consistent with, inter alia, Article 51 of the Charter.<sup>302</sup>

<sup>300</sup> Resolution 2117 (2013), first and third preambular paragraphs.

<sup>301</sup> S/PV.6760 (Resumption 1), p. 8.

<sup>302</sup> S/PV.6900, p. 30.

On 22 January 2013, with reference to the situation in Mali, the representative of the Niger opined that the intervention of France in Mali was legitimate and legal by virtue of the express request made by the authorities of Mali under the relevant provisions of the Charter “and specifically pursuant to Article 51, which enshrines the principle of individual and collective self-defence”.<sup>303</sup> In his identical letters to the Secretary-General and the President of the Security Council, the representative of France made no explicit reference to Article 51 of the Charter in reporting that France had responded to a request for assistance from the Interim President of Mali. He wrote that the French armed forces were supporting Malian units in combating terrorist elements from the north that were threatening the territorial integrity and very existence of the State and the security of its population.<sup>304</sup>

Reference to the right of self-defence was made during the period in connection with, inter alia, the rocket attacks against Israel originating in Gaza, under the item entitled “The situation in the Middle East, including the Palestinian question”.<sup>305</sup> Under the same item but in connection with the Syrian crisis, reference was made to the recognition in resolution 580 of the League of Arab States of the right of States to their own self-defence.<sup>306</sup>

### C. References to Article 51 and the right of self-defence in communications addressed to the Security Council

During the period under review, explicit references to Article 51 of the Charter were found in several communications addressed to the President of the Council.

Article 51 of the Charter was explicitly mentioned in connection with disputes or situations relating to

<sup>303</sup> S/PV.6905, p. 14.

<sup>304</sup> S/2013/17.

<sup>305</sup> See S/PV.6816, p. 24 (Germany); S/PV.6847, p. 23 (Germany); and p. 25 (Portugal); and S/PV.6862, p. 31 (Israel).

<sup>306</sup> S/PV.6950 (Resumption 1), p. 5 (Permanent Observer of the League of Arab States).

Eritrea and Ethiopia<sup>307</sup> and the Sudan and South Sudan.<sup>308</sup>

Article 51 was also explicitly mentioned in communications relating to the question of non-proliferation concerning the Islamic Republic of Iran. The representative of the Islamic Republic of Iran, referring to media reports of threats of the use of force made by the Prime Minister and Defence Minister of Israel, invoked his country's inherent right under Article 51 of the Charter to act in self-defence to respond to attacks or to take appropriate measures to protect itself.<sup>309</sup>

The representative of the Syrian Arab Republic addressed identical letters to the Secretary-General and the President of the Security Council dated 21 May 2013 informing them that his country had responded to an alleged violation by Israel of the Agreement on Disengagement "by exercising the right to self-defence" enshrined in the Charter.<sup>310</sup>

The right of self-defence, without reference to Article 51 of the Charter, was also invoked by Israel on numerous occasions during the period under review in

connection with actions carried out in response to attacks "emanating from the Gaza strip".<sup>311</sup>

In his report on the implementation of Security Council resolution 1701 (2006), the Secretary-General affirmed that, notwithstanding the right of Israel to self-defence, the retaliatory fire used in response to the rocket-launching on 22 August 2013 from Lebanon did not conform to "the expectations of the United Nations with respect to the cessation of hostilities", which included that each side would immediately notify the United Nations Interim Force in Lebanon if it had been fired upon and refrain from responding except where "clearly required in immediate self-defence".<sup>312</sup>

In the Final Document of the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries held in Tehran from 26 to 31 August 2012, transmitted to the Secretary-General in a letter dated 8 October 2012 from the representative of the Islamic Republic of Iran in his capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, the Heads of State or Government reiterated that all States shall refrain from the threat or use of force against any State and stressed that the Charter contained sufficient provisions regarding the use of force to maintain and preserve international peace and security. They also noted that Article 51 of the Charter "is restrictive and should not be rewritten or re-interpreted".<sup>313</sup>

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<sup>307</sup> Letter dated 23 January 2012 from the representative of Eritrea (S/2012/57), letter dated 14 March 2012 from the representative of Ethiopia (S/2012/158) and letter dated 27 September 2012 from the representative of Eritrea (S/2012/726), all addressed to the President of the Security Council.

<sup>308</sup> Letter dated 23 April 2012 from the representative of the Sudan (S/2012/252, p. 1) and letter dated 28 April 2012 from the representative of the Sudan (S/2012/277, p. 1), both addressed to the President of the Security Council.

<sup>309</sup> Letter dated 25 May 2012 from the representative of the Islamic Republic of Iran (S/2012/372), letter dated 22 August 2012 from the representative of the Islamic Republic of Iran (S/2012/660), both addressed to the President of the Security Council, and identical letters dated 7 November 2012 from the representative of the Islamic Republic of Iran addressed to the Secretary-General and the President of the Security Council (S/2012/817).

<sup>310</sup> S/2013/303.

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<sup>311</sup> Identical letters from the representative of Israel to the Secretary-General and the President of the Security Council dated 3 January 2012 (S/2012/5), 27 January 2012 (S/2012/69), 31 January 2012 (S/2012/73), 3 February 2012 (S/2012/78), 17 February 2012 (S/2012/100), 11 March 2012 (S/2012/148), 4 May 2012 (S/2012/296), 17 May 2012 (S/2012/333), 19 June 2012 (S/2012/457), 17 July 2012 (S/2012/556), 28 August 2012 (S/2012/674), 11 September 2012 (S/2012/696), 16 October 2012 (S/2012/770), 24 October 2012 (S/2012/787), 12 November 2012 (S/2012/826) and 25 June 2013 (S/2013/373).

<sup>312</sup> S/2013/650, para. 68.

<sup>313</sup> S/2012/752, annex I, para. 28.2.

## **Part VIII**

### **Regional arrangements**

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## Introductory note

### Article 52

1. *Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.*

2. *The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.*

3. *The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.*

4. *This Article in no way impairs the application of Articles 34 and 35.*

### Article 53

1. *The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.*

2. *The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.*

### Article 54

*The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.*

Chapter VIII of the Charter of the United Nations provides the constitutional basis for the involvement of regional arrangements in the maintenance of international peace and security.<sup>1</sup> While Article 52 encourages the engagement of regional arrangements in the pacific

settlement of disputes prior to the Council's consideration, Article 53 allows the Council to utilize regional arrangements for enforcement action under its authority and with its explicit authorization. Article 54 stipulates that regional arrangements should inform the Council of their activities at all times.

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<sup>1</sup> Chapter VIII of the Charter refers to "regional arrangements or agencies". The *Repertoire* follows the practice of the Council in its use of these terms synonymously with regional and subregional organizations and other international organizations.

During the period under review, the Security Council expanded and deepened its interaction with regional and subregional arrangements for the maintenance of international peace and security. In

addition to its annual meetings with the Peace and Security Council of the African Union and the Organization for Security and Cooperation in Europe (OSCE), the Council adopted decisions to strengthen cooperation with the League of Arab States and the Organization of Islamic Cooperation, under Chapter VIII of the Charter. The Council also welcomed the efforts made by the Economic Community of West African States (ECOWAS) and the African Union, including with regard to the situation in the Sahel and West Africa involving challenges associated in those areas with drug trafficking, transnational organized crime, and, in the Gulf of Guinea, piracy. The Council authorized two new peacekeeping operations led by regional organizations, one in Mali and another in the Central African Republic, and increased the authorized strength of the African Union Mission in Somalia (AMISOM). Notwithstanding these developments, the Council continued to grapple with the question of complementarity and subsidiarity, including the issue of funding regional and subregional bodies in their efforts to prevent and manage crises.

The practice of the Council under Chapter VIII (Articles 52 to 54) of the Charter, as reflected in its decisions and deliberations in 2012 and 2013, is described in five sections. Section I sets out the relevant decisions and debates of the Council on thematic issues regarding cooperation with regional and subregional arrangements for the maintenance of international peace and security. Section II illustrates the various ways in which the Council, in dealing with specific situations under its consideration, reacted to the efforts by regional arrangements in the peaceful settlement of disputes, or called upon the parties in conflict to cooperate with regional organizations. Section III sets out regional peacekeeping operations which the Council supported and, in some cases, authorized under Chapter VII of the Charter, including the use of force. Section IV describes instances in which the Council authorized enforcement action by regional arrangements under Chapter VII. Section V refers to the modalities and mechanisms of reporting between the Council and regional arrangements.

## I. Consideration of the provisions of Chapter VIII of the Charter under thematic issues

### Note

Section I covers the practice of the Security Council, during the period under review, in connection with its cooperation with regional arrangements in the maintenance of international peace and security, with a focus on thematic issues. The section is divided into two subsections: (a) decisions on thematic issues relating to Chapter VIII of the Charter; and (b) discussions on thematic issues concerning the interpretation and application of Chapter VIII of the Charter.

### A. Decisions on thematic issues relating to Chapter VIII of the Charter

In several decisions adopted during the period under review, the Council reiterated that cooperation with regional and subregional arrangements was an integral part of collective security, as provided for in Chapter VIII. The Council also cited Chapter VIII in seeking to enhance engagement with the African Union, the League of Arab States and the Organization of Islamic Cooperation. In those decisions, the Council reaffirmed its primary responsibility for the maintenance of

international peace and security, while acknowledging that regional organizations were well positioned to understand the causes of armed conflicts, given their knowledge of their regions, and to enable early responses in their prevention or resolution. As in previous years, the need for predictable, sustainable and flexible funding was acknowledged as a major constraint for some regional organizations, but the Council maintained its view that it was the responsibility of regional and subregional organizations to secure resources, including through contributions by their members and support from partners.<sup>2</sup> Specifically in relation to the African Union, the Council stressed that common and coordinated efforts undertaken by the Security Council and the African Union in matters of peace and security should be based on their respective authorities, competencies and capacities.

Table 1 provides a list of decisions containing explicit references to Chapter VIII, together with other key provisions in the same decisions relevant to the

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<sup>2</sup> The principle was reiterated in the joint communiqué of the Security Council and the African Union Peace and Security Council adopted on 13 June 2012 (S/2012/444, para. 11).

interpretation and application of Chapter VIII which were the subject of constitutional debates or discussions held during the period under review, as described in section I. B. The provisions mainly touched upon the issues of complementarity, comparative advantage and

the financing of peace operations led by regional and subregional organizations. It was not found necessary to list in the table provisions reiterating the primary responsibility of the Council for the maintenance of international peace and security.

Table 1

**Decisions on thematic issues containing explicit and other relevant references to Chapter VIII of the Charter**

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Provision</i>
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the relationship between the United Nations and regional organizations, in particular the African Union	<a href="#">Resolution 2033 (2012)</a> 12 January 2012	Chapter VIII (third and tenth preambular paragraphs; para. 1)  Knowledge of the region benefits regional and subregional organizations in their efforts at conflict prevention or resolution (fourth preambular paragraph)  Regional and subregional organizations at all times to keep the Security Council informed of peace initiatives (eighth preambular paragraph)  Common and coordinated efforts by the Security Council and the African Union Peace and Security Council to be based on their respective authorities, competencies and capacities (para. 5)  Need to enhance the predictability of resources for initiatives by regional and subregional organizations (twelfth preambular paragraph and paras. 19-20)
United Nations peacekeeping operations: a multidimensional approach	<a href="#">Resolution 2086 (2013)</a> 21 January 2013	Chapter VIII (para. 18)
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	<a href="#">S/PRST/2013/12</a> 6 August 2013	Chapter VIII (fourth, fourteenth, sixteenth and thirty-third paragraphs)  Knowledge of the region benefits regional and subregional organizations in conflict prevention or resolution efforts (seventh paragraph)  Need to enhance the predictability of resources for initiatives by regional and subregional organizations (twenty-ninth paragraph)
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the partnership synergy between the United Nations and the Organization of Islamic Cooperation	<a href="#">S/PRST/2013/16</a> 28 October 2013	Chapter VIII (second paragraph)

Without explicitly invoking Chapter VIII, the Council recognized the role of regional and subregional arrangements in its decisions on a range of topics relating to the maintenance of international peace and security. Some of these decisions pertained to emerging issues, such as border security against illicit cross-border trafficking and movement,<sup>3</sup> piracy<sup>4</sup> and threats to international peace and security caused by terrorist acts.<sup>5</sup> Other decisions referred to the importance of regional and subregional organizations in connection with recurrent items, such as “Children and armed conflict”,<sup>6</sup> “Post-conflict peacebuilding”,<sup>7</sup> “Protection of civilians in armed conflict”,<sup>8</sup> “Small arms”<sup>9</sup> and “Women and peace and security”.<sup>10</sup>

## **B. Discussions under thematic issues concerning the interpretation and application of Chapter VIII of the Charter**

At a number of Security Council meetings held in 2012 and 2013, participants urged the Council to advance further the progress made in terms of cooperation with regional and subregional arrangements under Chapter VIII. The most noteworthy discussions on the subject touched upon the respective responsibilities of the Council and regional and subregional arrangements in dealing with erupting crises. While agreeing on the importance of partnership with regional arrangements, Council members diverged in their views on the nature and extent of complementarity and subsidiarity in respect of the United Nations and regional and subregional organizations.<sup>11</sup> The following three case studies highlight the key elements of these discussions.

<sup>3</sup> S/PRST/2012/16, ninth paragraph.

<sup>4</sup> S/PRST/2012/24, tenth, fourteenth, fifteenth, sixteenth and twenty-first paragraphs.

<sup>5</sup> S/PRST/2013/1, fourth, twenty-second and twenty-fourth paragraphs.

<sup>6</sup> S/PRST/2013/8, twelfth paragraph.

<sup>7</sup> S/PRST/2012/29, twelfth paragraph.

<sup>8</sup> S/PRST/2013/2, twenty-first paragraph.

<sup>9</sup> Resolution 2117 (2013), sixth, seventh and seventeenth preambular paragraphs and paras. 1, 10, 12, 15, 16 and 19.

<sup>10</sup> Resolution 2122 (2013), eighteenth preambular paragraph and para. 15.

<sup>11</sup> See also the report of the tenth annual workshop for newly elected members of the Security Council (S/2013/280), p. 10.

### **Case 1**

#### **Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the relationship between the United Nations and regional organizations, in particular the African Union**

In a concept note prepared by the presidency (South Africa) for the debate scheduled for 12 January 2012 on strengthening the relationship between the United Nations and regional organizations, in particular the African Union, concern was expressed about African Union support in peace operations at times being used in a manner to absolve the Council of its primary responsibility under the Charter for the maintenance of international peace and security. It was argued in the concept note that the African Union was often involved in situations where conditions were not conducive to United Nations peacekeeping or where the Council had been divided on a course of action and the African Union had a comparative advantage. It was also stated in the concept paper that the United Nations and the African Union still faced challenges in achieving greater strategic political coherence in preventing and managing conflicts and that disregard for regional initiatives by the Security Council could undermine the confidence of regional organizations in the Council as an impartial and widely respected mediator in conflicts.<sup>12</sup>

At the 6702nd meeting, the representative of Kenya warned against a framework of cooperation that could compromise the value of the African Union and other regional organizations as first responders to a crisis.<sup>13</sup> He stated that the African Union looked forward to a more innovative interpretation of Chapter VIII and to the development of consensus on a set of principles, such as support for African ownership and priority setting; flexible and innovative application of the principle of complementarity; and mutual respect and adherence to the principle of comparative advantage.<sup>14</sup> Similarly, the representative of Ethiopia argued that regional and subregional organizations were better placed with regard to regional peace and security initiatives, and concluded that it should not be too difficult to apply Chapter VIII with flexibility and wisdom.<sup>15</sup> The representatives of Ethiopia, Kenya, Azerbaijan and Togo called for the

<sup>12</sup> S/2012/13.

<sup>13</sup> S/PV.6702, p. 9.

<sup>14</sup> *Ibid.*, p. 10.

<sup>15</sup> S/PV.6702 (Resumption 1), p. 7.

provision of financial and other resources to regional organizations.<sup>16</sup>

The representative of Colombia opined that Chapter VIII of the Charter envisioned the contribution of regional organizations as an integral part of collective security and valued the vision, actions and initiatives of regional organizations to find solutions within their range of competence.<sup>17</sup> The representative of Guatemala noted that the link between the Security Council and regional entities was not limited to the preventive actions and mediation contemplated in Article 52 of the Charter, or to the enforcement action provided for in Article 53, but extended to the increasing participation of regional arrangements in peacekeeping operations and peacebuilding activities.<sup>18</sup>

The representative of the United States emphasized that the Council, with its unique, universal and primary mandate to maintain international peace and security, was not subordinate to other bodies, nor could there be a blank cheque, politically or financially, for independent decisions of regional organizations.<sup>19</sup> The representative of the United Kingdom emphasized that a one-size-fits-all approach to the institutional relationship was not realistic and that the relationship developed with one regional organization should not set a precedent for relations with others.<sup>20</sup> He added that coordination between the Security Council and the Peace and Security Council of the African Union could occur only in the context of the primacy of the Security Council regarding the maintenance of international peace and security.<sup>21</sup>

Several speakers referred to the experience of a situation such as that in Libya in 2011 as an example of discord between the Council and the African Union and other regional organizations. The representative of South Africa stated that the political road map developed by the African Union to resolve the conflict in Libya in was ignored in favour of the bombing of Libya by North Atlantic Treaty Organization (NATO) forces, and appealed for the views of the African Union to be listened to, in order to prevent further conflict.<sup>22</sup> The representative of Kenya also regretted the manner in which the African position had been either ignored or partially considered in the cases of Libya and Côte

d'Ivoire in 2011, while in relation to the Sudan there had been "a good mix" of United Nations material, logistical and political support, combined with the political legitimacy of the African Union and the Intergovernmental Authority on Development (IGAD).<sup>23</sup> In contrast, the representative of the United Kingdom recalled that there were major differences of substance between the League of Arab States and the African Union on Libya, between the Economic Community of West African States (ECOWAS) and the African Union on Côte d'Ivoire, and between IGAD and some members of the African Union on Eritrea. He concluded that the relationship with regional and subregional organizations should be taken forward in a manner consistent with the Charter of the United Nations, making the most of the complementarities between the United Nations and individual regional organizations.<sup>24</sup>

## **Case 2**

### **Cooperation between the United Nations and regional organizations in maintaining international peace and security**

At the 7015th meeting, held on 6 August 2013, in connection with cooperation between the United Nations and regional and subregional organizations, participants emphasized the need to ensure coherence, synergy and collective effectiveness in the efforts of the United Nations and regional and subregional organizations regarding early warning and conflict prevention, peacekeeping and peacebuilding. A number of speakers also raised the issue of resource allocation for regional and subregional arrangements.<sup>25</sup>

Concerning the African Union specifically, the representative of Ethiopia proposed that the African Union could be considered as occupying a privileged position in terms of formal interaction with the Security Council.<sup>26</sup> The representative of Rwanda said that the Council should take into consideration regularly the position of the African Union and its regional economic communities.<sup>27</sup> The representative of Togo called it essential to clarify the relationship between the Security Council and the Peace and Security Council of the

<sup>16</sup> S/PV.6702, p. 9 (Kenya); p. 12 (Azerbaijan); p. 24 (Togo); and S/PV.6702 (Resumption 1), p. 7 (Ethiopia).

<sup>17</sup> S/PV.6702, p. 11.

<sup>18</sup> Ibid., p. 13.

<sup>19</sup> Ibid., p. 15.

<sup>20</sup> Ibid., p. 25.

<sup>21</sup> S/PV.6702 (Resumption 1), p. 10.

<sup>22</sup> S/PV.6702, p. 3.

<sup>23</sup> Ibid., pp. 9 -10.

<sup>24</sup> Ibid., p. 24.

<sup>25</sup> S/PV.7015, p. 7 (Ethiopia); p. 17 (Rwanda); p. 30 (Togo); S/PV.7015 (Resumption 1), pp. 31-32 (Uganda); p. 32 (South Africa); p. 43 (Nigeria); p. 45 (Botswana); and p. 47 (Sudan).

<sup>26</sup> S/PV.7015, p. 7.

<sup>27</sup> Ibid., p. 17.

African Union, in order to prevent frustration and misunderstandings arising from differences in strategies between the two organizations.<sup>28</sup>

The representative of the United Kingdom cautioned against prioritizing the establishment of, or overly codifying, strict guidelines for institutional cooperation, and the representative of France indicated the danger of a “fragmentation of collective security.”<sup>29</sup> The representative of the Russian Federation concluded that regional and subregional organizations must position themselves to actualize their potential in the interests of the United Nations, in strict compliance with the principles of the universality of the Organization and the Security Council.<sup>30</sup> The representative of China concurred that the actions taken by regional organizations should be in accordance with the provision of Security Council resolutions and as mandated by the Council.<sup>31</sup>

The representative of Colombia was of the view that priority should be given to regional and subregional mechanisms to resolve matters relating to the maintenance of international peace and security before they were referred to the Security Council.<sup>32</sup> The representative of Haiti said that the principle underpinning cooperation between the United Nations and regional organizations was enshrined in the Charter of the United Nations, specifically in Articles 53 and 54, and called for a new model of cooperation that was based on well-defined principles and a precise legal framework.<sup>33</sup> The representative of Honduras suggested that a higher level of cooperation with regional and subregional organizations would not only lighten the burden of the Council but provide it with greater legitimacy through the participation of regional partners in times of crisis.<sup>34</sup>

Other speakers supported a context-specific approach to promoting cooperation between the United Nations and regional organizations.<sup>35</sup> The representative of Guatemala opined that the scope of partnership between regional organizations and the United Nations would vary, depending on changing circumstances, and that differences of decisions made by regional

organizations and the United Nations, if not reconciled through dialogue, should be resolved in accordance with Article 103 of the Charter.<sup>36</sup> The representatives of the Republic of Korea and India added that efforts to strengthen cooperation with one organization should not be made at the expense of an imbalance or to the disadvantage of other regional voices.<sup>37</sup> The representative of Pakistan called the principles of consultation, primacy of the United Nations, the effective division of labour and consistency of approach the broad parameters for the evolving interpretations of Chapter VIII, through which to achieve complementarity.<sup>38</sup> The representative of Ukraine underscored the need to identify areas in which regional and subregional organizations could work most effectively together or in parallel, but not in competition.<sup>39</sup>

### **Case 3 Implementation of the note by the President of the Security Council: working methods of the Security Council**

At the 6870th and 7052nd meetings, on the working methods of the Council, held on 26 November 2012 and 29 October 2013 respectively, many participants made references to Chapter VIII of the Charter in the context of cooperation with regional organizations.

At the 6870th meeting, the representative of Colombia called for a mechanism to improve links between the Security Council and regional organizations with subsidiary or complementary responsibilities for the maintenance of peace and security.<sup>40</sup> The representative of Togo recalled the informal interactive dialogues that took place between the Security Council, ECOWAS and the African Union on the crises in Mali and Guinea-Bissau, and underscored the advantage of enabling direct exchanges with regional organizations in the context of subsidiarity, under Chapter VIII.<sup>41</sup> The representative of India argued that the eagerness of the Council to apply methods of coercion under Chapter VII, to the neglect of provisions under Chapters VI and VIII, had proved to be counterproductive in resolving several crises, and stated that the Council must improve its cooperation with

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<sup>28</sup> Ibid., p. 30.

<sup>29</sup> Ibid., p. 26 (United Kingdom); and p. 27 (France).

<sup>30</sup> Ibid., p. 29.

<sup>31</sup> Ibid., p. 31.

<sup>32</sup> S/PV.7015 (Resumption 1), p. 11.

<sup>33</sup> Ibid., pp. 13-14.

<sup>34</sup> Ibid., p. 24.

<sup>35</sup> Ibid., p. 18 (European Union); p. 28 (Ukraine); p. 35 (Malaysia); pp. 37-38 (Indonesia); and p. 41 (Lithuania).

<sup>36</sup> S/PV.7015, p. 14.

<sup>37</sup> Ibid., p. 32 (Republic of Korea); and S/PV/7015 (Resumption 1), p. 38 (India).

<sup>38</sup> S/PV.7015, p. 25.

<sup>39</sup> S/PV.7015 (Resumption 1), p. 28 (Ukraine).

<sup>40</sup> S/PV.6870, p. 5. (Colombia).

<sup>41</sup> Ibid., p. 13.

regional organizations, particularly the African Union.<sup>42</sup> The representative of New Zealand agreed that the quality of the Council's interaction with the Peace and Security Council of the African Union was still much less than it could and should be.<sup>43</sup> The representatives of South Africa and Senegal regretted the selectivity of the Council in addressing decisions of regional organizations, despite progress in the annual consultation between the Security Council and the Peace and Security Council of the African Union.<sup>44</sup> The representative of the Republic of Korea suggested that the annual consultation mechanism between the Security Council and the Peace and Security Council of the African Union could be replicated with other regional organizations.<sup>45</sup>

At the 7052nd meeting, the representatives of Brazil and Belgium welcomed the expansion of the cooperation with regional and subregional organizations, in accordance with Chapter VIII.<sup>46</sup> The representative of Rwanda urged the Council to respect the decisions of the African Union, as well as to hold timely and meaningful consultations with the continent.<sup>47</sup> The representative of South Africa reiterated his view that engagement with regional organizations should be based on the principle of subsidiarity and done in a cohesive and organized manner.<sup>48</sup> The representative of Chile noted the need to deepen consultations with regional organizations, in line with the distribution of functions under Chapter VIII.<sup>49</sup>

<sup>42</sup> Ibid., pp. 20-21.

<sup>43</sup> Ibid., p. 23.

<sup>44</sup> Ibid., p. 17 (South Africa); and [S/PV.6870 \(Resumption 1\)](#), p. 10 (Senegal).

<sup>45</sup> [S/PV.6870 \(Resumption 1\)](#), p. 4.

<sup>46</sup> [S/PV.7052](#), p. 24 (Brazil); and [S/PV.7052 \(Resumption 1\)](#), p. 9 (Belgium).

<sup>47</sup> [S/PV.7052](#), p. 11.

<sup>48</sup> [S/PV.7052 \(Resumption 1\)](#), p. 16.

<sup>49</sup> Ibid., p. 4.

## II. Recognition of the efforts of regional arrangements in the pacific settlement of disputes

### Note

Section II deals with recognition by the Security Council of efforts undertaken by regional and subregional organizations in the pacific settlement of local disputes, within the framework of Article 52 of the Charter. The section is divided into two subsections: (a) decisions concerning efforts by regional arrangements in the pacific settlement of disputes; and (b) discussions concerning the pacific settlement of disputes by regional arrangements.

### A. Decisions concerning efforts of regional arrangements in the pacific settlement of disputes

In a number of decisions adopted in 2012 and 2013, the Council welcomed and supported the efforts of a wide range of regional and subregional organizations in the pacific settlement of disputes, and called upon parties to engage in the political process led by regional and subregional arrangements, independently or jointly with the United Nations. Table 2 sets out a list of those decisions, featuring the regional organizations mentioned in each decision and highlighting in brief their actions as noted by the Council in relation to the pacific settlement of disputes. Additional details are given in the text at the end of the table.

Table 2  
 Decisions concerning the pacific settlement of disputes by regional arrangements

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
<b>With explicit reference to Chapter VIII</b>			
Peace and security in Africa: prevention of conflicts in Africa: addressing the root causes	<a href="#">S/PRST/2013/4<sup>a</sup></a> 15 April 2013	African Union, International Conference on the Great Lakes Region, Economic Community of West African States (ECOWAS), South African Development Community (SADC), Inter-Governmental Authority for Development (IGAD), Economic Community of Central African States (ECCAS) Arab Maghreb Union	Conflict prevention through focus on the root causes of conflict
Peace and security in Africa: the Sahel - towards a more comprehensive and coordinated approach	<a href="#">S/PRST/2012/26<sup>b</sup></a> 10 December 2012	African Union, ECOWAS, Arab Maghreb Union, Community of Sahelo-Saharan States, European Union, Organization of Islamic Cooperation	Initiatives to tackle complex challenges facing the Sahel region
Reports of the Secretary-General on the Sudan and South Sudan <sup>c</sup>	Resolution <a href="#">2063 (2012)<sup>d</sup></a>	African Union, African Union High-level Implementation Panel	Facilitation of the Darfur peace process
The situation in the Middle East	<a href="#">S/PRST/2012/20<sup>e</sup></a> 26 September 2012	League of Arab States	Efforts to settle conflicts in the Middle East; peacekeeping and peacebuilding; support for the Joint Special Representative of the United Nations and the League of Arab States for Syria
<b>Without explicit reference to Chapter VIII</b>			
Peace and security in Africa: the challenges of the fight against terrorism in Africa in the context of maintaining international peace and security	<a href="#">S/PRST/2013/5</a> 13 May 2013	African Union, European Union, Organization of Islamic Cooperation, League of Arab States, ECOWAS, Community of Sahelo-Saharan States, IGAD, Arab Maghreb Union	Counter-terrorism
Peace and security in Africa; The situation in Mali <sup>f</sup>	<a href="#">S/PRST/2012/9</a> 4 April 2012	ECOWAS	Mediation efforts
	Resolution <a href="#">2056 (2012)</a> 5 July 2012	ECOWAS, African Union	Mediation and other efforts for the restoration of constitutional order
	Resolution <a href="#">2071 (2012)</a> 12 October 2012	ECOWAS	Conflict resolution



**Part VIII. Regional arrangements**

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
	Resolution <a href="#">2085 (2012)</a> 20 December 2012	ECOWAS, Organization of Islamic Cooperation, African Union	Mediation efforts
	Resolution <a href="#">2100 (2013)</a> 25 April 2013	ECOWAS, African Union, European Union	Support for an inclusive negotiation process and transitional road map
Reports of the Secretary-General on the Sudan and South Sudan	Resolution <a href="#">2035 (2012)</a> 17 February 2012	African Union High-level Implementation Panel	Promotion of peace and stability in Darfur
	<a href="#">S/PRST/2012/5</a> 6 March 2012	African Union, African Union High-level Implementation Panel, League of Arab States	Conflict resolution in Southern Kordofan and Blue Nile States; negotiations between the Sudan and South Sudan
	Resolution <a href="#">2046 (2012)</a> 2 May 2012	African Union, African Union High-level Implementation Panel, IGAD	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2047 (2012)</a> 17 May 2012	African Union, African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
	<a href="#">S/PRST/2012/19</a> 31 August 2012	African Union, African Union High-level Implementation Panel, IGAD	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2075 (2012)</a> 16 November 2012	African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2104 (2013)</a> 29 May 2013	African Union, African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
	<a href="#">S/PRST/2013/14</a> 23 August 2013	African Union, African Union High-level Implementation Panel, IGAD	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2091 (2013)</a> 14 February 2013	African Union, African Union High-level Implementation Panel	Promotion of peace and stability in Darfur
	Resolution <a href="#">2126 (2013)</a> 25 November 2013	African Union, African Union High-level Implementation Panel	Negotiations between the Sudan and South Sudan
	Resolution <a href="#">2132 (2013)</a> 24 December 2013	African Union, IGAD	Dialogue and mediation between key leaders of South Sudan

## Repertoire of the Practice of the Security Council, 2012-2013

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
The situation in Afghanistan	Resolution <a href="#">2069 (2012)</a> 9 October 2012  Resolution <a href="#">2120 (2013)</a> 10 October 2013	South Asian Association for Regional Cooperation, Shanghai Cooperation Organization, Collective Security Treaty Organization, European Union, Organization for Security and Cooperation in Europe (OSCE)	Initiatives to strengthen regional security and cooperation
The situation in Bosnia and Herzegovina	Resolution <a href="#">2123 (2013)</a> 12 November 2013	European Union, NATO, OSCE	Contributions to the implementation of the Peace Agreement
The situation in the Central African Republic	Resolution <a href="#">2088 (2013)</a> 24 January 2013  Resolution <a href="#">2121 (2013)</a> 10 October 2013  Resolution <a href="#">2127 (2013)</a> 5 December 2013	ECCAS, African Union   ECCAS	Mediation
The situation in Côte d'Ivoire	Resolution <a href="#">2045 (2012)</a> 26 April 2012  Resolution <a href="#">2062 (2012)</a> 26 July 2012  Resolution <a href="#">2112 (2013)</a> 30 July 2013	African Union, ECOWAS	Promotion of national reconciliation and consolidation of peace
The situation concerning the Democratic Republic of the Congo	<a href="#">S/PRST/2012/22</a> 19 October 2012  Resolution <a href="#">2076 (2012)</a> 20 November 2012  Resolution <a href="#">2098 (2013)</a> 28 March 2013  <a href="#">S/PRST/2013/17</a> 14 November 2013	International Conference on the Great Lakes Region, SADC, African Union	Efforts to restore peace and security in eastern Democratic Republic of the Congo
The situation in Guinea-Bissau	Resolution <a href="#">2048 (2012)</a> 18 May 2012  Resolution <a href="#">2092 (2013)</a> 22 February 2013  Resolution <a href="#">2103 (2013)</a> 22 May 2013	African Union, ECOWAS, Community of Portuguese-speaking Countries, European Union  ECOWAS, Community of Portuguese-speaking Countries	Efforts in response to the crisis, including mediation efforts led by ECOWAS  Coordination with the United Nations on the dialogue process among political parties

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Actions of regional organizations noted by the Council</i>
The question concerning Haiti	Resolution <a href="#">2070 (2012)</a> 12 October 2012  Resolution <a href="#">2119 (2013)</a> 10 October 2013	Organization of the American States, Union of South American Nations, Caribbean Community	Stabilization and reconstruction
The situation in the Middle East	<a href="#">S/PRST/2012/6</a> 21 March 2012  Resolution <a href="#">2042 (2012)</a> 14 April 2012  Resolution <a href="#">2051 (2012)</a> 12 June 2012  <a href="#">S/PRST/2013/3</a> 15 February 2013	League of Arab States   Gulf Cooperation Council  Gulf Cooperation Council	Appointment of the Joint Special Envoy of the United Nations and the League of Arab States to Syria  Support for the Joint Special Envoy to Syria  Support for the Gulf Cooperation Council initiative on Yemen  Support for political transition in Yemen
The situation in Sierra Leone	Resolution <a href="#">2065 (2012)</a> 12 September 2012  Resolution <a href="#">2097 (2013)</a> 26 March 2013	African Union, ECOWAS, Mano River Union	Peacebuilding and development
The situation in Somalia	Resolution <a href="#">2124 (2013)</a> 12 November 2013	African Union, IGAD	Inclusive dialogue

<sup>a</sup> The fifth and nineteenth paragraphs contain explicit references to Chapter VIII.

<sup>b</sup> The first paragraph contains an explicit reference to Chapter VIII.

<sup>c</sup> Pursuant to the note by the President of the Security Council dated 11 November 2013 ([S/2013/657](#)), the wording of the item “Reports of the Secretary-General on the Sudan” was revised to read “Reports of the Secretary-General on the Sudan and South Sudan”.

<sup>d</sup> The ninth preambular paragraph contains an explicit reference to Chapter VIII.

<sup>e</sup> The second and fourteenth paragraphs contain explicit references to Chapter VIII.

<sup>f</sup> Pursuant to the note by the President of the Security Council dated 20 December 2012 ([S/2012/961](#)), issues pertaining to Mali were, from that date, considered under the item entitled “The situation in Mali”, under which was subsumed the earlier consideration by the Council of those issues under the item entitled “Peace and security in Africa”.

The Council, in its decision on the prevention of conflicts in Africa under the item “Peace and security in Africa”, encouraged the peaceful settlement of local disputes through regional and subregional arrangements, provided that their activities were not inconsistent with the purposes and principles of the United Nations.<sup>50</sup> With respect to the Sahel, the Council welcomed the initiatives taken by regional organizations to tackle the complex multidimensional challenges facing the region, but stressed the importance of strengthening transregional and interregional cooperation on the basis of a common

and shared responsibility.<sup>51</sup> In another decision on peace and security in Africa, the Council recognized the support provided by regional and subregional actors to efforts aimed at combating terrorism.<sup>52</sup>

Concerning the Central African Republic, the Council commended the swift efforts made by the Economic Community of Central African States (ECCAS) and the African Union after the “Séléka” coalition of armed groups began military advances in December 2012. The Council also welcomed the signature in Libreville of ceasefire and political

<sup>50</sup> [S/PRST/2013/4](#), nineteenth paragraph.

<sup>51</sup> [S/PRST/2012/26](#), tenth paragraph.

<sup>52</sup> [S/PRST/2013/5](#), twenty-second paragraph.

agreements under the auspices of ECCAS on 11 January 2013, and requested the Secretary-General to provide support for the ongoing mediation efforts of ECCAS.<sup>53</sup>

In relation to the Democratic Republic of the Congo, the Council welcomed the continued efforts of the International Conference on the Great Lakes Region, the Southern African Development Community (SADC) and the African Union to restore peace and security in the eastern part of the country. The Council welcomed the signing on 24 February 2013 of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, under the auspices of the Secretary-General of the United Nations and the Chairpersons of the African Union Commission, SADC and the International Conference on the Great Lakes Region, and demanded that the signatory States fully implement their commitments in good faith.<sup>54</sup>

In the aftermath of the coup in Guinea-Bissau on 12 April 2012, the Council took note of the efforts made by the African Union, ECOWAS, the Community of Portuguese-speaking Countries and the European Union to restore constitutional order. In 2013, the Council welcomed the efforts of ECOWAS to support the security sector reform process in Guinea-Bissau.<sup>55</sup>

Following the coup in Mali on 22 March 2012, the Council acknowledged the signing on 6 April 2012 of a framework agreement under the auspices of the ECOWAS mediator, and decided that the transitional authorities in Mali should develop a road map for the restoration of constitutional order, with the support of ECOWAS and other international partners.<sup>56</sup>

In connection with the facilitation of negotiations between the Sudan and South Sudan on post-secession issues, including border arrangements and the final status of Abyei, the Council continued to express its support for the African Union and the African Union High-level Implementation Panel.<sup>57</sup> The Council expressed its full support for the road map adopted by the Peace and

Security Council of the African Union for the Sudan and South Sudan on 24 April 2012,<sup>58</sup> and in its resolution 2046 (2012) of 2 May 2012, expressed its intention, in the event of non-compliance by the parties with the measures identified in that resolution, to take appropriate additional measures under Article 41 of the Charter. The Council also referred to a number of mechanisms established by the African Union, including the Ad Hoc Investigative Mechanism into allegations of support to armed rebel groups; the African Union Border Programme Technical Team; and the Abyei Area Joint Investigation and Inquiry Committee to investigate the killing of a peacekeeper and a Ngok Dinka paramount chief in Abyei on 4 May 2013, and restated its full support for the African Union-United Nations joint mediation efforts for Darfur.<sup>59</sup> After the outbreak of the conflict in South Sudan on 15 December 2013, the Council commended the mediation efforts between the parties in South Sudan led by the Intergovernmental Authority on Development (IGAD), with the support of the United Nations and the African Union.<sup>60</sup>

The Council commended the African Union and ECOWAS for their efforts to consolidate peace and stability in Côte d'Ivoire,<sup>61</sup> and welcomed the role played by the African Union, ECOWAS and the Mano River Union in support of peacebuilding and development in Sierra Leone.<sup>62</sup> Concerning Somalia, the Council encouraged the Federal Government to lead an inclusive national dialogue, with the support of the United Nations Assistance Mission, IGAD and the African Union.<sup>63</sup>

With respect to the situation in Afghanistan, the Council noted the regional initiatives to strengthen regional security and cooperation, including those being implemented by the South Asian Association for Regional Cooperation, the Shanghai Cooperation Organization, the Collective Security Treaty Organization, the European Union and OSCE.<sup>64</sup>

With regard to the situation in Bosnia and Herzegovina, the Council repeated its appreciation for the personnel of OSCE, the European Union and other organizations and agencies, including the North Atlantic

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<sup>53</sup> Resolutions 2088 (2013), sixth and seventh preambular paragraphs; and 2121 (2013), para. 4.

<sup>54</sup> S/PRST/2012/22, eighth paragraph; and resolution 2098 (2013), sixth preambular paragraph and para. 2.

<sup>55</sup> Resolutions 2048 (2012), fourth preambular paragraph; and 2103 (2013), eighth preambular paragraph.

<sup>56</sup> Resolution 2056 (2012), fourth preambular paragraph and para. 8. The Council also recognized the efforts made by regional and subregional organizations such as the African Union and ECOWAS in response to the humanitarian impact of the Malian crisis in the region (see S/PRST/2012/7 and S/PRST/2013/20).

<sup>57</sup> Resolution 2104 (2013), eighth preambular paragraph.

<sup>58</sup> Resolution 2047 (2012), seventh preambular paragraph.

<sup>59</sup> Resolutions 2126 (2013), paras. 4 and 13; and 2091 (2013), ninth preambular paragraph.

<sup>60</sup> Resolution 2132 (2013), seventh preambular paragraph.

<sup>61</sup> Resolutions 2062 (2012), twelfth preambular paragraph; and 2112 (2013), seventeenth preambular paragraph.

<sup>62</sup> Resolutions 2065 (2012), thirteenth preambular paragraph; and 2097 (2013), ninth preambular paragraph.

<sup>63</sup> Resolution 2124 (2013), para. 25.

<sup>64</sup> Resolution 2069 (2012), fourteenth preambular paragraph.

Treaty Organization (NATO), for their contributions to the implementation of the General Framework Agreement, signed in 1995.<sup>65</sup>

In connection with the situation in Haiti, the Council emphasized the role of the Organization of American States, the Union of South American Nations and the Caribbean Community in supporting stabilization and reconstruction.<sup>66</sup>

Concerning the Middle East, the Council recognized and further encouraged efforts by the League of Arab States to settle conflicts in the region.<sup>67</sup> Specifically, at the request of the League of Arab States,<sup>68</sup> the Council held a meeting on the Syrian Arab Republic on 31 January 2012. It welcomed the appointment of, and expressed its support for, the Joint Special Envoy of the United Nations and the League of Arab States to Syria.<sup>69</sup> In connection with Yemen, the Council also acknowledged the initiative of the Gulf Cooperation Council to set up a political transition process and emphasized the need for continued support for that process.<sup>70</sup>

## **B. Discussions concerning the pacific settlement of disputes by regional arrangements**

During the period under review, various Council members referred to several crisis situations, including those in Libya, Côte d'Ivoire and the Syrian Arab Republic, in their discussions on the evolving cooperation between the United Nations and regional and subregional arrangements in the pacific settlement of disputes, as described below in cases 4 and 5. Council members also

discussed the relationship between the Council and the African Union in relation to the prevention of conflicts in Africa, as described in case 6.

### **Case 4 Peace and security in Africa: the Sahel**

During the deliberations on the situation in the Sahel, at the 6709th meeting, held on 26 January 2012, Council members referred to the lessons learned from the experience in Libya in terms of cooperation with regional organizations. The representative of India stated that, with respect to the strategy for addressing the impact of the Libyan crisis on the Sahel, the United Nations must integrate its plans with the efforts of the African Union.<sup>71</sup> The representative of South Africa repeated that a strategic political process to resolve the crisis in Libya and beyond should include the central role of the African Union.<sup>72</sup>

### **Case 5 The situation in the Middle East**

During the 6841st meeting, held on 26 September 2012 under the item entitled "The situation in the Middle East," the representative of the United States said that the Council remained paralysed, despite the creation by the League of Arab States of a plan for peaceful political transition in the Syrian Arab Republic, which had been endorsed by an overwhelming majority in the General Assembly.<sup>73</sup> The representative of South Africa affirmed that the League of Arab States was the organization best placed to have a deeper appreciation of the dynamics in the region and to provide conflict-specific solutions. She said that, unfortunately, the Council had yet to provide effective and meaningful support for the League's efforts in relation to the Middle East peace process.<sup>74</sup> Other speakers commended the role of the League of Arab States in relation to Palestine.<sup>75</sup> Acknowledging the work of the League of Arab States in connection with Libya, the representative of Colombia stressed its comparative advantage in the Syrian Arab Republic.<sup>76</sup>

<sup>65</sup> Resolution 2123 (2013), seventh preambular paragraph.

<sup>66</sup> Resolutions 2070 (2012), nineteenth preambular paragraph; and 2119 (2013), fifteenth preambular paragraph.

<sup>67</sup> S/PRST/2012/20, fifth paragraph.

<sup>68</sup> See S/2012/71. Subsequently, in a letter dated 8 March 2012 from the Secretary-General (S/2012/142), the Council received the resolution adopted by the League of Arab States on 12 February 2012, in which the Security Council was called upon to consider the formation of a joint Arab-United Nations peacekeeping force.

<sup>69</sup> S/PRST/2012/6, fourth and fifth paragraphs. The Secretary-General of the League of Arab States, in his statement to the Council, had invoked Article 52 (3) of the Charter as the basis for seeking the support of the Council (see S/PV.6710, p. 6).

<sup>70</sup> Resolution 2051 (2012), fifth and fifteenth preambular paragraphs and para. 1; and S/PRST/2013/3, eighth paragraph.

<sup>71</sup> S/PV.6709, p. 7.

<sup>72</sup> Ibid., p. 17.

<sup>73</sup> S/PV.6841, p. 11.

<sup>74</sup> Ibid., p. 12.

<sup>75</sup> Ibid., p. 7 (Morocco); p. 9 (France); p. 15 (Russian Federation), p. 21 (Colombia); p. 23 (India); p. 24 (Pakistan); and p. 25 (Portugal).

<sup>76</sup> Ibid., p. 21.

**Case 6**

**Peace and security in Africa: prevention of conflicts in Africa**

During the 6946th meeting, held on 15 April 2013 on the prevention of conflicts in Africa, many speakers raised issues relating to cooperation between the Security Council and the African Union. The representative of Ethiopia called on the Council to adhere to the principles of Chapter VIII, arguing that there was much room for improvement with respect to consultations and cooperation between the United Nations and the African Union.<sup>77</sup> The representative of Australia observed that cooperation between the African Union and the United Nations had often been crisis-driven.<sup>78</sup> The representative of the United States acknowledged the need to build stronger and more dynamic partnerships among all actors engaged in conflict prevention and response, based on comparative advantage and capability.<sup>79</sup> The representative of Guatemala noted that the manner in which the Council interacted with regional and subregional organizations, within the framework of Chapter VIII, differed in each case and that the multiplicity of partnerships posed jurisdictional and operational difficulties at times.<sup>80</sup> The representative of

the Russian Federation, citing Chapter VIII, stated that the United Nations and regional organizations were expected to complement each other by utilizing their comparative advantages, but reiterated the leading role of the Council in maintaining international peace and security.<sup>81</sup> Similarly, the representative of the United Kingdom reaffirmed the global responsibility of the Council for maintaining international peace and security, while encouraging international support for the Peace and Security Council of the African Union in its work related to conflict prevention.<sup>82</sup> The representatives of the Republic of Korea and Rwanda, while welcoming annual consultations between the Peace and Security Council of the African Union and the Security Council, suggested that the relationships between the two organs could be improved further.<sup>83</sup> The representative of France stated that the diversity of the root causes of conflicts, including economic and social dimensions, should not represent a challenge to the competence of the Security Council, and that the Council needed to address those issues, in close cooperation with the African Union and subregional African organizations, in conformity with Chapter VIII.<sup>84</sup>

<sup>77</sup> S/PV.6946, p. 7.

<sup>78</sup> Ibid., p. 9.

<sup>79</sup> Ibid., p. 10.

<sup>80</sup> Ibid., p. 11.

<sup>81</sup> Ibid., p. 14.

<sup>82</sup> Ibid., p. 21.

<sup>83</sup> Ibid., p. 24 (Republic of Korea); and p. 27 (Rwanda).

<sup>84</sup> Ibid., p. 25.

### III. Peacekeeping operations led by regional arrangements

**Note**

Section III describes the practice of the Security Council in connection with the cooperation between the United Nations and regional organizations in the area of peacekeeping. The section is divided into two subsections: (a) decisions concerning peacekeeping operations led by regional arrangements; and (b) discussions concerning peacekeeping operations led by regional arrangements.

**A. Decisions concerning peacekeeping operations led by regional arrangements**

During the period under review, the Council authorized the establishment of two new peacekeeping missions led by regional organizations, one for Mali in 2012 and another for the Central African Republic in

2013, and increased the authorized strength of the African Union Mission in Somalia (AMISOM) in 2012 and 2013 (see table 3 and accompanying text). The Council renewed the mandate of the International Security Assistance Force (ISAF) in Afghanistan, led by NATO, and the authorization for the Member States participating in ISAF to take all necessary measures to fulfil its mandate. Insofar as it concerned Bosnia and Herzegovina, the Council welcomed the intention of the European Union to maintain its military operation, renewed the authorization of the European Union Force (EUFOR)-Althea, and noted the contribution to the strengthening of the rule of law by the European Union Police Mission which was completed on 30 June 2012. The Council also welcomed the decision of NATO to maintain its Headquarters in Bosnia and Herzegovina, and authorized Member States acting through or in cooperation with EUFOR-Althea and NATO Headquarters to take all necessary measures in carrying out their missions.

Table 3 sets out these decisions and changes made to the mandates of peacekeeping missions led by regional organizations during the period under review.

Table 3  
**Decisions concerning peacekeeping operations led by regional organizations**

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Peacekeeping operations</i>	<i>Mandate changes (with excerpts of provisions for new mandates)</i>
The situation in Afghanistan	Resolution <a href="#">2069 (2012)</a> 9 October 2012  Resolution <a href="#">2120 (2013)</a> 10 October 2013	International Security Assistance Force (ISAF), led by NATO	Mandate renewal (para. 1), with authorization of the use of force (para. 2)
The situation in Bosnia and Herzegovina	Resolution <a href="#">2074 (2012)</a> 14 November 2012  Resolution <a href="#">2123 (2013)</a> 12 November 2013	European Union Force (EUFOR)-Althea and NATO	Mandate renewal (paras. 10 and 11), with authorization of the use of force (paras. 14-16)
The situation in the Central African Republic	Resolution <a href="#">2127 (2013)</a> 5 December 2013	International Support Mission in the Central African Republic, led by the African Union and the Economic Community of the Central African States (ECCAS)	New mandate, with authorization to take all necessary measures to contribute to:  (i) the protection of civilians and restoration of security and public order  (ii) the stabilization of the country and restoration of State authority over the whole territory  (iii) the creation of conditions conducive to the provision of humanitarian assistance  (iv) the disarmament, demobilization, and reintegration process  (v) the national and international efforts to reform and restructure the defence and security sectors (para. 28)
The situation in Mali	Resolution <a href="#">2085 (2012)</a> 20 December 2012	African-led International Support Mission in Mali (AFISMA), led by the African Union and the Economic Community of West African States (ECOWAS)	New mandate, with authorization to take all measures necessary to:  (a) Contribute to the rebuilding of the capacity of the Malian Defence and Security Forces  (b) Support the Malian authorities in recovering the areas in the north of its territory under the control of terrorist, extremist and armed groups and in reducing the threat posed by terrorist organizations  (c) Transition to stabilization activities to support the Malian authorities in maintaining security and consolidate State authority  (d) Support the Malian authorities in their primary responsibility to protect the population

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Peacekeeping operations</i>	<i>Mandate changes (with excerpts of provisions for new mandates)</i>
			(e) Support the Malian authorities to create a secure environment for the civilian-led delivery of humanitarian assistance and the voluntary return of internally displaced persons and refugees
			(f) Protect its personnel, facilities, premises, equipment and mission and ensure the security and movement of its personnel (para. 9)
The situation in Somalia	Resolution <a href="#">2036 (2012)</a> 22 February 2012	African Union Mission in Somalia (AMISOM)	Additional task, with authorization to take all necessary measures to reduce the threat posed by Al-Shabaab and other armed opposition groups, and increase AMISOM force strength (paras. 1 and 2)
	Resolution <a href="#">2072 (2012)</a> 31 October 2012		Mandate renewal, with authorization to take all measures necessary (operative paragraph)
	Resolution <a href="#">2073 (2012)</a> 7 November 2012		Mandate renewal, with authorization to take all measures necessary (para. 1)
	Resolution <a href="#">2093 (2013)</a> 6 March 2013		Mandate renewal, with authorization to take all necessary measures (para. 1)
	Resolution <a href="#">2111 (2013)</a> 24 July 2013		Additional task, to assist the Somali authorities in preventing export of charcoal from Somalia (para. 18)
	Resolution <a href="#">2124 (2013)</a> 12 November 2013		Mandate renewal, with authorization to take all necessary measures and increase force strength (paras. 1 and 3)

### **African-led International Support Mission in Mali**

Subsequent to the start of the rebellion in northern Mali in January 2012, and the military coup on 22 March 2012, the Economic Community of West African States (ECOWAS) informed the Secretary-General on 5 April 2012 of its intent to take all necessary measures to defend the national unity and territorial integrity of Mali, invoking Chapters VII and VIII of the Charter.<sup>85</sup> Endorsing the decision of ECOWAS, the African Union called on the Security Council to support the deployment of an ECOWAS force as a matter of urgency.<sup>86</sup> In its resolution [2056 \(2012\)](#) of 5 July 2012, the Council took note of the request and expressed its readiness to further

examine it, pending further details on the envisaged deployment.

Referring to the request made by the transitional authorities of Mali for military assistance to recover the territories occupied by armed groups in the north, the President of the ECOWAS Commission, on 28 September 2012, sought an urgent meeting of the Security Council to consider the deployment of a stabilization force under Chapter VII.<sup>87</sup> In its resolution [2071 \(2012\)](#) of 12 October 2012, the Council declared its readiness to respond to the request and asked the Secretary-General to

<sup>85</sup> [S/2012/237](#), p. 3.

<sup>86</sup> [S/2012/478](#), para. 16. See also [S/2012/439](#), forwarding a similar request from the African Union.

<sup>87</sup> [S/2012/739](#). See also the letter dated 18 September from the interim President of Mali containing a request for the authorization of an ECOWAS force ([S/2012/727](#)). The transitional authorities of Mali also sought a Security Council resolution requesting the international military force to assist in bringing to justice the perpetrators of war crimes and crimes against humanity committed in northern Mali ([S/2012/784](#)).



immediately provide military and security planners to assist ECOWAS and the African Union, and to submit a report containing recommendations within 45 days. The Council also called on Member States, regional and international organizations, including the African Union and the European Union, to provide coordinated assistance, expertise, training and capacity-building support to the Malian forces. On 24 October 2012, the Peace and Security Council of the African Union referred to the finalization of the planning efforts for an African-led international force in Mali and urged the Security Council to adopt a resolution authorizing its deployment.<sup>88</sup> The concept of operations for the African-led International Support Mission in Mali, adopted by ECOWAS and endorsed by the African Union, was transmitted to the Security Council on 23 November 2013.<sup>89</sup> In his report to the Security Council, issued on 28 November 2012, the Secretary-General stated that the proposed concept provided a basis for the development of more detailed operational plans since fundamental questions on how the force would be led, sustained, trained, equipped and financed remained unanswered.<sup>90</sup>

By its resolution 2085 (2012) of 20 December 2012, the Council authorized the deployment of the African-led International Support Mission in Mali (AFISMA), consisting of 3,300 personnel for an initial period of one year, and called on Member States to contribute troops. AFISMA was authorized to take all necessary measures for the implementation of its mandate, including support for the efforts of the International Criminal Court to bring to justice perpetrators of serious human rights abuses. The Council also emphasized the need to refine the military planning before the commencement of the offensive operation in the north, and requested that the Secretary-General confirm in advance the Council's satisfaction with such an operation. It further stressed that any support provided by the United Nations, regional and subregional organizations and Member States in the context of the military operation in Mali should be consistent with international humanitarian and human rights law and refugee law. The Council also expressed its intention to

consider the provision of a voluntary and a United Nations-funded logistics support package to AFISMA and, taking note of the letter dated 13 December 2012 from the Secretary-General (S/2012/926) on the subject, requested the Secretary-General to further develop and refine options within 30 days.<sup>91</sup>

On 18 January 2013, the Council received a letter from the President of the ECOWAS Commission appealing for urgent measures to accelerate the deployment of AFISMA, in view of the attacks launched by armed groups in northern Mali and the counter-offensive operation initiated by France at the request of the transitional authorities of Mali.<sup>92</sup> The interim President of Mali also urged the Council to expedite the deployment of AFISMA, while making a reference to its transformation into a United Nations stabilization and peacekeeping operation.<sup>93</sup> In response, the Council took note of the reference and requested the Secretary-General to include in his report on Mali due before 20 March recommendations on options for establishing a United Nations peacekeeping operation.<sup>94</sup> The African Union, supporting the transformation of AFISMA into a United Nations peacekeeping operation, stressed that the proposed mission should be given a peace enforcement mandate aimed at dismantling the terrorist and criminal networks operating in the north, and that the Security Council should undertake consultations with the African Union and ECOWAS, including on the leadership and composition of the envisaged mission.<sup>95</sup> On 26 March 2013, the President of the ECOWAS Commission recommended the re-hatting of AFISMA as a robust United Nations stabilization mission, while maintaining a parallel force with the requisite capacity to dislodge any

<sup>88</sup> S/2012/825.

<sup>89</sup> S/2012/876.

<sup>90</sup> S/2012/894, paras. 66-74 and 86. In its communiqué dated 2 December 2012 (S/2012/905), the ECOWAS Council of Ministers stated that it was disturbed by the seeming lack of urgency in the recommendations of the report with regard to the authorization to deploy AFISMA and urged the Council to take into account, in considering the report, the urgent need to adopt a resolution authorizing the use of force and the deployment of AFISMA under Chapter VII of the Charter.

<sup>91</sup> On 20 January 2013, the Secretary-General presented to the Security Council various options for the provision of logistics support to AFISMA in his report (S/2013/37). At the 6905th meeting of the Council on 22 January 2013 on the situation in Mali, representatives of Côte d'Ivoire and Chad, speaking on behalf of ECOWAS, sought the approval of the Council for an emergency logistical and financial support package (S/PV.6905, p. 10 (Côte d'Ivoire); and p. 12 (Chad)).

<sup>92</sup> S/2013/35. In that letter, the President of the ECOWAS Commission also asked the Security Council to consider providing those measures pending a Council decision on a United Nations logistical support package.

<sup>93</sup> S/2013/113.

<sup>94</sup> S/2013/129.

<sup>95</sup> S/2013/163. The Council also received a letter dated 20 March 2013 from the Commissioner for Peace and Security of the African Union (S/2013/192) underscoring the imperative need for the proposed United Nations operation to be provided with a robust mandate, under Chapter VII.

regrouped terrorists or insurgents.<sup>96</sup> The Secretary-General presented options in this regard to the Security Council on 26 March 2013.<sup>97</sup>

On 25 April 2013, by its resolution [2100 \(2013\)](#), the Council established the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), under Chapter VII. It was decided that the authority be transferred from AFISMA to MINUSMA on 1 July 2013 and that MINUSMA include AFISMA military and police personnel appropriate to United Nations standards. The Council also authorized French troops to use all necessary means to intervene in support of MINUSMA when it was under imminent and serious threat, upon the request of the Secretary-General.

### **African-led International Support Mission in the Central African Republic**

Following a coup d'état on 24 March 2013 in the Central African Republic, the Peace and Security Council of the African Union called on the Security Council to seize the opportunity of its meeting on the Central African Republic, scheduled for 15 May 2013, to support the Mission for the Consolidation of Peace in the Central African Republic (MICOPAX) led by the Economic Community of Central African States (ECCAS).<sup>98</sup> No decision was taken at the meeting, and on 17 June 2013 the Peace and Security Council decided to deploy an African-led international support mission in the Central African Republic (MISCA).<sup>99</sup> On 19 July 2013, the Peace and Security Council announced the establishment of MISCA for an initial period of six months with a total strength of 3,652, composed mostly of contingents serving in MICOPAX, and called upon the Security Council, the European Union and bilateral partners to

support the transformation of MICOPAX to MISCA.<sup>100</sup> In its resolution [2121 \(2013\)](#) of 10 October 2013, the Council welcomed the decision encouraged the effective transition from MICOPAX to MISCA, and requested the Secretary-General to provide planners to assist ECCAS and the African Union in the process. The Council further asked the Secretary-General to submit within 30 days a report containing detailed options for international support, including the possible transformation of MISCA into a United Nations peacekeeping operation.

On 5 December 2013, by its resolution [2127 \(2013\)](#), the Council authorized the deployment of MISCA for a period of 12 months, under Chapter VII of the Charter, with the transfer of authority from MICOPAX to MISCA to take effect on 19 December 2013.<sup>101</sup> While requesting the Secretary-General to continue the provision of technical and expert advice to the African Union in the planning and deployment of MISCA, the Council underlined the responsibility of regional organizations to secure human, financial, logistical and other resources. The Council welcomed the willingness of the European Union to provide financial support to MISCA, and requested the Secretary-General to establish a trust fund for MISCA through which partners could provide financial support. The Council also took note of the position of the African Union and ECCAS that MISCA might require eventual transformation into a United Nations peacekeeping operation and requested the Secretary-General, in consultation with the African Union, to submit recommendations to the Council in three months. Finally, the Council authorized the French forces, the strengthening of which had been welcomed by the Peace and Security Council of the African Union, to take all necessary measures to support MISCA until further review of the mandate in six months.

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<sup>96</sup> [S/2013/231](#).

<sup>97</sup> [S/2013/189](#). On 3 May 2013, the Council received a letter dated 19 April 2013 ([S/2013/265](#)) from the African Union and ECOWAS in which the two organizations argued that the "division of labour" being contemplated between the United Nations stabilization mission and a parallel force might result in restricting the effective contribution of the African component to the fight against terrorism in Mali and the Sahel and requested that the Council reconsider the role of the two organizations as well as the envisaged cooperation mechanism between them and MINUSMA, based on the principles of subsidiarity and comparative advantage.

<sup>98</sup> [S/2013/306](#).

<sup>99</sup> [S/2013/397](#).

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<sup>100</sup> [S/2013/476](#). On 20 September 2013, the Secretary-General transmitted a letter dated 6 September 2013 from the Commissioner for Peace and Security of the African Union ([S/2013/566](#)), providing information on consultations between ECCAS and the African Union on the transition from the Mission for the Consolidation of Peace in the Central African Republic to the International Support Mission in the Central African Republic.

<sup>101</sup> Speaking after the vote, the representative of the African Union welcomed the consultation process between the African Union and the Security Council throughout the process leading to the adoption of the resolution, without prejudice to the responsibilities of the Security Council, and stressed the need to replicate it for other consultations, in particular those concerning Somalia, in order to work better together ([S/PV.7072](#), p. 6).

### African Union Mission in Somalia

The African Union Mission in Somalia (AMISOM) went through several review exercises during the reporting period which resulted in an additional task and two increases in its authorized strength. Taking note of a strategic concept for future operations of AMISOM developed by the African Union and United Nations planners,<sup>102</sup> by resolution 2036 (2012), on 22 February 2012 the Council authorized AMISOM to take all necessary measures to reduce the threat posed by Al-Shabaab and other armed opposition groups, and requested the African Union to increase the force strength of AMISOM from 12,000 to 17,731. While agreeing to expand the logistical support package for AMISOM to accommodate the new troop strength and to include therein the reimbursement of contingent-owned equipment on an exceptional basis, the Council reiterated the responsibility of regional organizations to secure human, financial, logistical and other resources. The Council called on partners to support AMISOM through the provision of funding for troop stipends, equipment, technical assistance and contributions through the United Nations Trust Fund for AMISOM. The Council also reiterated its request to the Secretary-General concerning transparency and accountability with regard to the resources provided to AMISOM.

Following the renewal of the mandate of AMISOM by resolution 2073 (2012) of 7 November 2012, the African Union conducted a strategic review of AMISOM to reflect the changing circumstances on the ground, namely the transfer of power from the Transitional Federal Government to the Federal Government and the improvement in the security situation in Somalia.<sup>103</sup> On 27 February 2013, the Peace and Security Council of the African Union called on the Security Council to authorize the enhancement of AMISOM and its support package, as well as measures to develop the capacity of the Somalia security sector, including the provision of basic logistical support to the Somalia forces undertaking joint operations with AMISOM.<sup>104</sup>

<sup>102</sup> See the letter dated 6 January 2012 from the Chairperson of the African Union Commission transmitting the strategic concept (S/2012/19) and the special report of the Secretary-General on Somalia dated 31 January 2012 recommending the expansion of AMISOM, as outlined in the strategic concept, as the most pragmatic way forward (S/2012/74).

<sup>103</sup> On 14 February 2013, the Council received the joint statement of the Secretary-General and the Chairperson of the African Union Commission on the consultations taking place between the two organizations to reach a shared vision on the way forward in respect of Somalia (S/2013/94).

<sup>104</sup> S/2013/134.

In its resolution 2093 (2013) of 6 March 2013, the Council welcomed the outcome of the strategic review, but maintained the ceiling for AMISOM. The Council nevertheless decided that the arms embargo, which had been established by resolution 733 (1992) and further elaborated by resolution 1425 (2002), did not apply to deliveries of weapons or military equipment or the provision of assistance intended for the support of, or use by, partners of AMISOM.<sup>105</sup> In resolution 2093 (2013) the Council also welcomed the review by the Secretary-General of the presence of the United Nations in Somalia, and requested him to report to the Council no later than 19 April 2013 on its results, including the proposed division of labour between the United Nations and the African Union. Further, in resolution 2111 (2013) of 24 July 2013, the Council requested that AMISOM, as part of its mandate, assist the Somali authorities in taking the necessary measures to prevent the export of charcoal from Somalia.

In view of the recommendations of a joint African Union-United Nations review,<sup>106</sup> by resolution 2124 (2013) of 12 November 2013, the Council requested the African Union to increase the strength of AMISOM from 17,731 to a maximum of 22,126 uniformed personnel, and decided to expand the logistical support package accordingly. The Council underlined that the increase was to provide a short-term enhancement of the military capacity of AMISOM for a period of 18 to 24 months and as part of an overall exit strategy, while agreeing that conditions in Somalia were not yet appropriate for the rehatting of AMISOM and deployment of a United Nations peacekeeping operation.

### B. Discussions concerning peacekeeping operations led by regional arrangements

During the period under review, the Council held a debate in connection with the Kosovo Force led by NATO and the European Union Rule of Law Mission in Kosovo, as featured in case 7 below. Discussions relating to the situation in Mali, particularly the deployment of AFISMA, are set out in case 8. Case 9 covers discussions relating to the situation in Somalia, specifically the issue of a maritime component for AMISOM.

<sup>105</sup> The Security Council also called on States and regional organizations to provide assistance to the Federal Government of Somalia to improve the safe storage, registration and distribution and use of weapons.

<sup>106</sup> S/2013/620.

**Case 7**

**Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

During the period under review, Council members continued to discuss the functions of the Kosovo Force (KFOR) and the European Union Rule of Law Mission (EULEX) in Kosovo, including the mandate of the latter's Special Investigative Task Force to investigate and, if warranted, prosecute, individuals for allegations of inhuman treatment of people and illicit trafficking in human organs.<sup>107</sup> At the 6713th meeting, held on 8 February 2012 to consider the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, the representative of Serbia argued that, since EULEX could not operate outside Kosovo, it had neither an adequate mandate nor sufficient jurisdiction to carry out a comprehensive investigation, which could be ensured only if conducted under the auspices of the Security Council.<sup>108</sup> The representative of the Russian Federation questioned the neutrality of KFOR and EULEX, and sought clarification with regard to the planned drawdown of the latter without the approval of the Security Council.<sup>109</sup> The representative of China called on EULEX and other international entities to strictly implement their mandates pursuant to the resolutions of the Security Council, and representatives of South Africa and Guatemala emphasized the requirement for neutrality and impartiality of KFOR and the European Union Rule of Law Mission in Kosovo in the execution of their mandates.<sup>110</sup>

The representatives of Germany and the United Kingdom stressed that both KFOR and EULEX had acted in accordance with their mandates.<sup>111</sup> Representatives of

<sup>107</sup> For reports on the operations of the Kosovo Force during the period under review, see [S/2012/420](#), of 8 June 2012; [S/2012/688](#), of 6 September 2012; [S/2012/873](#), of 26 November 2012; [S/2013/179](#), of 20 March 2013; [S/2013/317](#), of 24 May 2013; [S/2013/572](#), of 25 September 2013; [S/2013/737](#), of 13 December 2013; and [S/2014/113](#), of 20 February 2014. For reports on the activities of the European Union Rule of Law Mission, see [S/2012/72](#), annex I, of 31 January 2012; [S/2012/275](#), annex I, of 27 April 2012; [S/2012/603](#), annex I, of 3 August 2012; [S/2012/818](#), annex 1, of 8 November 2012; and [S/2013/72](#), annex 1, of 4 February 2013; [S/2013/254](#), annex 1, of 30 April 2013; and [S/2013/631](#), annex 1, of 28 October 2013.

<sup>108</sup> [S/PV.6713](#), p. 6.

<sup>109</sup> *Ibid.*, p. 12.

<sup>110</sup> *Ibid.*, p. 13 (China); p. 22 (South Africa); and p. 23 (Guatemala).

<sup>111</sup> *Ibid.*, p. 14 (Germany); and p. 18 (United Kingdom).

the United Kingdom and France expressed their confidence in the capacity of the Mission to carry out investigations in an impartial and independent manner.<sup>112</sup> The representative of the United States stated that the Mission was the appropriate body to conduct an investigation into allegations of serious criminal activity, including organ trafficking, and demanded that the Serb population in northern Kosovo and the Government of Serbia immediately remove all roadblocks hindering freedom of movement of KFOR and the Mission.<sup>113</sup>

**Case 8**

**The situation in Mali**

In discussions leading to the establishment of the African-led International Support Mission in Mali, some Council members urged immediate response to the call made by ECOWAS and the African Union for the authorization of an African-led mission. At the 6882nd meeting, held on 10 December 2012 under the item entitled "Peace and security in Africa: the Sahel: towards a more comprehensive and coordinated approach", the representatives of Côte d'Ivoire, South Africa, Colombia, Portugal and India called on the Council to consider the request in a timely manner.<sup>114</sup> The representative of Guatemala opined that the Sahel region offered a new opportunity to draw lessons from the diverse modes of partnerships between the United Nations and African organizations, as countenanced by Chapter VIII of the Charter. He noted that the earliest initiatives related to Mali had originated in ECOWAS, with the support of the African Union, and welcomed in principle partnerships established between the United Nations and regional and subregional entities that offered benefits based on the comparative advantages of each party without prejudice to the functions assigned to the Council in the Charter.<sup>115</sup>

**Case 9**

**The situation in Somalia**

At the 6718th meeting, held on 22 February 2012, following the adoption of resolution [2036 \(2012\)](#), by which the Council authorized the expansion of the African Union Mission in Somalia (AMISOM), the representative of the United Kingdom emphasized the importance of ensuring that military action in Somalia was undertaken carefully and contributed to the wider

<sup>112</sup> *Ibid.*, p. 18 (United Kingdom); and p. 20 (France).

<sup>113</sup> *Ibid.*, pp. 24 and 25.

<sup>114</sup> [S/PV.6882](#), p. 10 (Côte d'Ivoire); p. 12 (Colombia); p. 21 (Portugal); p. 24 (South Africa); and p. 27 (India).

<sup>115</sup> *Ibid.*, p. 25.

political strategy.<sup>116</sup> Several speakers regretted that the resolution did not include support for maritime assets within AMISOM.<sup>117</sup> The representative of Portugal noted the constraints on the peacekeeping budget and the need to broaden the international donor base for AMISOM, while the representatives of Germany and France highlighted the substantial contributions made by the European Union.<sup>118</sup> The lack of support for the

maritime component of AMISOM was again raised at the 6854th meeting on the situation in Somalia, held on 7 November 2012, by several speakers.<sup>119</sup> The representative of South Africa underscored the need for improving the predictability and sustainability of funding for AMISOM.<sup>120</sup> The representative of Germany echoed that the Council shared the responsibility for the sustainable funding of AMISOM.<sup>121</sup>

<sup>116</sup> S/PV.6718, p. 2.

<sup>117</sup> Ibid., p. 3 (United States); and p. 4 (India, South Africa).

<sup>118</sup> Ibid., p. 3 (Portugal); and p. 5 (Germany, France). The Council welcomed support provided to AMISOM from its partners, particularly the European Union, in its presidential statements on 5 March 2012 and 6 June 2013 (S/PRST/2012/4, S/PRST/2013/7).

<sup>119</sup> S/PV.6854, p. 3 (South Africa); p. 4 (Guatemala); and p. 5 (India).

<sup>120</sup> Ibid., p. 3.

<sup>121</sup> Ibid., p. 4.

## IV. Authorization of enforcement action by regional arrangements

### Note

Section IV deals with the practice of the Security Council in utilizing regional and subregional arrangements for enforcement action, as stipulated under Article 53 of the Charter. Also covered in the section is the implementation of other Chapter VII measures by regional arrangements, such as sanctions and judicial measures, which are not set out in section III.

The section is divided into two subsections: (a) decisions concerning the authorization of enforcement action by regional arrangements; and (b) discussions concerning the authorization of enforcement action and the implementation of other Chapter VII measures by regional arrangements.

### A. Decisions concerning the authorization of enforcement action by regional arrangements

During the period under review, the Council adopted several decisions regarding enforcement action and other Chapter VII measures carried out by regional arrangements. Table 4 provides a list of these decisions, identifies regional organizations mentioned in each decision and highlights their actions relating to enforcement and other Chapter VII measures. The decisions of the Council made during the period under review in this regard fall into the following three categories: (a) recognition of sanctions and other enforcement actions adopted by regional organizations; (b) request for the cooperation of regional arrangements in implementing sanctions and other Chapter VII measures; and (c) authorization of enforcement action by regional arrangements.

Table 4

**Decisions in which the Council recognized and authorized enforcement action by regional arrangements (including Chapter VII measures not covered in section III)**

<i>Item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Enforcement and other Chapter VII measures taken by regional organizations</i>
Peace and security in Africa; the situation in Mali	<a href="#">Resolution 2056 (2012)</a> 5 July 2012	Economic Community of West African States (ECOWAS), African Union	Noted decisions by regional organizations to adopt targeted sanctions in Mali and expressed its readiness to consider appropriate measures (para. 6)
	<a href="#">Resolution 2071 (2012)</a> 12 October 2012	ECOWAS	Noted decisions by ECOWAS to adopt targeted sanctions in Mali and expressed its readiness to consider appropriate measures (para. 2)
The situation in the Central African Republic	<a href="#">Resolution 2121 (2013)</a> 10 October 2013	African Union	Noted the suspension of the Central African Republic from participation in all African Union activities and imposition of measures against Séléka leaders  Called on stakeholders to enhance coordination, including through the African Union Regional Task Force and the United Nations regional strategy, to address the threat posed by the Lord's Resistance Army (LRA) (para. 12)
	<a href="#">Resolution 2127 (2013)</a> 5 December 2013	Regional organizations, African Union	Urged the cooperation of regional organizations in the implementation of sanctions pursuant to resolution <a href="#">2127 (2013)</a> (para. 60)  Emphasized coordination between the United Nations Integrated Peacebuilding Office in the Central African Republic, the African Union-Regional Task Force and the International Support Mission in the Central African Republic in protection of civilians activities and counter-LRA operations (para. 31)
The situation in the Democratic Republic of the Congo	<a href="#">Resolution 2053 (2012)</a> 27 June 2012	African Union, sub-regional organizations	Called for further engagement in stabilization efforts in the fields of security and combating illicit exploitation and trade of natural resources (seventeenth preambular paragraph)  Reiterated support for regional action against LRA and to protect civilians (para. 21)
The situation in Guinea-Bissau	<a href="#">Resolution 2048 (2012)</a> 18 May 2012	African Union, ECOWAS, Community of Portuguese-speaking Countries, European Union, regional organizations	Noted efforts by regional organizations in response to the crisis and the mediation efforts led by ECOWAS (fourth preambular paragraph)  Encouraged cooperation in implementation of sanctions in pursuance of resolution <a href="#">2048 (2012)</a> (para. 9)

<i>Item</i>	<i>Decision and date</i>	<i>Regional organizations mentioned</i>	<i>Enforcement and other Chapter VII measures taken by regional organizations</i>
The situation in Somalia	<a href="#">Resolution 2077 (2012)</a> 21 November 2012	Regional organizations	Renewed calls for participation in the fight against piracy and armed robbery at sea (para. 10)
	<a href="#">Resolution 2125 (2013)</a> 18 November 2013		Renewed use of force to repress acts of piracy and armed robbery (para. 12)
Reports of the Secretary-General on the Sudan and South Sudan	<a href="#">Resolution 2035 (2012)</a> 17 February 2012	African Union	Urged cooperation in the implementation of sanctions pursuant to resolution <a href="#">1591 (2005)</a> and resolution <a href="#">1556 (2004)</a> (para. 12)
	<a href="#">Resolution 2091 (2013)</a> 14 February 2013		

In several instances during the period under review, the Council responded to the adoption of sanctions by regional organizations. In the aftermath of the coup d'état in Mali on 22 March 2012, both ECOWAS and the African Union imposed measures, including a travel ban and an asset freeze, against the perpetrators of the coup.<sup>122</sup> The Council took note of the decisions and expressed its readiness to consider appropriate measures.<sup>123</sup> Following the coup d'état in Guinea-Bissau on 12 April 2012, the Peace and Security Council of the African Union suspended the participation of Guinea-Bissau in all activities of the African Union and imposed travel ban and an asset freeze against the perpetrators of the coup, and the Security Council to support these sanctions measures.<sup>124</sup> The Council responded by imposing a travel ban on the coup leaders, and mandated the sanctions Committee to seek from all States and international, regional and subregional organizations whatever information it might consider useful regarding the actions taken by them to implement effectively the sanctions measures imposed.<sup>125</sup> Subsequent to the coup in the Central African Republic on 24 March 2013, the Peace and Security Council of the African Union imposed a travel ban and an asset freeze against those involved in the seizure of power, suspended the participation of the Central African Republic in all the activities of the African Union, and urged the Security Council to consider taking stiff measures against those Central African Republic political and military actors involved in acts to undermine the Libreville Agreements and in violations of international humanitarian law and human

rights.<sup>126</sup> The Council initially noted the decision of the Peace and Security Council,<sup>127</sup> and subsequently decided to impose an arms embargo against the Central African Republic and urged all parties and all Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts.<sup>128</sup> The Council also continued to urge the African Union and other parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions [1591 \(2005\)](#) and [1556 \(2004\)](#) concerning the Sudan.<sup>129</sup>

With regard to enforcement action, acting under Chapter VII, the Council renewed twice, for a period of 12 months, the authorization granted, including the use of all necessary means, to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia.<sup>130</sup> Also acting under Chapter VII, the Council reiterated its support to the initiatives taken by the United Nations and the African Union to facilitate regional action against the Lord's Resistance Army (LRA) and to protect civilians in the Democratic Republic of the Congo,<sup>131</sup> including efforts to strengthen the military capabilities of the countries affected by LRA. The Council also reiterated its call for the African Union and all relevant subregional organizations to engage in stabilization efforts in the Democratic Republic of the Congo,

<sup>122</sup> See [S/2012/209](#), enclosure 2.

<sup>123</sup> Resolution [2056 \(2012\)](#), para. 6.

<sup>124</sup> See [S/2012/298](#), enclosures 1 and 4.

<sup>125</sup> Resolution [2048 \(2012\)](#), para. 9 (f).

<sup>126</sup> [S/2013/202](#), enclosure I, para. 7.

<sup>127</sup> Resolution [2121 \(2013\)](#), sixteenth preambular paragraph.

<sup>128</sup> Resolution [2127 \(2013\)](#), paras. 54 and 60.

<sup>129</sup> Resolution [2091 \(2013\)](#), para. 12.

<sup>130</sup> Resolutions [2077 \(2012\)](#), para. 12; and [2125 \(2013\)](#), para. 12.

<sup>131</sup> Resolution [2053 \(2012\)](#), para. 21.

including through combating illicit exploitation and trade of natural resources.<sup>132</sup>

Without invoking Chapter VII, the Council welcomed initiatives taken by ECCAS, ECOWAS, the Gulf of Guinea Commission and the Maritime Organization for West and Central Africa, in cooperation with the African Union, to enhance maritime safety and security in the Gulf of Guinea.<sup>133</sup> The Council also encouraged international partners to provide support for the enhancement of their capabilities to counter piracy and armed robbery at sea, including their capacity to conduct regional patrols.<sup>134</sup> Similarly, the Council welcomed, and called on international partners to support, regional initiatives to address the impact of transnational organized crime in West Africa and the Sahel region,<sup>135</sup> including drug trafficking.<sup>136</sup>

## **B. Discussions concerning the authorization of enforcement action by regional arrangements**

Discussions concerning enforcement action and implementation of other Chapter VII measures by regional agreements during the period under review involved the question whether the threat of sanctions would help the negotiation process facilitated by the African Union between the Sudan and South Sudan, as featured in case study 10. At the 6962nd meeting, held on 8 May 2013 in connection with the situation in Libya, the representative of Pakistan encouraged NATO to cooperate fully with the International Criminal Court in investigating reports of civilian casualties incurred in connection with the NATO operation there.<sup>137</sup>

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<sup>132</sup> Ibid., seventeenth preambular paragraph.

<sup>133</sup> Resolution 2039 (2012), tenth preambular paragraph.

<sup>134</sup> S/PRST/2013/13, sixteenth paragraph.

<sup>135</sup> S/PRST/2012/2.

<sup>136</sup> S/PRST/2013/22.

<sup>137</sup> S/PV.6962, p. 13.

## **Case 10 Reports of the Secretary-General on the Sudan and South Sudan**

Following the adoption of resolution 2046 (2012) at the 6764th meeting, held on 2 May 2012, in which the Council expressed its intention to take measures under Article 41 unless the Sudan and South Sudan took immediate steps identified by the African Union to resume negotiations on post-secession relations, the representative of China argued that the international community should refrain from interfering in the mediation efforts of the African Union and other organizations and countries of the region.<sup>138</sup> The representative of the Russian Federation repeated his preference for solving African problems by relying on the positions and assessments of regional organizations. He considered the sanctions route an extreme step for influencing the parties and stated his intention to weigh the implications of Article 41 of the Charter carefully.<sup>139</sup> The representatives of South Africa, Germany, Colombia, France, Togo, the United Kingdom and Portugal stated that the vote signalled and lent support for the decision of the African Union regarding the Sudan and South Sudan.<sup>140</sup> The representative of Pakistan recognized the centrality of the role of the African Union in resolving issues pertaining to Africa. Cautioning against the threat or use of sanctions, he contended that the Council tended to respond to the African Union selectively based upon narrow political calculus and expediency.<sup>141</sup> The representative of Guatemala observed that, by voting favourably, the Council was not only responding to the appeal made by the African Union but fulfilling the role assigned to the Council by the Charter.<sup>142</sup>

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<sup>138</sup> S/PV.6764, p. 3.

<sup>139</sup> Ibid., p. 5.

<sup>140</sup> Ibid., p. 4 (South Africa); p. 5 (Germany); p. 6 (Colombia, France); p. 7 (Togo); p. 8 (United Kingdom); and p. 9 (Portugal).

<sup>141</sup> Ibid., pp. 8-9.

<sup>142</sup> Ibid., p. 9.



## V. Reporting by regional arrangements on their activities in the maintenance of international peace and security

### Note

In section V, reporting by regional arrangements on their activities in the maintenance of international peace and security within the framework of Article 54 of the Charter is examined under the following two headings: (a) decisions concerning reporting by regional arrangements; and (b) discussions concerning reporting by regional arrangements.

### A. Decisions concerning reporting by regional arrangements

During the period under review, the Council made one explicit reference to Article 54 in its decisions. In other instances, the Council requested regional organizations to report on their peacekeeping operations or enforcement actions, or the Secretary-General to keep the Council informed of the activities of regional organizations in relation to the maintenance of international peace and security (see table 5).

Table 5  
Decisions concerning reporting by regional arrangements

<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Reporting requirements</i>
<b>Explicit reference to Article 54</b>		
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security: strengthening the relationship between the United Nations and regional organizations, in particular the African Union	<a href="#">Resolution 2033 (2012)</a> 12 January 2012	Regional and subregional organizations at all times to keep the Council informed, in accordance with Article 54 of the Charter (eighth preambular paragraph)
<b>Other reporting requirements</b>		
Peace consolidation in West Africa: piracy in the Gulf of Guinea	<a href="#">Resolution 2039 (2012)</a> 29 February 2012	Secretary-General to keep the Council regularly informed on progress by the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission (para. 10)
The situation in Afghanistan	<a href="#">Resolution 2069 (2012)</a> 9 October 2012  <a href="#">Resolution 2120 (2013)</a> 10 October 2013	International Security Assistance Force to keep the Council informed through quarterly reports (para. 8) <sup>a</sup>
The situation in Bosnia and Herzegovina	<a href="#">Resolution 2074 (2012)</a> 14 November 2012  <a href="#">Resolution 2123 (2013)</a> 12 November 2013	Member States acting through or in cooperation with the European Union and NATO to report to the Council on the activity of EUFOR-Althea and NATO Headquarters presence at least at three-monthly intervals (resolution <a href="#">2123 (2013)</a> , para. 19) <sup>b</sup>
The situation in the Central African Republic	<a href="#">Resolution 2127 (2013)</a> 5 December 2013	African Union to report to the Council every 60 days on the deployment and activities of the African-led International Support Mission in the Central African Republic (para. 32)

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<i>Item/sub-item</i>	<i>Decision and date</i>	<i>Reporting requirements</i>
The situation in Mali	Resolution 2085 (2012) 20 December 2012	African Union to report to the Council every 60 days on the deployment and activities of the African-led International Support Mission in Mali (para. 10)
The situation in Somalia (piracy)	Resolution 2077 (2012) 21 November 2012	Regional organizations cooperating with Somali authorities to inform the Council within nine months of the progress of actions undertaken (para. 33)
	Resolution 2125 (2013) 18 November 2013	Regional organizations cooperating with Somali authorities to inform the Council in nine months of the progress of actions undertaken (para. 29)
The situation in Somalia	Resolution 2036 (2012) 22 February 2012	African Union to keep the Council informed on the implementation of the mandate of AMISOM, through the provision of written reports, no later than 30 days after the adoption of resolution 2036 (2012) and every 60 days thereafter (para. 21) <sup>c</sup>
	Resolution 2093 (2013) 6 March 2013	African Union to keep the Council informed on the implementation of the mandate of AMISOM through the provision of written reports every 90 days (para. 8) <sup>d</sup>

<sup>a</sup> For reports during the period under review, see [S/2012/150](#), of 12 March 2012; [S/2012/424](#), of 11 June 2012; [S/2012/692](#), of 7 September 2012; [S/2012/921](#), of 12 December 2012; [S/2013/182](#), of 22 March 2013; [S/2013/363](#), of 20 June 2013; [S/2013/558](#), of 17 September 2013; and [S/2013/750](#), of 18 December 2013.

<sup>b</sup> For reports during the period under review, see [S/2012/138](#), of 7 March 2012; [S/2012/307](#), of 9 May 2012; [S/2012/813](#), of 6 November 2012; [S/2013/90](#), of 12 February 2013; [S/2013/263](#), of 3 May 2013; [S/2013/646](#), of 6 November 2013; and [S/2013/692](#), of 26 November 2013.

<sup>c</sup> For the reports of the African Union in pursuance of resolution [2036 \(2012\)](#), see [S/2012/176](#), of 26 March 2012; [S/2012/468](#), of 20 June 2012; [S/2012/666](#), of 24 August 2012; [S/2012/764](#), of 12 October 2012; and [S/2013/56](#), of 25 January 2013.

<sup>d</sup> For reports in pursuance of resolution [2093 \(2013\)](#), see [S/2013/371](#) of 24 June 2013 and [S/2013/606](#) of 14 October 2013.

In its decision regarding the partnership with the African Union, the Council emphasized the need to improve regular interaction, consultation and coordination between the Security Council and the Peace and Security Council of the African Union.<sup>143</sup> The Council also set out reporting requirements for regional organizations in connection with peacekeeping operations and enforcement actions led by regional organizations, as well as the pacific settlement of disputes in the case of the Sahel.

<sup>143</sup> The Council also took note of the need to follow up on the annual meetings with the Peace and Security Council of the African Union, including through the Security Council Ad Hoc Working Group on Conflict Prevention and Resolution in Africa. See also the reports of the Ad Hoc Working Group for 2012 and 2013 ([S/2012/965](#) and [S/2013/778](#)). For more information on the activities of the Working Group, see part IX.

## B. Discussions concerning reporting by regional arrangements

On a few occasions, Council members made explicit references to Article 54 in their deliberations on issues related to the maintenance of international peace and security. At the 6715th meeting, held on 9 February 2012 under the item entitled “Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe”, the representative of India referred to Article 54 and reiterated the requirement for regional organizations to keep the Council fully informed of their activities for the maintenance of international peace and security.<sup>144</sup> The representative of South Africa stated that Article 54, under which the Organization for Security and Cooperation in Europe briefed the Council, envisaged strong cooperation between the Security

<sup>144</sup> [S/PV.6715](#), p. 9.

Council and regional organizations in the maintenance of international peace and security.<sup>145</sup>

At the 7015th meeting, held on 6 August 2013 in connection with the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security”, the representative of India cited Article 54 as enjoining regional organizations to keep the Security

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<sup>145</sup> Ibid., p. 16.

Council fully informed of their activities for the maintenance of international peace and security.<sup>146</sup> The representative of Solomon Islands stated that his country had always recognized the role of regional organizations, by way of complying with Article 54, in keeping the Council abreast of the activities undertaken by regional organizations for the maintenance of international peace and security.<sup>147</sup>

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<sup>146</sup> [S/PV/7015 \(Resumption 1\)](#), p. 38.

<sup>147</sup> Ibid., p. 48.



## **Part IX**

### **Subsidiary organs of the Security Council: committees, tribunals and other bodies**

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## **Introductory note**

### *Article 29*

*The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.*

### *Rule 28*

*The Security Council may appoint a commission or committee or a rapporteur for a specified question.*

The power of the Security Council to establish subsidiary organs is set out in Article 29 of the Charter of the United Nations and rule 28 of its provisional rules of procedure. Part IX covers the practice of the Council relating to committees, working groups, investigative bodies, tribunals, ad hoc commissions, and special advisers, envoys and representatives as well as the Peacebuilding Commission. It also includes instances of subsidiary organs that were proposed but not established. Field-based missions, including peacekeeping and political missions, are covered in part X of the present supplement. Field-based missions led by regional organizations are covered in part VIII.

The present part is divided into eight sections: committees, working groups, investigative bodies, tribunals, ad hoc commissions, and special advisers, envoys and representatives, Peacebuilding Commission and subsidiary organs of the Council proposed but not established. Brief background information and a summary of the major developments during the period under review are provided for each subsidiary organ. For each organ, a table illustrates the mandate active at the start of the period under review and any subsequent changes, with the full text of all paragraphs of Council decisions that relate to changes in the mandate of the organ in 2012 and 2013.

The mandates of the subsidiary organs are grouped on the basis of general categories and labelled with key terms relating to their mandate and functions. This system of categorization is provided only as a convenience to readers and does not reflect any practice or decision of the Council.



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## I. Committees

### Note

Section I focuses on the decisions of the Security Council concerning the establishment of committees, the implementation of and changes to their mandates and their termination during the period 2012-2013. Subsection A covers standing committees, and subsection B covers committees established under Chapter VII of the Charter of the United Nations. The description of each committee focuses on its mandate and on that of its corresponding technical support body, including monitoring teams, panels and groups of experts. Sanctions measures, such as arms embargoes, asset freezes and travel bans, are not covered in detail in part IX. For a detailed description of the sanctions regimes, refer to part VII, section III, in regard to Article 41 of the Charter.

Committees of the Council consist of all 15 members of the Council. Their meetings are held in private, unless a Committee itself decides otherwise, and decisions are reached by consensus. The Bureaux of the Committees generally consist of a Chair and Vice-Chairs, who are elected by the Council annually.<sup>1</sup> The Council has both standing committees, which meet only when issues under their purview are being considered, and committees established on an ad hoc basis to respond to specific requirements of the Council, such as counter-terrorism or sanctions committees.

### A. Standing committees

During the period under review, the standing committees, namely, the Committee of Experts on Rules of Procedure, the Committee of Experts established by the Council at its 1506th meeting in connection with the question of associate membership, the Committee on Admission of New Members and the Committee on Council Meetings away from Headquarters did not hold any meetings.

### B. Committees established under Chapter VII of the Charter

During the period under review, the Council established two new sanctions committees and further

developed the mandates of the existing ones. Subsection 1 deals with the fourteen committees that oversaw specific sanctions measures in 2012 and 2013. Subsection 2 deals with two other committees with broader mandates relating to terrorism and non-proliferation, namely, the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and the Committee established pursuant to resolution 1540 (2004). Within each subsection, the committees are dealt with in the order of their establishment. Other subsidiary bodies, including the Office of the Ombudsperson and groups or panels of experts, whose mandates include assisting and/or reporting to specific sanctions committees are featured together with the relevant committees.

### 1. Committees overseeing specific sanctions measures

In 2012 and 2013, the Council established two new committees to oversee the implementation of measures adopted under Chapter VII of the Charter: the Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau, and the Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic. The total number of Committees overseeing specific sanctions measures increased from 12 to 14 by the end of 2013. The Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau was given the task of overseeing the travel ban imposed on individuals seeking to prevent the restoration of the constitutional order or taking action that undermined stability in Guinea-Bissau following the coup d'état of April 2012. The mandate of the Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic was to oversee the arms embargo that the Council had imposed following a massive deterioration of the security situation and widespread human rights abuses in the Central African Republic.

The Committees carried out their mandates of, inter alia, listing and delisting individuals and entities, granting exemptions and processing notifications, monitoring and assessing implementation, and reporting to the Council. In addition to submitting reports, Committee Chairs briefed the Council in both closed consultations and in open meetings. For example, during the period 2012-2103, the Chairs of the three Committees with mandates

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<sup>1</sup> For the Bureaux of the committees during the period covered, see [S/2012/2](#), [S/2012/2/Add.1](#), [S/2012/2/Rev.1](#), [S/2012/2/Rev.2](#), [S/2013/2](#), [S/2013/2/Rev.1](#).

relating to terrorism<sup>2</sup> briefed the Council on their work twice each year in the context of public meetings,<sup>3</sup> the Chair of the Committee established pursuant to resolution 1737 (2006) briefed the Council in public meetings eight times, and the Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya briefed the Council in public meetings seven times.<sup>4</sup> Chairs of other committees briefed the Council in closed consultations.

Furthermore, at the end of each year during the period under review, several Chairs briefed the Council under the item entitled “Briefings by Chairmen of subsidiary bodies of the Security Council”.<sup>5</sup>

During the same period, the Council also requested the Secretary-General to establish a panel of experts to assist the work of the Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic by gathering, examining and analysing information regarding the implementation of the measures, in particular incidents of non-compliance, and by providing the Committee with information regarding potential listings. The mandate of the nine other bodies previously established to support and assist the sanctions committees was renewed during the period under review.<sup>6</sup> The Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated

individuals and entities was assisted by the Office of the Ombudsperson in considering delisting requests.

The focal point to receive delisting requests, established pursuant to resolution 1730 (2006), also continued to function and receive requests for delisting from individuals and entities on various sanctions lists.

#### **Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea**

In its resolution 2036 (2012), the Council imposed a ban on the direct and indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia. The Council, in the same resolution, expanded the mandate of the Committee pursuant to resolutions 751 (1992) and 1907 (2009) and, to support the work of the Committee, also expanded the mandate of the Monitoring Group on Somalia and Eritrea, previously expanded by resolution 2023 (2011). In particular, the Council requested the Monitoring Group to assess the impact of the charcoal ban in its final report, and decided, *inter alia*, that the Committee might designate individuals and entities engaging in the commerce of charcoal with Somalia.

Exemptions to the arms embargo were introduced by the Council in resolutions 2060 (2012), 2077 (2012) and 2093 (2013), and further consolidated in resolution 2111 (2013). In each case, the Committee was given the task of granting exemptions or processing the relevant notifications. In resolution 2093 (2013), the Council requested the Monitoring Group to report on the handling by the Security Forces of the Federal Government of Somalia of arms exempted from the embargo.

The mandate of the Monitoring Group was extended twice, in resolution 2060 (2012) for 13 months and in resolution 2111 (2013) for 16 months. In the same resolutions, the Committee was asked to recommend to the Council ways to improve the implementation of and compliance with the measures regarding Somalia and Eritrea.

Tables 1 and 2 provide the full text of all provisions of Council decisions regarding the mandate of the Committee and the Monitoring Group in 2012 and 2013.

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<sup>2</sup> Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities; Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism; and Committee established pursuant to resolution 1540 (2004).

<sup>3</sup> See S/PV.6767, S/PV.6862, S/PV.6964, S/PV.7071.

<sup>4</sup> Committee established pursuant to resolution 1737 (2006): see S/PV.6737, S/PV.6786, S/PV.6839, S/PV.6888, S/PV.6930, S/PV.6999, S/PV.7028 and S/PV.7082; Committee established pursuant to resolution 1970 (2011): see S/PV.6728, S/PV.6768, S/PV.6857, S/PV.6934, S/PV.6981, S/PV.7031 and S/PV.7075.

<sup>5</sup> S/PV.6881 and S/PV.7076; see also part I, “Briefings”.

<sup>6</sup> Five panels of experts: on the Democratic People’s Republic of Korea, on the Islamic Republic of Iran, on Liberia, on Libya and on the Sudan; and two groups of experts: on the Democratic Republic of the Congo and on Côte d’Ivoire; the Monitoring Group on Somalia and Eritrea; and the Analytical Support and Sanctions Monitoring Team of the Al-Qaida sanctions committee.

Table 1  
**Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2036 (2012)</b>	
<b>General</b>	
Adapt mandate to modified measures	Decides that the mandate of the Committee shall apply to the measures in paragraph 22, decides that the mandate of the Monitoring Group shall likewise be expanded, and considers that such commerce may pose a threat to the peace, security, or stability of Somalia and, therefore, that the Committee may designate individuals and entities engaged in such commerce as subject to the targeted measures established by resolution 1844 (2008) (para. 23)
<b>Listing/delisting</b>	
Designate individuals and entities	See para. 23 of the resolution, under “General” above
<b>Resolution 2060 (2012)</b>	
<b>Exemptions</b>	
Grant exemptions	Decides that measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to supplies of weapons and military equipment, or the provision of assistance, solely for the support of or use by the United Nations Political Office for Somalia, as approved in advance by the Committee pursuant to resolutions 751 (1992) and 1907 (2009)(para. 10)  Decides further that the measures imposed by paragraph 5 of resolution 1907 (2009) shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee (para. 12)
<b>Coordination and cooperation</b>	
Coordinate with other entities	Requests the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations in the reports of the Monitoring Group and to recommend to the Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the targeted measures imposed by paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009), taking into account paragraph 1, in response to continuing violations (para. 15)
<b>Reporting</b>	
Report and make recommendations	See para. 15 of the resolution, under “Coordination and cooperation” above

*Decision or mandated task, by category*

*Provisions*

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**Resolution 2077 (2012)**

**Exemptions**

Process notifications

Also affirms that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) of 22 July 2002 do not apply to weapons and military equipment destined for the sole use of Member States and regional organizations taking measures in accordance with paragraph 12 or to supplies of technical assistance to Somalia solely for the purposes set out in paragraph 6 of resolution 1950 (2010) which have been exempted from those measures in accordance with the procedure set out in paragraphs 11 (b) and 12 of resolution 1772 (2007) of 20 August 2007 (para. 14)

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**Resolution 2093 (2013)**

**Exemptions**

Process notifications

Further decides that the Federal Government of Somalia shall notify the Committee pursuant to resolutions 751 (1992) and 1907 (2009), for its information, at least five days in advance, of any deliveries of weapons or military equipment or the provision of assistance intended solely for the Security Forces of the Federal Government of Somalia, as permitted in paragraph 33 of the present resolution, providing details of such deliveries or assistance and the specific place of delivery in Somalia, further decides that the Member State delivering assistance may, in the alternative, make this notification after informing the Federal Government that it intends to do so, and stresses the importance that such notifications contain all relevant information, including, where applicable, the type and quantity of weapons, ammunitions, military equipment and materiel to be delivered, and the proposed date of delivery (para. 38)

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**Resolution 2111 (2013)**

**Exemptions**

Grant exemptions

Also decides that supplies of items in the annex to the present resolution to the Federal Government of Somalia by Member States or international, regional and subregional organizations require an advance approval by the Committee on a case-by-case basis (para. 7)

Further decides that the arms embargo on Eritrea shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved on a case-by-case basis in advance by the Committee (para. 12)

Process notifications

Decides that the arms embargo on Somalia shall not apply to:

...

(g) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, notified to the Committee five days in advance and for its information only, by the supplying State, international, regional or subregional organization (para. 10)

*Decision or mandated task, by category*

*Provisions*

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Also decides that the arms embargo on Somalia shall not apply to:

(a) Supplies of weapons or military equipment and technical assistance or training by Member States or international, regional and subregional organizations intended solely for the purposes of helping to develop Somali security sector institutions, in the absence of a negative decision by the Committee within five working days of receiving a notification of any such assistance from the supplying State or international, regional or subregional organization (para. 11)

Decides that the Federal Government of Somalia has the primary responsibility to notify the Committee, for its information at least five days in advance, of any deliveries of weapons or military equipment or the provision of assistance intended solely for the Security Forces of the Federal Government of Somalia, as permitted in paragraph 6 of the present resolution and excluding the items listed in the annex to the present resolution (para. 14)

Also decides that the Member State or international, regional and subregional organization delivering assistance may, in the alternative, make this notification in consultation with the Federal Government of Somalia (para. 15)

Stresses the importance that notifications submitted to the Committee in accordance with paragraphs 14 and 15, contain all relevant information, including, where applicable, the type and quantity of weapons, ammunitions, military equipment and materiel to be delivered, the proposed date and the specific place of delivery in Somalia (para. 16)

Calls upon the Federal Government of Somalia to fulfil its obligations under the terms of the suspension of the arms embargo, in particular the notification procedure set out in paragraph 14 of the present resolution (para. 17)

### **Coordination and cooperation**

Coordinate with other entities

Requests the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities to consider the recommendations contained in the reports of the Monitoring Group and to recommend to the Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the targeted measures imposed by paragraphs 1, 3 and 7 of resolutions [1844 \(2008\)](#) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution [1907 \(2009\)](#) taking into account paragraph 1, in response to continuing violations (para. 29)

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### **Reporting**

Report and make recommendations

See para. 29 of the resolution, under “Coordination and cooperation” above

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Table 2

**Monitoring Group on Somalia and Eritrea: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2036 (2012)</b>	
<b>General</b>	
Adapt mandate to modified measures	Decides also that the mandate of the Committee shall apply to the measures in paragraph 22, decides that the mandate of the Monitoring Group shall likewise be expanded, and considers that such commerce may pose a threat to the peace, security or stability of Somalia and, therefore, that the Committee may designate individuals and entities engaged in such commerce as subject to the targeted measures established by resolution 1844 (2008) (para.23)
<b>Assessment and evaluation</b>	
Assess impact and effectiveness of measures	Decides that Somali authorities shall take the necessary measures to prevent the export of charcoal from Somalia and that all Member States shall take the necessary measures to prevent the direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia; further decides that all Member States shall report to the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea within 120 days of the adoption of the present resolution on the steps they have taken towards effective implementation of the present paragraph; and requests the Monitoring Group on Somalia and Eritrea re-established pursuant to resolution 2002 (2011) to assess the impact of the charcoal ban in its final report (para. 22)
<b>Resolution 2060 (2012)</b>	
<b>General</b>	
Extension	Decides to extend until 25 August 2013 the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), extended by subsequent resolutions, including by resolutions 2002 (2011), 2023 (2011) and 2036 (2012), expresses its intent to review the mandate and take appropriate action regarding the further extension no later than 25 July 2013, and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a period of 13 months from the date of the present resolution, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to previous resolutions, including resolution 2002 (2011), and consistent with resolutions 1907 (2009), 2023 (2011) and 2036 (2012), this mandate being as (para. 13)
<b>Listing/delisting</b>	
Provide information relevant to listing	<p>To assist the Committee in monitoring the implementation of the measures imposed in paragraphs 1, 3 and 7 of 1844 (2008), including by reporting any information on violations, and to include in its reports to the Committee any information relevant to the potential designation of the individuals and entities described in paragraph 1 (para. 13 (a))</p> <p>To assist the Committee in compiling narrative summaries, referred to in paragraph 14 of resolution 1844 (2008), of individuals and entities designated pursuant to paragraph 1 (para. 13 (b))</p> <p>To continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005), paragraphs 23 (a) to (c) of resolution 1844 (2008) and paragraphs 19 (a) to (d) of resolution 1907 (2009) (para. 13 (d))</p>

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Assessment and evaluation</b>	
Assess impact and effectiveness of measures	See para. 13 (a) and (d) of the resolution, under “Listing/delisting” above
<b>Monitoring and enforcement</b>	
Monitor implementation	See para. 13 (a) and (d) of the resolution, under “Listing/delisting” above
Gather and analyse information on compliance	To investigate any seaport operations in Somalia that may generate revenue for Al-Shabaab, an entity designated by the Committee for meeting the listing criteria in resolution <a href="#">1844 (2008)</a> (para. 13 (c))  To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes (para. 13 (e))  To investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes (para. 13 (f))
Focus activities in specific region	See para. 13 (d) of the resolution, under “Listing/delisting” above
Provide information on violations	See para. 13 (a), (b) and (d) of the resolution, under “Listing/delisting” above
Provide a list of violators	To continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraph 1 inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate (para. 13 (g))  To compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (a) to (e) of resolution <a href="#">1907 (2009)</a> , inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate (para. 13 (h))
<b>Coordination and cooperation</b>	
Coordinate with other entities	Requests enhanced cooperation, coordination and information sharing between the Monitoring Group and the humanitarian organizations operating in Somalia and neighbouring countries (para. 9)  See para. 13 (d) of the resolution, under “Listing/delisting” above  To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution <a href="#">1844 (2008)</a> and paragraphs 5, 6, 8, 10, 12 and 13 of resolution <a href="#">1907 (2009)</a> concerning Eritrea (para. 13 (j))
<b>Technical assistance</b>	
Assist States in complying with measures	To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution <a href="#">1844 (2008)</a> and paragraphs 5, 6, 8, 10, 12 and 13 of resolution <a href="#">1907 (2009)</a> concerning Eritrea (para. 13 (k))

## Repertoire of the Practice of the Security Council, 2012-2013

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*Decision or mandated task, by category*

*Provisions*

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### Reporting

Provide periodic reports	To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis (para. 13 (l))
Report and make recommendations	See para. 13 (d) of the resolution, under “Listing/delisting” above  To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) and 1474 (2003) of 8 April 2003 and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003) of 16 December 2003, 1558 (2004), 1587 (2005), 1630 (2005) of 14 October 2005, 1676 (2006) of 10 May 2006, 1724 (2006) of 29 November 2006, 1766 (2007) of 23 July 2007, 1811 (2008) of 29 April 2008, 1853 (2008) of 19 December 2008, 1916 (2010) of 19 March 2010 and 2002 (2011) (para. 13 (i))  See para. 13 (l) of the resolution, above  To submit, for consideration by the Council, through the Committee, two final reports, one focusing on Somalia, the other on Eritrea, covering all the tasks set out, no later than 30 days prior to the termination of the mandate of the Monitoring Group (para. 13 (m))

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### Resolution 2093 (2013)

#### Assessment and evaluation

Assess impact and effectiveness	Requests the Monitoring Group on Somalia and Eritrea to include in its reporting to the Committee both an assessment of the progress made in the areas set out in (b) and (c) of paragraph 39 of the present resolution and an assessment of any misappropriation or sale to other groups, including militias, in order to assist the Council in any review of the appropriateness of the provisions outlined in paragraph 33 of the present resolution, which are for the purpose of building the capacity of the Security Forces of the Federal Government of Somalia and providing security for the people of Somalia, and further requests the Monitoring Group to report on its own ability to monitor delivery of weapons, military equipment and assistance to Somalia (para. 41)
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#### Reporting

Report and make recommendations	See para. 41 of the resolution, under “Assessment and evaluation” above
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### Resolution 2111 (2013)

#### General

Extension	Decides to extend until 25 November 2014 the mandate of the Monitoring Group as set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), expresses its intent to review the mandate and take appropriate action regarding the further extension no later than 25 October 2014, and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group, in consultation with the Committee, for a period of 16 months from the date of the present resolution, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to previous resolutions (para. 27)
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#### Coordination and cooperation

Coordinate with other entities	Requests enhanced cooperation, coordination and information-sharing between the Monitoring Group and the humanitarian organizations operating in Somalia and neighbouring countries (para. 24)  Underlines the importance of engagement between the Government of Eritrea and the Monitoring Group, and underlines its expectation that the Government of Eritrea will facilitate the entry of the Monitoring Group to Eritrea without any further delay (para. 31)
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Decision or mandated task, by category

Provisions

## Reporting

Provide periodic reports	Decides that the Monitoring Group shall no longer be obliged to submit monthly reports to the Committee in the same months in which it provides its mid-term brief and submits its final reports (para. 30)
Report and make recommendations	Expresses its deep concern at reports of continuing violations of the charcoal ban by Member States, requests further detailed information from the Monitoring Group on possible environmentally sound destruction of Somali charcoal, reiterates its support for the President of Somalia's task force on charcoal issues, and underscores its willingness to take action against those who violate the charcoal ban (para. 19)  Requests the Monitoring Group to submit, for consideration by the Council, through the Committee, two final reports, one focusing on Somalia, the other on Eritrea, covering all the tasks set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), no later than 30 days prior to the termination of the Monitoring Group's mandate (para. 28)

### Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities

During the period under review, the Council renewed the sanctions regime against Al-Qaida and associated individuals and entities. In its resolution 2083 (2012), the Council renewed the arms embargo, the asset freeze and the travel ban set out in resolutions 1267 (1999), 1333 (2000), 1390 (2002) and 1989 (2011).

The mandate of the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) remained largely unchanged, with two exceptions: (a) by resolution 2071 (2012), the Committee was mandated to decide on requests of Member States to add to the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities in Mali that were associated with Al-Qaida, and (b) by resolution 2083 (2012), the Council decided, following the death of Osama bin Laden, that any assets frozen as a result of his listing could be unfrozen only in the absence of an objection by a Committee member within 30 days of receiving the request.

In resolution 2083 (2012), the Council also extended for a period of 30 months the mandates of both the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004) to support the Committee and the Office of the Ombudsperson established by resolution 1904 (2009) to assist the Committee with delisting requests.

In resolution 2083(2012), the Council also further developed the delisting procedures. First, in the event that the Ombudsperson was unable to interview a petitioner in his or her State of residence, the Ombudsperson was allowed to request an exemption to the restriction on travel, for the sole purpose of allowing the petitioner to travel to another State to be interviewed by the Ombudsperson. Secondly, the Focal Point mechanism established in resolution 1730 (2006) was given the task of receiving and forwarding to the Committee requests from listed individuals, groups, undertakings and entities for exemptions to the travel ban and the asset freeze. The new function of the Focal Point mechanism, however, was limited to the reception of exemption requests, while the Ombudsperson remained the petitioner's entry point for a delisting request. In 2013, the Focal Point mechanism received, for the first time, a travel ban exemption request from an individual on the Al-Qaida Sanctions List. The exemption request was not granted by the Committee.<sup>7</sup>

Tables 3, 4 and 5 provide the full text of all provisions of Council decisions relating to the mandate of the Committee, the Office of the Ombudsperson and the tasks of the Analytical Support and Sanctions Monitoring Team in respect of the Al-Qaida sanctions regime.

<sup>7</sup> See S/2013/792, annex, para. 16.

Table 3

**Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2071 (2012)</b>	
<b>Listing/delisting</b>	
Designate individuals and entities	Calls upon Malian rebel groups to cut off all ties to terrorist organizations, notably Al-Qaida in the Islamic Maghreb and affiliated groups, and expresses its readiness to adopt targeted sanctions against those rebel groups who do not cut off all ties to terrorist organizations, including Al-Qaida in the Islamic Maghreb and affiliated groups, recalls paragraphs 20 and 24 of resolution 2056 (2012), and further decides that the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) shall take decisions on requests of Member States to add to the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities in Mali that are associated with Al-Qaida, in accordance with resolutions 1267 (1999) and 1989 (2011) (para. 3)
Listing procedure	See para. 3 of the resolution, above
<b>Resolution 2083 (2012)</b>	
<b>General</b>	
Consider pending issues or concerns	Confirms that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee's guidelines (para. 53)
<b>Committee guidelines</b>	
Amend committee guidelines	Directs the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Al-Qaida Sanctions List and for removing them, as well as for granting exemptions as per resolution 1452 (2002), and directs the Committee to keep its guidelines under active review in support of these objectives (para. 45)  Also directs the Committee, as a matter of priority, to review its guidelines with respect to the provisions of the present resolution, in particular paragraphs 8, 10, 12, 13, 19, 22, 23, 32, 36, 37, 59, 60, 61 and 62 (para. 46)
<b>Listing/delisting</b>	
Listing procedure	Encourages all Member States to submit to the Committee for inclusion on the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, and other individuals, groups, undertakings and entities associated with it, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 (para. 10)  Reaffirms that, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008), and provide a statement of case, which should include detailed reasons on the proposed basis for the listing, and decides further that the statement of case shall be releasable, upon request, except for the parts that a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 14 (para. 11)

Decides that Member States proposing a new designation, as well as Member States that have proposed names for inclusion on the Al-Qaida Sanctions List before the adoption of the present resolution, shall specify whether the Committee or the Ombudsperson may not make known the status of a Member State as a designating State (para. 12)

Recalls its decision that Member States, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List shall use the standard form for listing, and provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and directs the Committee to update, as necessary, the standard form for listing in accordance with the provisions of the present resolution, and further directs the Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information, as well as steps to ensure that INTERPOL-United Nations Special Notices exist for all listed individuals, groups, undertakings and entities (para. 13)

Welcomes efforts by the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing for the corresponding entry, and directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee website narrative summaries of reasons for all listings (para. 14)

Encourages Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing (para. 15)

Calls upon all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 14 (para. 16)

Reaffirms that the Secretariat shall, after publication but within three working days after a name is added to the Al-Qaida Sanctions List, notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), in accordance with paragraph 10 of resolution 1735 (2006), requests the Secretariat to publish on the Committee website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Al-Qaida Sanctions List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner (para. 17)

Also reaffirms the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the procedures of the Committee for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 21 of resolution 1989 (2011) and annex II to the present resolution, and the provisions of resolution 1452 (2002) regarding available exemptions (para. 18)

Delisting

See para. 45 of the resolution, under “Committee guidelines” above

Also recalls its decision that the requirement for States to take the measures described in paragraph 1 of the present resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a comprehensive report of the Ombudsperson, in accordance with annex II to the present resolution, including paragraph 6 (h) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Council (para. 21)

Recalls its decision that, when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall terminate with respect to that individual, group, undertaking or entity after 60 days unless the Committee decides by consensus before the end of that 60-day period that the measures shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee member, submit the question of whether to delist that individual, group, undertaking or entity to the Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Council (para. 26)

Also recalls its decision that, for purposes of submitting a delisting request in paragraph 26, consensus must exist between or among all designating States in cases where there are multiple designating States, and further recalls its decision that co-sponsors of listing requests shall not be considered designating States for purposes of paragraph 26 (para. 27)

Directs the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Al-Qaida Sanctions List of individuals, groups, undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolutions, and set out in paragraph 2 of the present resolution, which shall be placed on the agenda of the Committee upon request of a member of the Committee, and strongly urges Member States to provide reasons for submitting their delisting requests (para. 29)

Encourages States to submit delisting requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities reported or confirmed to have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other individuals, groups, undertakings and entities on the Al-Qaida Sanctions List (para. 30)

Encourages Member States, when unfreezing the assets of a deceased individual or an entity that is reported or confirmed to have ceased to exist as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, in particular, to prevent unfrozen assets from being used for terrorist purposes (para. 31)

Decides that, prior to the unfreezing of any assets that have been frozen as a result of the listing of Osama bin Laden, Member States shall submit to the Committee a request to unfreeze such assets and shall provide assurances to the Committee that the assets will not be transferred, directly or indirectly, to a listed individual, group, undertaking or entity, or otherwise used for terrorist purposes in line with Security Council resolution 1373 (2001), and decides further that such assets may be unfrozen only in the absence of an objection by a Committee member within 30 days of receiving the request, and stresses the exceptional nature of this provision, which shall not be considered as establishing a precedent (para. 32)

Encourages all Member States, including designating States and States of residence and nationality, to provide all information to the Committee relevant to the review by the Committee of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further encourages the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions (para. 34)

Confirms that the Secretariat shall, within three days after a name is removed from the Al-Qaida Sanctions List, notify the permanent mission of the State(s) of residence, nationality, location or incorporation (to the extent this information is known), and decides that States receiving such notification shall take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner (para. 35)

See para. 45 of the resolution, under “Committee guidelines” above

Focal point procedure

Encourages Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a), set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and authorizes the Focal Point mechanism established in resolution 1730 (2006) to receive exemption requests submitted by, or on behalf of, an individual, group, undertaking or entity on the Al-Qaida Sanctions List, or by the legal representative or estate of such individual, group, undertaking or entity, for Committee consideration, as described in paragraph 37 (para. 8)

Decides that the Focal Point mechanism established in resolution 1730 (2006) may:

(a) Receive requests from listed individuals, groups, undertakings, and entities for exemptions to the measures outlined in paragraph 1 (a) of the present resolution, as defined in resolution 1452 (2002) provided that the request has first been submitted for the consideration of the State of residence, and decides further that the Focal Point shall transmit such requests to the Committee for a decision, directs the Committee to consider such requests, including in consultation with the State of residence and any other relevant States, and further directs the Committee, through the Focal Point, to notify such individuals, groups, undertaking or entities of the decision of the Committee;

(b) Receive requests from listed individuals for exemptions to the measures outlined in paragraph 1 (b) of the present resolution and transmit these to the Committee to determine, on a case-by-case basis, whether entry or transit is justified, directs the Committee to consider such requests in consultation with States of transit and destination and any other relevant States, and decides further that the Committee shall agree to exemptions to the measures in paragraph 1 (b) of the present resolution only with the agreement of the States of transit and destination, and further directs the Committee, through the Focal Point, to notify such individuals of the decision of the Committee (para. 37)

## **Review**

### **Review of list**

Encourages all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available (para. 38)

Requests the Monitoring Team to circulate to the Committee every six months a list of individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate (para. 39)

Reaffirms that the Monitoring Team should circulate to the Committee every six months a list of individuals on the Al-Qaida Sanctions List who are reportedly deceased, along with an assessment of relevant information such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities who would be in a position to receive any unfrozen assets, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove listings of deceased individuals, where credible information regarding death is available (para. 40)

Also reaffirms that the Monitoring Team should circulate to the Committee every six months a list of entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove such listings where credible information is available (para. 41)

Directs the Committee, in light of the completion of the review described in paragraph 25 of resolution 1822 (2008), to conduct an annual review of all names on the Al-Qaida Sanctions List that have not been reviewed in three or more years (the triennial review), in which the relevant names are circulated to the designating States and States of residence, nationality, location or incorporation, where known, pursuant to the procedures set forth in the Committee guidelines, to ensure the Al-Qaida Sanctions List is as updated and accurate as possible by identifying listings that no longer remain appropriate and confirming listings that remain appropriate, and notes that the consideration by the Committee of a delisting request after the date of adoption of the present resolution, pursuant to the procedures set out in annex II to the present resolution, should be considered equivalent to a review conducted pursuant to paragraph 26 of resolution 1822 (2008) (para. 42)

## **Exemptions**

### **Grant exemptions**

Decides that, in cases in which the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request, with the agreement of the petitioner, that the Committee consider granting an exemption to the restriction on travel in paragraph 1 (b) of the present resolution, for the sole purpose of allowing the petitioner to travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary to participate in this interview, provided that all States of transit and destination do not object to such travel, and further directs the Committee to notify the Ombudsperson of the Committee's decision (para. 36)

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*Decision or mandated task, by category*

*Provisions*

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See para. 37 (a) and (b) of the resolution, under “Listing/delisting” above

See para. 45 of the resolution, under “Committee guidelines” above

### **Monitoring and enforcement**

Gather and analyse information on compliance

Directs the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 and to determine the appropriate course of action on each case, and requests the Chair, in periodic reports to the Council pursuant to paragraph 59, to provide progress reports on the Committee’s work on this issue (para. 49)

### **Coordination and cooperation**

Coordinate with other entities

Directs the Committee to cooperate with other relevant Security Council sanctions committees, in particular that established pursuant to resolution [1988 \(2011\)](#) (para. 9)

Requests the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States (para. 55)

Reiterates the need to enhance ongoing cooperation between the Committee, the Committee established pursuant to resolution [1373 \(2001\)](#) concerning counter-terrorism (the Counter-Terrorism Committee) and the Committee established pursuant to resolution [1540 \(2004\)](#), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, expresses its intention to provide guidance to the committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and requests the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible (para. 56)

Discuss implementation of measures

See para. 34 of the resolution, under “Listing/delisting” above

Encourages Member States, including through their permanent missions, and relevant international organizations to meet the Committee for in-depth discussion on any relevant issues (para. 47)

See para. 34 of the resolution, under “Listing/delisting” above

### **Technical assistance**

Assist States in complying with measures

See para. 55 of the resolution, under “Coordination and cooperation” above

Requests the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or members of the Committee to enhance the full and effective implementation of the measures referred to in paragraph 1, with a view to encouraging States to comply fully with the present resolution and resolutions [1267 \(1999\)](#), [1333\(2000\)](#), [1390 \(2002\)](#), [1455 \(2003\)](#), [1526 \(2004\)](#), [1617 \(2005\)](#), [1735 \(2006\)](#), [1822 \(2008\)](#), [1904 \(2009\)](#) and [1989 \(2011\)](#) (para. 58)

### **Reporting**

Provide periodic reports

Also requests the Committee to report orally, through its Chair, at least once per year, to the Council on the state of the overall work of the Committee and the Monitoring Team and, as appropriate, in conjunction with the reports by the Chairs of the Counter-Terrorism Committee and the Committee established pursuant to resolution [1540 \(2004\)](#), expresses its intention to hold informal consultations at least once per year on the work of the Committee, on the basis of reports by the Chair to the Council, and further requests the Chair to hold periodic briefings for all interested Member States (para. 59)

## Repertoire of the Practice of the Security Council, 2012-2013

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<i>Decision or mandated task, by category</i>	<i>Provisions</i>
Report and make recommendations	Requests the Committee to report to the Council on its findings regarding implementation efforts by Member States, and to identify and recommend steps necessary to improve implementation (para. 48)  See para. 49 of the resolution, under “Monitoring and enforcement” above
<b>Outreach</b>	
Conduct country visits	See para. 58 of the resolution, under “Technical assistance” above
Provide public information	See para. 14 of the resolution, under “Listing/delisting” above

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Table 4

### Office of the Ombudsperson: provisions relating to the mandate, 2012-2013

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<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2083 (2012)</b>	
<b>General</b>	
Extension	Decides to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in annex II to the present resolution, for a period of 30 months from the date of adoption of the present resolution, decides that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any Government, and decides that the Ombudsperson shall present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting (para. 19)
<b>Listing/delisting</b>	
Delisting	See para. 19 of the resolution, under “General” above  Recalls its decision that the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in place with respect to that individual, group, undertaking or entity, where the Ombudsperson recommends retaining the listing in the comprehensive report of the Ombudsperson on a delisting request pursuant to annex II to the present resolution (para. 20)  Also recalls its decision that the requirement for States to take the measures described in paragraph 1 of the present resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a comprehensive report of the Ombudsperson, in accordance with annex II to the present resolution, including paragraph 6 (h) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Council (para. 21)



<i>Decision or mandated task, by category</i>	<i>Provisions</i>
	<p>Strongly urges Member States to provide all relevant information to the Ombudsperson, including any relevant confidential information, where appropriate, encourages Member States to provide relevant information in a timely manner, welcomes those national arrangements entered into by Member States with the Office of the Ombudsperson to facilitate the sharing of confidential information, encourages the further cooperation of Member States in this regard, and confirms that the Ombudsperson must comply with any confidentiality restrictions that are placed on such information by Member States providing it (para. 23)</p> <p>Requests that Member States and relevant international organizations and bodies encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to seek removal from the Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson (para. 24)</p> <p>Decides that, in cases in which the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request, with the agreement of the petitioner, that the Committee consider granting an exemption to the restriction on travel in paragraph 1 (b) of the present resolution for the sole purpose of allowing the petitioner to travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary to participate in this interview, provided that all States of transit and destination do not object to such travel, and further directs the Committee to notify the Ombudsperson of the decision of the Committee (para. 36)</p>

Table 5  
**Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004): provisions relating to the mandate,\* 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2083 (2012)</b>	
<b>General</b>	
Extension	Decides, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of 30 months, under the direction of the Committee, with the responsibilities outlined in annex I to the present resolution, and requests the Secretary-General to make the necessary arrangements to this effect (para. 60)
General support	In accordance with paragraph 60 of the present resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities: ... (bb) Any other responsibility identified by the Committee (annex I)
<b>Listing/delisting</b>	
Listing procedure	Welcomes efforts by the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing for the corresponding entry, and directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee website narrative summaries of reasons for all listings (para. 14)

	<p>Calls upon all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help to inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 14 (para. 16)</p> <p>To encourage Member States to submit names and additional identifying information for inclusion on the Al-Qaida Sanctions List, as instructed by the Committee (annex I, para. (o))</p>
Provide information relevant to listing	<p>To assist the Ombudsperson in carrying out his or her mandate as specified in annex II to this resolution, including by providing updated information on those individuals, groups, undertakings or entities seeking their removal from the Al-Qaida Sanctions List (annex I, para. (b))</p> <p>To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 14 (annex I, para. (k))</p> <p>To bring to the attention of the Committee new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual (annex I, para. (l))</p> <p>To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Al-Qaida Sanctions List as updated and accurate as possible (annex I, para. (p))</p>

**Review**

Review of list	<p>Requests the Monitoring Team to circulate to the Committee every six months a list of individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate (para. 39)</p> <p>Reaffirms that the Monitoring Team should circulate to the Committee every six months a list of individuals on the Al-Qaida Sanctions List who are reportedly deceased, along with an assessment of relevant information, such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities that would be in a position to receive any unfrozen assets, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove listings of deceased individuals, where credible information regarding death is available (para. 40)</p> <p>Also reaffirms that the Monitoring Team should circulate to the Committee every six months a list of entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove such listings where credible information is available (para. 41)</p> <p>Encourages designating States to inform the Monitoring Team whether a national court or other legal authority has reviewed an individual's case and whether any judicial proceedings have begun, and to include any other relevant information when it submits its standard form for listing (para. 54)</p>
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Decision or mandated task, by category

Provisions

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To assist the Committee in regularly reviewing names on the Al-Qaida Sanctions List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing (annex I, para. (c))

### Monitoring and enforcement

Monitor implementation

To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida and other individuals, groups, undertakings and entities associated with it; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee (annex I, para. (r))

Gather and analyse information on compliance

Directs the Monitoring Team to identify, gather information on, and keep the Committee informed of instances and common patterns of non-compliance with the measures imposed in the present resolution, as well as to facilitate, upon request by Member States, assistance on capacity-building, requests the Monitoring Team to work closely with State(s) of residence, nationality, location or incorporation, designating States and other relevant States, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance (para. 61)

To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee, as instructed by the Committee (annex I, para. (d))

To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution (annex I, para. (e))

To gather information, on behalf of the Committee, on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by collating information collected from Member States and engaging with suspected non-compliant parties, and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review (annex I, para. (i))

See para. (r) of annex I, above

### Coordination and cooperation

Coordinate with other entities

Encourages the Monitoring Team and the United Nations Office on Drugs and Crime to continue their joint activities, in cooperation with the Counter-Terrorism Executive Directorate and the experts of the Committee established pursuant to resolution 1540 (2004), to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including by organizing regional and subregional workshops (para. 57)

See para. 61 of the resolution, under "Monitoring and enforcement" above

Directs the Committee, with the assistance of its Monitoring Team, to hold special meetings on important thematic or regional topics and Member States' capacity challenges, in consultation, as appropriate, with the Counter-Terrorism Committee and its Executive Directorate, the Counter-Terrorism Implementation Task Force and the Financial Action Task Force to identify and prioritize areas for the provision of technical assistance to enable more effective implementation by Member States (para. 62)

See para. (b) of annex I, under “Listing/delisting” above

To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution [1540 \(2004\)](#) to avoid duplication and reinforce synergies (annex I, para. (f))

To work closely and share information with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution [1540 \(2004\)](#) to identify areas of convergence and overlap and to help to facilitate concrete coordination, including in the area of reporting, among the three Committees (annex I, para. (g))

To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy, including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups (annex I, para. (h))

To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee (annex I, para. (m))

To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the country of visit, where appropriate (annex I, para. (n))

To consult with Member States and other relevant organizations, including through regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph (a) of this annex (annex I, para. (s))

To consult with Member States’ intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures (annex I, para. (t))

To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the asset freeze and to develop recommendations for the strengthening of that measure (annex I, para. (u))

To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures (annex I, para. (v))

To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices, and to work with INTERPOL to ensure that INTERPOL-United Nations Special Notices exist for all listed individuals, groups, undertakings, and entities (annex I, para. (x))

To assist other subsidiary bodies of the Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution [1699 \(2006\)](#), and to work with the Secretariat to discuss measures to standardize the format of all United Nations sanctions lists so as to facilitate implementation by national authorities (annex I, para. (y))

Discuss implementation of the measures

See para. 62 of the resolution, above

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*Decision or mandated task, by category*

*Provisions*

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### Technical assistance

Assist States in complying with measures Requests the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States (para. 55)

See para. 61 of the resolution, under “Monitoring and enforcement” above

To assist the Committee in facilitating assistance on capacity-building for enhancing implementation of the measures, upon request by Member States (annex I, para. (w))

### Reporting

Produce programme of work See para. (f) of annex I, under “Coordination and cooperation” above

Provide periodic reports To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities (annex I, para. (z))

To report periodically, as appropriate, to the Committee on linkages between Al-Qaida and those individuals, groups, undertakings or entities eligible for designation under paragraph 1 of resolution 2082 (2012) or any other relevant sanctions resolutions (annex I, para. (aa))

Report and make recommendations Recalls its decision that Member States, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List shall use the standard form for listing, and provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and directs the Committee to update, as necessary, the standard form for listing in accordance with the provisions of the present resolution, and further directs the Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information, as well as steps to ensure that INTERPOL-United Nations Special Notices exist for all listed individuals, groups, undertakings, and entities (para. 13)

See para. 61 of the resolution, under “Monitoring and enforcement” above

To submit, in writing, two comprehensive, independent reports to the Committee, the first by 30 June 2013 and the second by 31 December 2013, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures (annex I, para. (a))

To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Al-Qaida Sanctions List (annex I, para. (j))

To study and report to the Committee on the changing nature of the threat of Al-Qaida and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee (annex I, para. (q))

See para. (r) of annex I, under “Monitoring and enforcement” above

**Outreach**

Provide public information	See para. 14 of the resolution, under “Listing/delisting” above
Conduct country visits	See para. (c) of annex I, under “Review” above See paras. (f) and (m) of annex I, under “Coordination and cooperation” above

\* With regard to Al-Qaida and associated individuals and entities.

**Committee established pursuant to resolution 1518 (2003)**

During the period under review, there were no modifications to the mandate of the Committee established pursuant to resolution 1518 (2003), which was given the task of identifying, in accordance with resolution 1483 (2003), individuals and entities related to the former Iraqi regime whose funds, other financial assets and economic resources were to be frozen and transferred to the Development Fund for Iraq.

**Committee established pursuant to resolution 1521 (2003) concerning Liberia**

In resolution 2079 (2012), the Council decided to renew the arms embargo, the asset freeze and the travel ban imposed on Liberia. It also extended, for a period of 12 months, the mandate of the Panel of Experts established by resolution 1521 (2003) to oversee the sanctions measures together with the Committee established pursuant to the same resolution. In addition, the Council requested the Panel to undertake two assessment missions to Liberia and neighbouring States to investigate and compile midterm and final reports to the Council on the implementation, and any violations, of the measures on arms. The Panel was asked to work in close collaboration with the Government of Liberia and the Group of Experts on Côte d’Ivoire in undertaking these tasks. In the same resolution, the Council urged the Government of Liberia and relevant designating States, with the assistance of the Panel of Experts, to provide updated publicly available reasons for listing for entries on the travel ban and asset freeze lists.

In resolution 2128 (2013), the Council decided to modify the requirements for notifications to the

Committee concerning the arms embargo. Notification for non-lethal materials and associated training was no longer required, and the Liberian authorities were to have the primary responsibility to notify the Committee, in advance, regarding shipments of lethal arms and related materiel or the provision of assistance, advice or training related to military or security sector activities. The Committee was also directed to review the list of individuals and entities subject to sanctions measures. The Council extended the mandate of the Panel of Experts for another 12 months, focusing mainly on the Panel’s assessment of the implementation of the arms embargo, but did not renew the Panel’s mandate for several tasks contained in resolution 2079 (2012), including assessment of the extent to which forests and other natural resources contributed to peace, security and development rather than to instability.

Tables 6 and 7 provide the full text of all provisions in Council decisions relating to the mandates of the Committee and the Panel of Experts.

Table 6  
**Committee established pursuant to resolution 1521 (2003) concerning Liberia: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2128 (2013)</b>	
<b>Review</b>	
Review of list	Directs the Committee to review within 90 days all individuals and entities subject to the measures imposed by paragraph 1 of resolution 1532 (2004) and paragraph 4 of resolution 1521 (2003) and remove on a case-by-case basis all those that no longer meet the listing criteria outlined by those measures, with due regard for the views of the Government of Liberia (para. 3)
<b>Exemptions</b>	
Process notifications	The Liberian authorities shall have the primary responsibility to notify the Committee at least five days in advance of the shipment of any supplies of lethal arms and related materiel, or any provision of assistance, advice or training related to military or other security sector activities for the Government of Liberia referred to in paragraph 2 (b) (para. 2 (b) (ii))
	Member States delivering assistance may, in the alternative, make this notification pursuant to paragraph 2 (b) in consultation with the Government of Liberia (para. 2 (b) (iii))

Table 7  
**Panel of Experts on Liberia: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2079 (2012)</b>	
<b>General</b>	
Extension	Decides to extend the mandate of the Panel of Experts appointed pursuant to paragraph 9 of resolution 1903 (2009) for a period of 12 months from the date of adoption of the present resolution to undertake the following tasks in close collaboration with the Government of Liberia and the Group of Experts on Côte d'Ivoire ... (para. 5)
<b>Listing/delisting</b>	
Provide information relevant to listing	To conduct two follow-up assessment missions to Liberia and neighbouring States, to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009), including any information relevant to the designation by the Committee established pursuant to resolution 1521 (2003) of the individuals described in paragraph 4 (a) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms (para. 5 (a))
<b>Review</b>	
Review of list	To assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and asset freeze lists (para. 5 (h))

*Decision or mandated task, by category*

*Provisions*

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### **Assessment and evaluation**

Assess impact and effectiveness of measures To assess the impact, effectiveness, and continued need for the measures imposed by paragraph 1 of resolution [1532 \(2004\)](#), including, in particular, with respect to the assets of former President Charles Taylor (para. 5 (b))

Assess the influence of natural resources Within the context of Liberia's evolving legal framework, assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation (the National Forestry Reform Law, the Lands Commission Act, the Community Rights Law with respect to Forest Lands and the Liberia Extractive Industries Transparency Initiative Act) and other reform efforts are contributing to this transition, and to provide recommendations on how such natural resources could better contribute to the country's progress towards sustainable peace and stability (para. 5 (d))

### **Monitoring and enforcement**

Gather and analyse information on compliance To cooperate actively with the Kimberley Process, including during a planned Kimberley Process mission in 2013, and to assess the compliance of the Government of Liberia with the Kimberley Process Certification Scheme (para. 5 (e))

Focus activities in specific region See para. 5 (a) of the resolution, under "Listing/delisting"

Provide information on violations See para. 5 (a) of the resolution, under "Listing/delisting" above

### **Coordination and cooperation**

Coordinate with other entities See para. 5 of the resolution, under "General" above

See para. 5 (e) of the resolution, under "Monitoring and enforcement" above

To cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d'Ivoire re-established by paragraph 15 of resolution [2045 \(2012\)](#) of 26 April 2012 (para. 5 (g))

### **Reporting**

Report and make recommendations See para. 5 (a) of the resolution, under "Listing/delisting"

To identify and make recommendations regarding areas where the capacity of Liberia and the States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution [1521 \(2003\)](#) and paragraph 1 of resolution [1532 \(2004\)](#) (para. 5 (c))

To provide a midterm report to the Council through the Committee by 1 June 2013 and a final report to the Council through the Committee by 1 December 2013 on all the issues listed in the present paragraph, and to provide informal updates to the Committee as appropriate before those dates, especially on progress in the forest sector since the lifting of the measures imposed by paragraph 10 of resolution [1521 \(2003\)](#) in June 2006, and in the diamond sector since the lifting of the measures imposed by paragraph 6 of resolution [1521 \(2003\)](#) in April 2007 (para. 5 (f))



*Decision or mandated task, by category*

*Provisions*

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### **Outreach**

Provide public information      Urges the Government of Liberia and relevant designating States, with the assistance of the Panel of Experts on Liberia, to, as necessary and without delay, provide updated publicly available reasons for listing for entries on the travel ban and asset freeze lists (para. 4)

See para. 5 (h) of the resolution, under “Review” above

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### **Resolution 2128 (2013)**

#### **General**

Extension      Also decides to extend the mandate of the Panel of Experts appointed pursuant to paragraph 9 of resolution 1903 (2009) for a period of 12 months from the date of adoption of the present resolution to undertake the following tasks in close collaboration with the Government of Liberia and the Group of Experts on Côte d’Ivoire (para. 5)

#### **Assessment and evaluation**

Assess impact and effectiveness of measures      To conduct two follow-up assessment missions to Liberia and neighbouring States, to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009), and including the various sources of financing for the illicit trade of arms, on progress in the security and legal sectors with respect to the ability of the Government of Liberia to effectively monitor and control arms and border issues, and on the Government’s progress on meeting notification requirements (para. 5 (a))

#### **Monitoring and enforcement**

Focus activities in specific region      See para. 5 (a) of the resolution, under “Assessment and evaluation” above

Provide information on violations      See para. 5 (a) of the resolution, under “Assessment and evaluation” above

#### **Coordination and cooperation**

Coordinate with other entities      To cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d’Ivoire re-established by paragraph 18 of resolution 2101 (2013) of 25 April 2013 (para. 5 (c))

#### **Reporting**

Report and make recommendations      See para. 5 (a) of the resolution, under “Assessment and evaluation” above

To provide to the Council, after discussion with the Committee, a midterm report no later than 1 June 2014 and a final report no later than 1 December 2014 on all the issues listed in the present paragraph, and to provide informal updates to the Committee as appropriate before those dates (para. 5 (b))

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**Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo**

In resolution 2076 (2012) of 20 November 2012, the Council expressed concern that the 23 March Movement (M23) commanders were engaging in activities that met the criteria for designation with respect to the arms embargo, travel ban and asset freeze concerning foreign and Congolese armed groups operating in designated areas in the eastern part of the Democratic Republic of the Congo, and directed the Committee established pursuant to resolution 1533 (2004) to review the activities of the commanders and those of any other individuals who met the criteria for designation. The Council also expressed its intention to consider additional targeted sanctions against M23 and those acting in violation of the sanctions regime and arms embargo.

In resolution 2078 (2012), the Council set out the designation criteria for the travel ban and asset freeze and the exemption criteria for the arms embargo, and decided that the measures and allowed exemptions would apply to the individuals and entities that fulfilled the criteria, as designated by the Committee. In the same resolution, the Council extended the mandate of the Group of Experts until 1 February 2014, and requested it to continue to study the impact on the supply chain of minerals of its due diligence guidelines for importers, processing industries and consumers of Congolese mineral products.

Tables 8 and 9 provide the full text of all provisions in Council decisions in 2012 and 2013 relating to the mandate of the Committee and the Panel of Experts.

Table 8

**Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2076 (2012)</b>	
<b>Listing/delisting</b>	
Designate individuals and entities	Expresses concern that the 23 March Movement (M23) commanders, Mr. Innocent Kaina and Mr. Baudouin Ngaruye, are engaging in activities for which the Committee established pursuant to resolution 1533 (2004) may designate individuals pursuant to paragraph 4 of resolution 1857 (2008) of 22 December 2008, and directs the Committee to review, as a matter of urgency, their activities and those of any other individuals who meet the criteria for designation (para. 7)
Listing procedure	Expresses its intention to consider additional targeted sanctions, in accordance with the criteria set out in resolution 1857 (2008), against the leadership of M23 and those providing external support to M23 and those acting in violation of the sanctions regime and the arms embargo, and calls upon all Member States to submit, as a matter of urgency, listing proposals to the Committee (para. 8)
<b>Resolution 2078 (2012)</b>	
<b>Listing/delisting</b>	
Designate individuals and entities	Decides that the measures referred to in paragraph 3 shall apply to the following individuals and, as appropriate, entities, as designated by the Committee: <ul style="list-style-type: none"> <li>(a) Persons or entities acting in violation of the measures taken by Member States in accordance with paragraph 1;</li> <li>(b) Political and military leaders of foreign armed groups operating in the Democratic Republic of the Congo who impede the disarmament and the voluntary repatriation or resettlement of combatants belonging to those groups;</li> </ul>

*Decision or mandated task, by category*

*Provisions*

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- (c) Political and military leaders of Congolese militias receiving support from outside the Democratic Republic of the Congo who impede the participation of their combatants in disarmament, demobilization and reintegration processes;
- (d) Political and military leaders operating in the Democratic Republic of the Congo and recruiting or using children in armed conflict contrary to applicable international law;
- (e) Individuals or entities operating in the Democratic Republic of the Congo and committing serious violations involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement;
- (f) Individuals or entities obstructing access to or the distribution of humanitarian assistance in the eastern part of the Democratic Republic of the Congo;
- (g) Individuals or entities illegally supporting armed groups in the eastern part of the Democratic Republic of the Congo through illicit trade in natural resources, including gold;
- (h) Individuals or entities acting on behalf of or at the direction of a designated individual or entity owned or controlled by a designated individual;
- (i) Individuals or entities who plan, sponsor or participate in attacks against peacekeepers of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) (para. 4)

### **Exemptions**

Grant exemptions

Decides that the measures imposed by paragraph 9 of resolution [1807 \(2008\)](#) shall not apply:

- (a) Where the Committee determines in advance, and on a case-by-case basis, that such travel is justified on the grounds of humanitarian need, including religious obligation;
  - (b) Where the Committee concludes that an exemption would further the objectives of Council resolutions, that is peace and national reconciliation in the Democratic Republic of the Congo and stability in the region;
  - (c) Where the Committee authorizes in advance, and on a case-by-case basis, the transit of individuals returning to the territory of the State of their nationality, or participating in efforts to bring to justice perpetrators of grave violations of human rights or international humanitarian law (para. 10)
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Table 9

**Group of Experts on the Democratic Republic of the Congo: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2078 (2012)</b>	
<b>General</b>	
Extension	Requests the Secretary-General to extend, for a period expiring on 1 February 2014, the mandate of the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions and requests the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution 1807 (2008) and expanded by paragraphs 9 and 10 of resolution 1857 (2008) and to present to the Council, through the Committee, a written mid-term report by 28 June 2013, and a written final report before 13 December 2013, welcomes the practice of receiving additional updates of the Group of Experts as appropriate, and further requests that, after a discussion with the Committee, the Group of Experts submit to the Council its final report upon termination of the mandate of the Group of Experts (para. 5)
<b>Monitoring and enforcement</b>	
Monitor implementation	Reaffirms the provisions of paragraphs 6 to 13 of resolution 1952 (2010) and requests the Group of Experts to continue to study the impact of due diligence (para. 16)
<b>Coordination and cooperation</b>	
Coordinate with other entities	Expresses its full support to the Group of Experts of the Committee, and calls for enhanced cooperation between all States, particularly those in the region, MONUSCO and the Group of Experts, further encourages all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control, and reiterates its demand that all parties and all States ensure the safety of its members and its support staff and unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate (para. 20)
	Calls upon the Group of Experts to cooperate actively with other relevant panels of experts, in particular that on Côte d'Ivoire re-established by paragraph 13 of resolution 1980 (2011) and that on Liberia re-established by paragraph 6 of resolution 1961 (2010) with respect to natural resources (para. 21)
<b>Reporting</b>	
Report and make recommendations	See para. 5 of the resolution, under "General" above

**Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire**

In its first resolution on Côte d'Ivoire during the period under review, resolution 2045 (2012), the Council decided to renew the asset freeze, diamond embargo and travel ban with no changes. In the same resolution, it set out a number of exemptions to the arms embargo, in particular in the context of the Ivorian process of security sector reform, and mandated the Committee established pursuant to resolution 1572 (2004) to undertake related

tasks. The Council also requested the Secretary-General, the Government of France and the Kimberley Process to communicate to it, through the Committee, relevant information concerning compliance with and implementation of the sanctions measures. The information was to be reviewed, where possible, by the Group of Experts established pursuant to resolution 1584 (2005) to assist the Committee.

In resolution 2101 (2013), the Council renewed all previous sanctions measures, including the exemptions to

such measures, and also renewed the mandate of the Committee to grant exemptions and process the necessary notifications.

During the period under review, by resolutions 2045 (2012) and 2101 (2013), the Council decided to extend the mandate of the Group of Experts twice for a period of 12 months each, and asked the Group of Experts to assess

the effectiveness of the border measures and control in the region.

Tables 10 and 11 below include the full text of all provisions in Council decisions in 2012 and 2013 that relate to the mandate of the Committee and the Group of Experts.

Table 10

**Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire: provisions relating to the mandate, 2012-2013**

*Decision or mandated task, by category*

*Provisions*

**Resolution 2045 (2012)**

**Committee guidelines**

Amend committee guidelines

Decides that the Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire should update its guidelines, taking into account paragraphs 1 to 5, within three months from the date of adoption of the present resolution, in order to facilitate the implementation of the measures imposed by the present resolution, and keep them under active review as may be necessary (para. 25)

**Exemptions**

Grant exemptions

Decides further that the measures imposed by paragraph 2 shall not apply to:

...

(f) supplies of arms and other related lethal equipment to the Ivorian security forces intended solely for the support of or use in the Ivorian process of security sector reform, as approved in advance by the Committee (para. 3)

Decides, for the period referred to in paragraph 2, that the Ivorian authorities shall notify in advance to the Committee any shipment of items referred to in paragraph 3 (e) or shall request in advance to the Committee an approval for any shipment of items referred to in paragraph 3 (f), stresses the importance that such notifications or requests contain all relevant information, including the purpose of the use and end user, the technical specifications and quantity of the equipment to be shipped and, when applicable, the supplier, the proposed date of delivery, the mode of transportation and the itinerary of shipments (para. 4)

Process notifications

Decides further that the measures imposed by paragraph 2 shall not apply to:

...

(b) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, as notified in advance to the Committee;

...

(d) Supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee;

...

(e) Supplies of non-lethal law enforcement equipment intended to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, as notified in advance to the Committee (para. 3)

See para. 4 under “Exemptions”, above

### Monitoring and enforcement

Gather and analyse information on compliance

Requests all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary (para. 14)

Requests the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d’Ivoire (UNOCI) and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d’Ivoire (para. 18)

Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d’Ivoire (para. 19)

Requests the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d’Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution [1893 \(2009\)](#) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 20)

Urges all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 2 and 5, paragraphs 9 and 11 of resolution [1572 \(2004\)](#), paragraph 6 of resolution [1643 \(2005\)](#) and paragraph 12 of resolution [1975 \(2011\)](#), and further requests the Group of Experts to coordinate its activities, as appropriate, with all political actors (para. 23)

### Coordination and cooperation

Coordinate with other entities

Recalls paragraph 7 of resolution [1960 \(2010\)](#) and paragraph 9 of [1998 \(2011\)](#) regarding sexual and gender-based violence and children in armed conflict, and welcomes the information-sharing between the Committee and the Special Representatives of the Secretary-General for Children and Armed Conflict and on Sexual Violence in Conflict, in accordance with their respective mandates and as appropriate (para. 24)

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## Resolution [2101 \(2013\)](#)

### Exemptions

Grant exemptions

Decides that the measures imposed by paragraph 1 shall not apply to:

...

(f) supplies of arms and other related lethal equipment to the Ivorian security forces intended solely for the support of or use in the Ivorian process of security sector reform, as approved in advance by the Committee (para. 3)

	<p>Decides also, for the period referred to in paragraph 1, that the Ivorian authorities shall notify to the Committee any shipment of items referred to in paragraph 3 (e) or shall request in advance to the Committee an approval for any shipment of items referred to in paragraph 3 (f), further decides that the Member State delivering assistance may, in the alternative, make this notification pursuant to paragraph 3 (e) after informing the Government of Côte d'Ivoire that it intends to do so, and stresses the importance that such notifications and authorization requests contain all relevant information, including the purpose of the use and the end user, the technical specifications and quantity of the equipment to be shipped and, when applicable, the supplier, the proposed date of delivery, mode of transportation and the itinerary of shipments (para. 4)</p>
Process notifications	<p>Decides that the measures imposed by paragraph 1 shall not apply to:</p> <p>...</p> <p>(b) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, as notified in advance to the Committee established pursuant to paragraph 14 of resolution <a href="#">1572 (2004)</a>;</p> <p>...</p> <p>(d) Supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee;</p> <p>(e) Supplies of non-lethal law enforcement equipment intended to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, as notified in advance to the Committee (para. 3)</p> <p>See para. 4 of the resolution, under "Grant exemptions" above</p>
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	<p>Requests all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary (para. 17)</p> <p>Requests the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by UNOCI and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 21)</p> <p>Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 22)</p> <p>Requests the Kimberley Process and other appropriate national and international agencies to work in close cooperation with the Group of Experts and its enquiries concerning the individuals and networks involved in the production of, trading in and illicit export of diamonds from Côte d'Ivoire, to exchange information on a regular basis and to communicate, as appropriate, to the Council, through the Committee, on such matters, and further decides to renew the exemptions set out by paragraphs 16 and 17 of resolution <a href="#">1893 (2009)</a> with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 23)</p>

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
	Urges all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 1 to 3, paragraphs 9 and 11 of resolution <a href="#">1572 (2004)</a> , paragraph 6 of resolution <a href="#">1643 (2005)</a> and paragraph 12 of resolution <a href="#">1975 (2011)</a> , and further requests the Group of Experts to coordinate its activities, as appropriate, with all political actors (para. 28)
<b>Coordination and cooperation</b>	
Coordinate with other entities	Requests the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General for Sexual Violence in Conflict to continue sharing relevant information with the Committee, in accordance with paragraph 7 of resolution <a href="#">1960 (2010)</a> and paragraph 9 of resolution <a href="#">1998 (2011)</a> (para. 29)

Table 11  
**Group of Experts on Côte d'Ivoire: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution <a href="#">2045 (2012)</a></b>	
<b>General</b>	
Extension	Decides to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution <a href="#">1727 (2006)</a> until 30 April 2013, and requests the Secretary-General to take the measures necessary to support its action (para. 15)
<b>Assessment and evaluation</b>	
Assess impact and effectiveness	Calls upon the Ivorian authorities to combat the illegal taxation systems that remain in place, to take the necessary steps to continue to re-establish and reinforce relevant institutions and to continue to deploy customs and border control officials throughout the country, in the north, west and east of the country, asks the Group of Experts to assess the effectiveness of these border measures and control in the region, encourages all neighbouring States to be aware of Ivorian efforts in that regard, and encourages UNOCI, within its mandate, to assist the Ivorian authorities in the re-establishment of normal customs and border control operation (para. 22)
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	Requests the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by UNOCI and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 18)  Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 19)  Requests the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution <a href="#">1893 (2009)</a> with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 20)



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Decision or mandated task, by category

Provisions

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Urges all States, relevant United Nations bodies and other organizations and interested parties to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 2 and 5, paragraphs 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005) and paragraph 12 of resolution 1975 (2011), and further requests the Group of Experts to coordinate its activities as appropriate with all political actors (para. 23)

### Coordination and cooperation

Coordinate with other entities See para. 23 of the resolution, under “Monitoring and enforcement” above

### Reporting

Report and make recommendations Requests the Group of Experts to submit a midterm report to the Committee by 15 October 2012 and to submit a final report, as well as recommendations, to the Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraph 2, 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005), paragraph 12 of resolution 1975 (2011) and paragraph 10 of resolution 1980 (2011) (para. 16)

Decides that the report of the Group of Experts, as referred to in paragraph 7 (e) of resolution 1727 (2006) may include, as appropriate, any information and recommendations relevant to the possible additional designation by the Committee of the individuals and entities described in paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 10 of resolution 1980 (2011), and further recalls the report of the Informal Working Group of the Security Council on General Issues of Sanctions on best practices and methods, including paragraphs 21, 22 and 23 thereof, which discuss possible steps for clarifying methodological standards for monitoring mechanisms (para. 17)

### Resolution 2101 (2013)

#### General

Extension Decides to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 30 April 2014, and requests the Secretary-General to take the measures necessary to support its action (para. 18)

#### Assessment and evaluation

Assess impact and effectiveness Asks the Group of Experts to assess the effectiveness of these border measures and control in the region, encourages all neighbouring States to be aware of Ivorian efforts in that regard, and encourages UNOCI, within its mandate, to continue its assistance to Ivorian authorities in the re-establishment of normal customs and border control operation (para. 27)

#### Monitoring and enforcement

Gather and analyse information on compliance Requests the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by UNOCI and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d’Ivoire (para. 21)

Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d’Ivoire (para. 22)

Requests the Kimberley Process and other appropriate national and international agencies to work in close cooperation with the Group of Experts and its enquiries concerning the individuals and networks involved in the production of, trading in and illicit export of diamonds from Côte d'Ivoire, to exchange information on a regular basis, and to communicate, as appropriate, to the Council, through the Committee, on such matters, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution 1893 (2009) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 23)

Urges all States, relevant United Nations bodies and other organizations and interested parties to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 1 to 3, paragraphs 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005) and paragraph 12 of resolution 1975 (2011), and further requests the Group of Experts to coordinate its activities, as appropriate, with all political actors (para. 28)

### Coordination and cooperation

Coordinate with other entities

See para. 28 of the resolution, under "Monitoring and enforcement" above

#### **Committee established pursuant to resolution 1591 (2005) concerning the Sudan**

In resolutions 2035 (2012) and 2091 (2013), the Council expressed its concern that the travel ban and asset freeze on designated individuals were not being implemented by all States, requested the Committee established pursuant to resolution 1591 (2005)<sup>8</sup> to respond effectively to any reports of non-compliance by Member States and reaffirmed the mandate of the Committee to

<sup>8</sup> The Committee was established in 2005 to monitor the arms embargo imposed by the Council on all the parties to the N'Djamena Ceasefire Agreement and any other belligerents in the states of North Darfur, South Darfur and West Darfur in the Sudan. The Committee was also mandated to monitor the implementation of the travel ban and asset freeze and, inter alia, to designate individuals subject to those measures.

encourage dialogue with interested Member States, particularly those in the region.

During the period 2012-2013, the mandate of the Panel of Experts established pursuant to resolution 1591 (2005) to assist the Committee was twice extended for a period of 12 months each by resolutions 2035 (2012) and 2091 (2013). In both resolutions, the Council reiterated most aspects of the mandate of the Panel and in addition requested it, inter alia, to report on the implementation of the arms embargo, to provide the names of individuals and entities that met the listing criteria and to investigate the attacks against African Union-United Nations Hybrid Operation in Darfur (UNAMID) personnel in Darfur.

Tables 12 and 13 below include the full text of all provisions in Council decisions in 2012 and 2013 that relate to the mandate of the Committee and the Panel of Experts.

Table 12

**Committee established pursuant to resolution 1591 (2005) concerning the Sudan: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2035 (2012)</b>	
<b>Coordination and cooperation</b>	
Coordinate with other entities	Reaffirms the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures, and further encourages the Committee to continue its dialogue with the African Union-United Nations Hybrid Operation in Darfur (UNAMID) (para. 16)
Discuss implementation of measures	See above
<b>Monitoring and enforcement</b>	
Take action on alleged violations	Expresses its concern that the travel ban and asset freeze on designated individuals is not being implemented by all States, and requests the Committee to respond effectively to any reports of non-compliance by States with paragraph 3 of resolution 1591 (2005) and resolution 1672 (2006), including by engaging with all relevant parties (para. 14)
<b>Resolution 2091 (2013)</b>	
<b>Coordination and cooperation</b>	
Coordinate with other entities	Reaffirms the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures, and further encourages the Committee to continue its dialogue with UNAMID (para. 16)
Discuss implementation of measures	See above
<b>Monitoring and enforcement</b>	
Take action on alleged violations	Expresses its concern that the travel ban and asset freeze on designated individuals is not being implemented by all Member States, and requests the Committee to respond effectively to any reports of non-compliance by Member States with paragraph 3 of resolution 1591 (2005) and resolution 1672 (2006), including by engaging with all relevant parties (para. 14)

Table 13

**Panel of Experts on the Sudan: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2035 (2012)</b>	
<b>General</b>	
Extension	Decides to extend until 17 February 2013 the mandate of the Panel of Experts on the Sudan, originally appointed pursuant to resolution 1591 (2005), previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), 1891 (2009), 1945 (2010) and 1982 (2011), and requests the Secretary-General to take the necessary administrative measures, including basing arrangements, as expeditiously as possible (para. 1)
<b>Listing/delisting</b>	
Provide information relevant to listing	Requests the Panel of Experts to coordinate its activities, as appropriate, with the operations of UNAMID and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004), paragraph 7 of resolution 1591 (2005) and paragraph 10 of resolution 1945 (2010), and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591 (2005) (para. 8)
<b>Assessment and evaluation</b>	
Assess impact and effectiveness of measures	See para. 8 of the resolution, under “Listing/delisting” above
<b>Monitoring and enforcement</b>	
Monitor implementation	Further requests the Panel of Experts to report, in the time frame identified in paragraph 5, on the implementation and effectiveness of paragraph 10 of resolution 1945 (2010) (para. 7)
Gather and analyse information on compliance	Requests the Panel of Experts to continue to investigate the role of armed, military and political groups in attacks against UNAMID personnel in Darfur, and notes that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution 1591 (2005) (para. 10)
Provide a list of violators	Regrets that some individuals affiliated with the Government of the Sudan and armed groups in Darfur have continued to commit violence against civilians, impede the peace process and disregard the demands of the Council, expresses its intention to impose targeted sanctions against individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591 (2005), and encourages the Panel of Experts, in coordination with the Joint African Union-United Nations mediation, to provide to the Committee, when appropriate, the names of any individuals, groups, or entities that meet the listing criteria (para. 9)

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<i>Decision or mandated task, by category</i>	<i>Provisions</i>
Provide information on violations	Also requests the Panel of Experts to provide monthly updates to the Committee regarding its activities, including travel by the Panel, any obstacles encountered to the fulfilment of its mandate, as well as violations of the sanctions (para. 6)  See para. 8 of the resolution, under “Listing/delisting” above
<b>Coordination and cooperation</b>	
Coordinate with other entities	See para. 8 of the resolution, under “Listing/delisting” above
<b>Reporting</b>	
Provide periodic reports	See para. 6 of the resolution, under “Monitoring and enforcement” above
Report and make recommendations	Requests the Panel of Experts to provide, no later than 31 July 2012, a midterm briefing on its work and no later than 90 days after the adoption of the present resolution an interim report to the Committee and a final report to the Council no later than 30 days prior to the termination of its mandate, with its findings and recommendations (para. 5)  See para. 7 of the resolution, under “Monitoring and enforcement” above

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**Resolution 2063 (2012)**

**General**

| Coordinate with other entities | Expresses deep concern over the persistent localized conflicts, increased criminality and violence and their effect on civilians, but in this context notes a reduction in inter-tribal clashes and calls upon all parties to put an end to such clashes and to pursue reconciliation; expresses deep concern over the proliferation of arms, in particular small arms and light weapons, and in this regard requests UNAMID to continue to support local conflict resolution mechanisms, and authorizes the UNAMID Joint Chief Mediator for Darfur to conduct local mediation and reconciliation efforts between communities and armed groups in Darfur; and further requests the Operation to monitor whether any arms or related material are present in Darfur in accordance with its mandate as set out in paragraph 9 of resolution 1769 (2007), and in this context, to continue to cooperate with the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005) in order to facilitate its work (para. 20) |

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**Resolution 2091 (2013)**

**General**

| Extension | Decides to extend until 17 February 2014 the mandate of the Panel of Experts on the Sudan, originally appointed pursuant to resolution 1591 (2005), previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), 1891 (2009), 1945 (2010), 1982 (2011) and 2035 (2012), and requests the Secretary-General to take the necessary administrative measures, including basing arrangements, as expeditiously as possible (para. 1) |

**Listing/delisting**

| Provide information relevant to listing | Requests the Panel of Experts to continue to coordinate its activities, as appropriate, with the operations of UNAMID and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004), paragraph 7 of resolution 1591 (2005) and paragraph 10 of resolution 1945 (2010), and progress towards removing impediments to the political process, threats to stability in |

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
	Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence and grave violations and abuses against children, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution <a href="#">1591 (2005)</a> (para. 6)
<b>Assessment and evaluation</b>	
Assess impact and effectiveness of measures	See para. 6 of the resolution, under “Listing/delisting” above
<b>Monitoring and enforcement</b>	
Monitor implementation	Further requests the Panel of Experts to report, in the time frame identified in paragraph 3, on the implementation and effectiveness of paragraph 10 of resolution <a href="#">1945 (2010)</a> (para. 5)
Gather and analyse information on compliance	Requests the Panel of Experts to continue to investigate the role of armed, military and political groups in attacks against UNAMID personnel in Darfur, and notes that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution <a href="#">1591 (2005)</a> (para. 8)
Provide a list of violators	Regrets that some individuals affiliated with the Government of the Sudan and armed groups in Darfur continue to commit violence against civilians, impede the peace process and disregard the demands of the Council, expresses its intention to impose targeted sanctions against individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution <a href="#">1591 (2005)</a> , and encourages the Panel of Experts, in coordination with the Joint African Union-United Nations mediation, to provide to the Committee, when appropriate, the names of any individuals, groups or entities that meet the listing criteria (para. 7)
Provide information on violations	Also requests the Panel of Experts to provide monthly updates to the Committee regarding its activities, including travel by the Panel, any obstacles encountered to the fulfilment of its mandate, as well as violations of the sanctions (para. 4)  See para. 6 of the resolution, under “Listing/delisting” above
<b>Coordination and cooperation</b>	
Coordinate with other entities	See para. 6 of the resolution, under “Listing/delisting” above See para. 7 of the resolution, under “Monitoring and enforcement” above
<b>Reporting</b>	
Provide periodic reports	See para. 4 of the resolution, under “Monitoring and enforcement” above
Report and make recommendations	Requests the Panel of Experts to provide, no later than 31 July 2013, a midterm briefing on its work and no later than 90 days after the adoption of the present resolution an interim report to the Committee and a final report to the Council no later than 30 days prior to the termination of its mandate, with its findings and recommendations (para. 3)  See para. 5 of the resolution, under “Monitoring and enforcement” above

### **Committee established pursuant to resolution 1636 (2005)**

During the period under review, no changes were made to the mandate of the Committee established pursuant to resolution 1636 (2005) to register, as subject to a travel ban and asset freeze, individuals designated by the International Independent Investigation Commission or the Government of Lebanon as suspected of involvement in the 14 February 2005 terrorist bombing in Beirut that killed former Lebanese Prime Minister Rafiq Hariri and 22 others. The Committee did not hold any meetings during the period 2012-2013, and as of 31 December 2013 no individuals had been registered.

### **Committee established pursuant to resolution 1718 (2006)**

On 13 April 2012, the Democratic People's Republic of Korea launched a satellite using ballistic missile technology. On 16 April, the Council adopted a presidential statement, in which it agreed to adjust the existing sanctions measures in place on the country, including an arms embargo, a ban on the procurement of arms from the Democratic People's Republic of Korea, an embargo on items that could contribute to programmes relating to nuclear weapons, ballistic missiles or other weapons of mass destruction, a ban on luxury goods and a travel ban and asset freeze on selected individuals. To that end, the Council directed the Committee established pursuant to resolution 1718 (2006) to, inter alia, designate additional entities and items, and to update the information contained in the Committee's list of individuals, entities and items. The Council directed the Committee to take the requested action and report to the Council within 15 days, and agreed that, if the Committee had not acted within that time, the Council would complete action to adjust those measures within an additional 5 days.<sup>9</sup>

In resolution 2050 (2012), the Council extended for 13 months the mandate of the Panel of Experts on the Democratic Republic of Korea established pursuant to resolution 1874 (2009) to assist the Committee.

<sup>9</sup> S/PRST/2012/13.

After the Democratic People's Republic of Korea carried out another launch using ballistic missile technology on 12 December 2012, on 22 January 2013 the Council adopted resolution 2087 (2013), in which it recalled the measures imposed in resolutions 1718 (2006) and 1874 (2009). The Council, at that time, did not add any new sanctions measures. However, in annex I to the resolution, the Council listed an additional four individuals subject to the travel ban and asset freeze and, in annex II, six entities subject to the asset freeze. The Committee, in the same resolution, was directed to review reported violations and take action, including by designating entities and individuals that had assisted in the evasion of sanctions. It was also directed to issue an Implementation Assistance Notice regarding certain situations in the context of cargo inspections.

Finally, in reaction to a nuclear test conducted by the Democratic People's Republic of Korea on 12 February 2013, in resolution 2094 (2013), the Council reaffirmed, strengthened and expanded the sanctions measures in place by, inter alia, listing additional individuals and entities to be subject to the asset freeze and the travel ban and prohibiting financial services that could contribute to the nuclear or ballistic missile programmes of the country. States were asked to inform the Committee on violations and on the implementation of the measures. The Council directed the Committee to issue an Implementation Assistance Notice regarding non-proliferation measures and to review and update the lists containing items subject to the arms embargo and non-proliferation measures, as well as to the prohibition of procurement of weapons from the Democratic People's Republic of Korea. In the same resolution, the Council extended the mandate of the Panel of Experts for a period of nine months. The Panel of Experts was also requested to continue to assist States in preparing and submitting reports on measures taken to implement the provisions of the resolution.

Tables 14 and 15 below provide the full text of all provisions in Council decisions during 2012 and 2013 that relate to the mandate of the Committee and the Panel of Experts.

Table 14  
Committee established pursuant to resolution 1718 (2006): provisions relating to the mandate, 2012-2013

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>S/PRST/2012/13</b>	
<b>Listing/delisting</b>	
Designate individuals and entities	Designate additional entities and items (fifth paragraph, subpara. (a))
<b>Review</b>	
Review of list	Update the information contained in the Committee's list of individuals, entities, and items, and update on an annual basis thereafter (fifth paragraph, subpara. (b))
<b>Determination of prohibited items</b>	
Determine additional items subject to sanctions measures	See fifth paragraph, subpara. (a), of the presidential statement, under "Listing/delisting" above
<b>Reporting</b>	
Produce programme of work	Update the annual workplan of the Committee (fifth paragraph, subpara. (c))
Report and make recommendations	The Council agrees to adjust the measures imposed by paragraph 8 of resolution 1718 (2006), as modified by resolution 1874 (2009). The Council directs the Committee established pursuant to resolution 1718 (2006) to undertake the tasks and to report to the Council within 15 days (fifth paragraph)
<b>Resolution 2050 (2012)</b>	
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and with the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1718 (2006) and 1874 (2009) (para. 5)
<b>Resolution 2087 (2013)</b>	
<b>Technical assistance</b>	
Assist States in complying with measures	Directs the Committee to issue an Implementation Assistance Notice regarding situations where a vessel has refused to allow an inspection after such an inspection has been authorized by the vessel's flag State or any Democratic People's Republic of Korea-flagged vessel has refused to be inspected pursuant to paragraph 12 of resolution 1874 (2009) (para. 7)
<b>Coordination and cooperation</b>	
Coordinate with other entities	Encourages international agencies to take the steps necessary to ensure that all their activities with respect to the Democratic People's Republic of Korea are consistent with the provisions of resolutions 1718 (2006) and 1874 (2009), and further encourages relevant agencies to engage with the Committee regarding their activities with respect to the Democratic People's Republic of Korea that may relate to provisions of these resolutions (para. 11)



Decision or mandated task, by category

Provisions

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### Monitoring and enforcement

Take action on alleged violations Deplores the violations of the measures imposed in resolution 1718 (2006) and 1874 (2009), including the use of bulk cash to evade sanctions, underscores its concern over the supply, sale or transfer to or from the Democratic People's Republic of Korea or through States' territories of any item that could contribute to activities prohibited by resolutions 1718 (2006) or 1874 (2009) and the importance of appropriate action by States in this regard, calls upon States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals working on behalf or at the direction of a designated individual or entity, and directs the Committee to review reported violations and take action as appropriate, including by designating entities and individuals that have assisted the evasion of sanctions or the violation of the provisions of resolutions 1718 (2006) and 1874 (2009) (para. 12)

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### Resolution 2094 (2013)

#### General

Adapt mandate to modified measures Decides that the mandate of the Committee, as set out in paragraph 12 of resolution 1718 (2006), shall apply with respect to the measures imposed in resolution 1874 (2009) and the present resolution (para. 28)

#### Determination of prohibited items

Determine additional items subject to sanctions measure Directs the Committee to review and update the items contained in the lists specified in paragraph 5 (b) of resolution 2087 (2013) no later than 12 months from the adoption of the present resolution and on an annual basis thereafter, and decides that, if the Committee has not acted to update this information by then, the Council will complete action to update it within an additional 30 days (para. 21)

### Monitoring and enforcement

Gather and analyse information on compliance Further decides that, if any vessel has refused to allow an inspection after such an inspection has been authorized by the vessel's flag State, or if any Democratic People's Republic of Korea-flagged vessel has refused to be inspected pursuant to paragraph 12 of resolution 1874 (2009), all States shall deny such a vessel entry to their ports, unless entry is required for the purpose of an inspection, in the case of emergency or in the case of return to its port of origination, and decides further that any State that has been refused by a vessel to allow an inspection shall promptly report the incident to the Committee (para. 17)

Requests all States to communicate to the Committee any information available on transfers of Democratic People's Republic of Korea aircraft or vessels to other companies that may have been undertaken in order to evade the sanctions or in violation of the provisions of resolution 1718 (2006), 1874 (2009), 2087 (2013) or the present resolution, including renaming or re-registering of aircraft, vessels or ships, and requests the Committee to make that information widely available (para. 19)

Calls upon all States to report to the Council within 90 days of the adoption of the present resolution, and thereafter upon request by the Committee, on concrete measures they have taken in order to implement effectively the provisions of the present resolution, and requests the Panel of Experts established pursuant to resolution 1874 (2009), in cooperation with other United Nations sanctions monitoring groups, to continue its efforts to assist States in preparing and submitting such reports in a timely manner (para. 25)

*Decision or mandated task, by category*

*Provisions*

### Technical assistance

Assist States in complying with measures

Calls upon and allows all States to prevent the direct or indirect supply, sale or transfer to or from the Democratic People's Republic of Korea or its nationals, through their territories or by their nationals or using their flag vessels or aircraft, whether or not any item originated in their territories, if the State determines that such items could contribute to the nuclear or ballistic missile programmes of the Democratic People's Republic of Korea, activities prohibited by resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#) or the present resolution or to the evasion of measures imposed by resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#) or the present resolution, and directs the Committee to issue an Implementation Assistance Notice regarding the proper implementation of this provision (para. 22)

### Outreach

Provide public information

See para. 19 of the resolution, under "Monitoring and enforcement" above

Table 15

## Panel of Experts on the Democratic People's Republic of Korea: provisions relating to the mandate, 2012-2013

*Decision or mandated task, by category*

*Provisions*

### Resolution [2050 \(2012\)](#)

#### General

Extension

Decides to extend until 12 July 2013 the mandate of the Panel of Experts on the Democratic People's Republic of Korea, as specified in paragraph 26 of resolution [1874 \(2009\)](#), expresses its intent to review the mandate and take appropriate action regarding further extension no later than 12 June 2013, and requests the Secretary-General to take the necessary administrative measures to this effect (para. 1)

#### Monitoring and enforcement

Gather and analyse information on compliance

Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and with the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolution [1718 \(2006\)](#) and resolution [1874 \(2009\)](#) (para. 5)

#### Reporting

Produce programme of work

Also requests the Panel of Experts to provide to the Committee a planned programme of work no later than 30 days after the reappointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work and to engage regularly with the Panel about its work, and further requests the Panel to provide to the Committee any updates to this programme of work (para. 3)

Report and make recommendations

Requests the Panel of Experts to provide to the Committee, no later than 12 November 2012, a midterm report on its work, and requests that, after a discussion with the Committee, the Panel of Experts submit to the Council its midterm report by 12 December 2012, and also requests a final report to the Committee no later than 30 days prior to the termination of the mandate of the Panel, with its findings and recommendations, and further requests that, after a discussion with the Committee, the Panel submit to the Council its final report upon termination of the mandate of the Panel (para. 2)

*Decision or mandated task, by category*

*Provisions*

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## **Resolution 2094 (2013)**

### **General**

Adapt mandate to modified measures

Recalls the creation, pursuant to paragraph 26 of resolution 1874 (2009), of the Panel of Experts, under the direction of the Committee, to carry out the tasks provided for by that paragraph, decides to extend until 7 April 2014 the mandate of the Panel, as renewed by resolution 2050 (2012), decides further that this mandate shall apply with respect to the measures imposed by the present resolution, expresses its intent to review the mandate and take appropriate action regarding further extension no later than 12 months from the adoption of the present resolution, requests the Secretary-General to create a group of up to eight experts and to take the administrative measures necessary to this effect, and requests the Committee, in consultation with the Panel, to adjust the schedule of reporting of the Panel (para. 29)

### **Technical assistance**

Assist States in complying with measures

Calls upon all States to report to the Council within 90 days of the adoption of the present resolution, and thereafter upon request by the Committee, on concrete measures they have taken in order to implement effectively the provisions of the present resolution, and requests the Panel of Experts established pursuant to resolution 1874 (2009), in cooperation with other United Nations sanctions monitoring groups, to continue its efforts to assist States in preparing and submitting such reports in a timely manner (para. 25)

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### **Committee established pursuant to resolution 1737 (2006)**

In resolutions 2049 (2012) and 2105 (2013), the Council urged States to cooperate with the Committee established pursuant to resolution 1737 (2006) to oversee the implementation of the sanctions measures against the Islamic Republic of Iran and with the Panel of Experts on the Islamic Republic of Iran established pursuant to resolution 1929 (2010) to assist the Committee. Specifically, the Council urged States to supply information on implementation of the measures, including an arms embargo, a ban on the procurement of arms from the Islamic Republic of Iran, non-proliferation measures, a

travel ban, an asset freeze and other financial restrictions. During the same period, in resolutions 2049 (2012) and 2105 (2013) the Council twice decided to extend the mandate of the Panel of Experts, for a period of one year each time. In addition, the Council requested the Panel to submit to the Council a midterm and a final report, after a discussion with the Committee, and to provide to the Committee a planned programme of work.

Tables 16 and 17 include the full text of all provisions in Council decisions during the period under review that relate to the mandate of the Committee and the Panel of Experts.

Table 16

**Committee established pursuant to resolution 1737 (2006): provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2049 (2012)</b>	
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and with the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010) (para. 5)
<b>Resolution 2105 (2013)</b>	
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and with the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010) (para. 5)

Table 17

**Panel of Experts on the Islamic Republic of Iran: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2049 (2012)</b>	
<b>General</b>	
Extension	Decides to extend until 9 July 2013 the mandate of the Panel of Experts on the Islamic Republic of Iran, as specified in paragraph 29 of resolution 1929 (2010), expresses its intent to review the mandate and take appropriate action regarding further extension no later than 9 June 2013, and requests the Secretary-General to take the necessary administrative measures to this effect (para. 1)
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010) (para. 5)
<b>Reporting</b>	
Produce programme of work	Also requests the Panel of Experts to provide to the Committee a planned programme of work no later than 30 days after the reappointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work and to engage regularly with the Panel about its work, and further requests the Panel to provide to the Committee any updates to this programme of work (para. 3)

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
Report and make recommendations	Requests the Panel of Experts to provide to the Committee, no later than 9 November 2012, a midterm report on its work, and requests that, after a discussion with the Committee, the Panel submit to the Council its midterm report by 9 December 2012, and also requests a final report to the Committee, no later than 30 days prior to the termination of the mandate of the Panel, with its findings and recommendations, and further requests that, after a discussion with the Committee, the Panel of Experts submit to the Council its final report upon termination of the mandate of the Panel (para. 2)

### **Resolution 2105 (2013)**

#### **General**

Extension	Decides to extend until 9 July 2014 the mandate of the Panel of Experts, as specified in paragraph 29 of resolution 1929 (2010), expresses its intent to review the mandate and take appropriate action regarding further extension no later than 9 June 2014, and requests the Secretary-General to take the necessary administrative measures to this effect (para. 1)
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#### **Monitoring and enforcement**

Gather and analyse information on compliance	Urges all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee established pursuant to resolution 1737 (2006) and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010) (para. 5)
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#### **Reporting**

Produce programme of work	Also requests the Panel of Experts to provide to the Committee a planned programme of work no later than 30 days after the reappointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work and to engage regularly with the Panel about its work, and further requests the Panel to provide to the Committee any updates to this programme of work (para. 3)
Report and make recommendations	Requests the Panel of Experts to provide to the Committee, no later than 9 November 2013, a midterm report on its work, and further requests that, after a discussion with the Committee, the Panel submit to the Council its midterm report by 9 December 2013, and also requests a final report to the Committee by 9 May 2014 with its findings and recommendations, and further requests that, after a discussion with the Committee, the Panel submit to the Council its final report by 9 June 2014 (para. 2)

#### **Committee established pursuant to resolution 1970 (2011) concerning Libya**

In resolutions 2040 (2012) of 12 March 2012 and 2095 (2013) of 14 March 2013, the Council directed the Committee established pursuant to resolution 1970 (2011) to review the asset freeze imposed on two government-managed Libyan entities in order to lift the freeze as soon as practicable and make the assets available to the people of Libya.

In resolution 2040 (2012), the Council extended and modified the mandate of the Panel of Experts on Libya established pursuant to resolution 1973 (2011) to include

such tasks as assisting the Committee, gathering, examining and analysing information from Member States and making recommendations and reporting. It also encouraged the Panel to investigate incidents of non-compliance with the arms embargo on Libya and the asset freeze on designated individuals and entities. In resolution 2095 (2013), the Council extended the Panel for another 13 months, with no changes to the mandate.

In resolution 2095 (2013), the Council eased the arms embargo imposed by resolution 1970 (2011) by no longer requiring certain notification and approval procedures, and terminated the mandate of the Committee

in this regard. Notwithstanding, the Council condemned the reported continuing violations of the embargo, and recalled the mandate of the Committee to examine and take appropriate action on information regarding alleged violations.

Tables 18 and 19 provide the full text of all provisions in Council decisions in 2012 and 2013 that relate to the mandate of the Committee and the Panel of Experts.

Table 18

**Committee established pursuant to resolution 1970 (2011) concerning Libya: provisions relating to the mandate, 2012-2013**

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<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2040 (2012)</b>	
<b>Listing/delisting</b>	
Delisting	Directs the Committee established pursuant to resolution 1970 (2011), in consultation with the Libyan authorities, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011), as modified by resolution 2009 (2011), with respect to the Libyan Investment Authority and the Libyan Africa Investment Portfolio, and decides that the Committee shall, in consultation with the Libyan authorities, lift the designation of these entities as soon as practical to ensure the assets are made available to and for the benefit of the people of Libya (para. 9)
<b>Review</b>	
Review of list	See para. 9 of the resolution, under "Listing/delisting" above
<b>Resolution 2095 (2013)</b>	
<b>General</b>	
Adapt mandate to modified measures	Expresses its intent to review the mandate of the Committee in the event that the measures imposed in resolutions 1970 (2011) and 1973 (2011) and modified in resolutions 2009 (2011), 2040 (2012) and in the present resolution should be lifted by a future decision of the Council (para. 17)
<b>Listing/delisting</b>	
Delisting	Directs the Committee, in consultation with the Libyan Government, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011), as modified by resolution 2009 (2011), with respect to the Libyan Investment Authority and the Libyan Africa Investment Portfolio, and decides that the Committee shall, in consultation with the Government, lift the designation of these entities as soon as practical to ensure that the assets are made available to and for the benefit of the people of Libya (para. 13)
<b>Review</b>	
Review of list	See para. 13 of the resolution, under "Listing/delisting" above
<b>Exemptions</b>	
Grant exemptions	Decides that supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, shall no longer require the approval of the Committee, as previously provided for in paragraph 9 (a) of resolution 1970 (2011) (para. 9)

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
Process notifications	Also decides that supplies of non-lethal military equipment, and the provision of any technical assistance, training or financial assistance, when intended solely for security or disarmament assistance to the Libyan Government, shall no longer require notification to, or the absence of a negative decision by, the Committee, as previously provided for in paragraph 13 (a) of resolution <a href="#">2009 (2011)</a> (para. 10)
<b>Monitoring and enforcement</b>	
Take action on alleged violations	Condemns the reported continuing violations of the measures contained in resolutions <a href="#">1970 (2011)</a> and <a href="#">1973 (2011)</a> , as modified in its subsequent resolutions, and recalls the mandate of the Committee, as defined in paragraph 24 of resolution <a href="#">1970 (2011)</a> , to examine and take appropriate action on information regarding alleged violations or non-compliance with those measures (para. 12)

Table 19  
**Panel of Experts on Libya: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution <a href="#">2040 (2012)</a></b>	
<b>General</b>	
Extension	Decides to extend and modify the mandate of the Panel of Experts, established pursuant to paragraph 24 of resolution <a href="#">1973 (2011)</a> , and decides further to adjust the mandate to create for a period of one year, in consultation with the Committee and taking into account the current areas of activity, a group of up to five experts (“the Panel”) under the direction of the Committee to carry out the tasks (para. 10)
General support	Assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution <a href="#">1970 (2011)</a> (para. 10 (a))
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	Gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in resolution <a href="#">1970 (2011)</a> , <a href="#">1973 (2011)</a> and <a href="#">2009 (2011)</a> , in particular incidents of non-compliance (para. 10 (b))  Encourages the Panel, while mindful of the responsibility of the United Nations Support Mission in Libya (UNSMIL) for assisting the Libyan authorities to counter the illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, and to secure and manage Libya’s borders, to continue its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya and the assets of individuals subject to the asset freeze established in resolutions <a href="#">1970 (2011)</a> and <a href="#">1973 (2011)</a> and modified in resolution <a href="#">2009 (2011)</a> , and encourages UNSMIL and the Libyan authorities to support the investigatory work of the Panel inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate (para. 12)
<b>Reporting</b>	
Provide periodic reports	Provide to the Council an interim report on its work no later than 90 days after the appointment of the Panel, and a final report to the Council no later than 30 days prior to the termination of its mandate, with its findings and recommendations (para. 10 (d))

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
Report and make recommendations	Make recommendations on actions that the Council, the Committee, the Libyan authorities or other States may consider to improve implementation of the relevant measures (para. 10 (c))
<b>Resolution 2095 (2013)</b>	
<b>General</b>	
Extension	Decides to extend the mandate of the Panel of Experts on Libya, established pursuant to paragraph 24 of resolution 1973 (2011) and modified by resolution 2040 (2012), for a period of 13 months, expresses its intent to review the mandate and take appropriate action regarding further extension no later than 12 months from the adoption of the present resolution, and decides that the Panel shall carry out the tasks (para. 14)
General support	Assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011) (para. 14 (a))
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	Gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in resolutions 1970 (2011) and 1973 (2011) and modified in resolutions 2009 (2011) and 2040 (2012) and in the present resolution, in particular incidents of non-compliance (para. 14 (b))
	Encourages the Panel, while mindful of the responsibility of the Mission for assisting the Libyan Government to counter illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles, and to secure and manage Libya's borders, to continue and expedite its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya and the assets of individuals subject to the asset freeze established in resolutions 1970 (2011) and 1973 (2011) and modified in resolutions 2009 (2011), 2040 (2012) and the present resolution, and encourages UNSMIL and the Government to support the investigatory work of the Panel inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate (para. 16)
<b>Reporting</b>	
Provide periodic reports	Provide to the Council an interim report on its work no later than 90 days after the appointment of the Panel, and a final report to the Council no later than 60 days prior to the termination of its mandate, with its findings and recommendations (para. 14 (d))
Report and make recommendations	Make recommendations on actions that the Council, the Committee, the Libyan Government or other States may consider to improve implementation of the relevant measures (para. 14 (c))

**Committee established pursuant to resolution 1988 (2011)**

By resolution 2082 (2012), the Council decided to extend the arms embargo, asset freeze and travel ban with respect to individuals and entities designated prior to the date of adoption of resolution 1988 (2011) as the Taliban,

as well as other individuals, groups, undertakings and entities associated with the Taliban. The Council adopted the resolution in the context of the process of peace and reconciliation in Afghanistan and included a series of provisions aimed at supporting the peace process. The Committee established pursuant to resolution 1988 (2011) was mandated to consider requests by the Government of



Afghanistan for exemptions to the travel ban in order to facilitate the participation of selected individuals in meetings in support of peace and reconciliation. The Council requested the Government of Afghanistan, in turn, to provide to the Committee a report on each individual's travel under a granted exemption.

In the resolution, the Council underlined the importance of a comprehensive political process in Afghanistan, and emphasized the role of the Government of Afghanistan in the listing and delisting of individuals. For instance, the Committee was requested to give due regard to requests for removal of individuals whom the Government considered to have reconciled and who had no links to international terrorist organizations. The Council recognized that timely and expeditious modifications to the List were required, including the addition and removal of individuals and entities, and requested the Committee to review, inter alia, individuals whose entries lacked identifiers, individuals reportedly deceased and entities reported or confirmed to have

ceased to exist. Against the backdrop of the urgent search for a peaceful settlement of the ongoing conflict in Afghanistan, the Council urged the Committee to decide on listing and delisting requests in a timely manner. By the same resolution, the Council also extended the mandate of the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004), serving both the Al-Qaida and Taliban sanctions committees, for a period of 30 months.

In resolutions 2041 (2012) and 2096 (2013), the Council welcomed the cooperation of the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan (UNAMA) with the Committee, including by providing relevant information for updating the 1988 List.

Tables 20 and 21 provide the full text of all provisions in Council decisions that relate to the mandate of the Committee and the Analytical Support and Sanctions Monitoring Team (in its tasks with respect to the Taliban sanctions regime).

Table 20

**Committee established pursuant to resolution 1988 (2011): provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2041 (2012)</b>	
<b>Monitoring and enforcement</b>	
Provide a list of violators	Notes the establishment of the Committee pursuant to resolution 1988 (2011), its methods and procedures, welcomes in this context the cooperation of the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan (UNAMA) with the Committee, including by providing relevant information for updating the 1988 List, and by identifying individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, in accordance with the designation criteria set out in resolution 1988 (2011), and notes that means of financing or supporting these individuals, groups, undertakings and entities include but are not limited to proceeds derived from the illicit cultivation and production of and trafficking of narcotic drugs and their precursors originating in and transiting through Afghanistan, and encourages the continuation of such cooperation (para. 15)
<b>Coordination and cooperation</b>	
Coordinate with other entities	See para. 15 of the resolution, under "Monitoring and enforcement" above
<b>Resolution 2082 (2012)</b>	
<b>General</b>	
Consider pending issues or concerns	Decides that, with the exception of decisions made pursuant to paragraph 10 of the present resolution, no matter shall be left pending before the Committee for a period longer than six months, urges Committee members to respond within three months, and directs the Committee to update its guidelines as appropriate (para. 29)

### **Committee guidelines**

Amend committee guidelines

See para. 29 of the resolution, under ““General” above

Urges the Committee to ensure that there are fair and clear procedures for the conduct of its work, and directs the Committee to review its guidelines as soon as possible, in particular with respect to paragraphs 8, 9, 10, 11, 13, 14, 17, 24, 28, 29 and 32 (para. 30)

### **Listing/delisting**

Listing procedure

Underlines the importance of a comprehensive political process in Afghanistan to support peace and reconciliation among all Afghans, invites the Government of Afghanistan, in close coordination with the High Peace Council, to submit for the consideration of the Committee the names of listed individuals for whom it confirms that travel to such specified location or locations is necessary to participate in meetings in support of peace and reconciliation, and requires such submissions to include, to the extent possible, the following information:

- (a) The passport number or travel document number of the listed individual;
- (b) The specific location or locations to which each listed individual is expected to travel and their anticipated transit points, if any;
- (c) The period of time, not to exceed nine months, during which listed individuals are expected to travel (para. 9)

Encourages all Member States, in particular the Government of Afghanistan, to submit to the Committee for inclusion on the List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities described in paragraph 2 (para. 12)

Recalls its decision that, when proposing names to the Committee for inclusion on the List, Member States shall provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice; and directs the Analytical Support and Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information, as well as steps to ensure that INTERPOL-United Nations Special Notices exist for all listed individuals, groups, undertakings and entities (para. 13)

Also recalls its decision that, when proposing names to the Committee for inclusion on the List, Member States shall also provide a detailed statement of case, and that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 15 below (para. 14)

Directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the List, a narrative summary of reasons for listing for the corresponding entry (para. 15)

Calls upon all members of the Committee and the Monitoring Team to share with the Committee any appropriate information they may have available regarding a listing request from a Member State so that this information may help to inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 15 (para. 16)

Requests the Secretariat to publish on the Committee website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner (para. 17)

Strongly urges Member States, when considering the proposal of a new designation, to consult with the Government of Afghanistan on the designation prior to submission to the Committee, to ensure coordination with the peace and reconciliation efforts of the Government of Afghanistan, and encourages all Member States considering the proposal of a new designation to seek advice from UNAMA, where appropriate (para. 18)

Decides that the Committee shall, after publication but within three working days after a name is added to the List, notify the Government of Afghanistan, the Permanent Mission of Afghanistan, and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national (para. 19)

Urges the Committee, where appropriate, to invite a representative of the Government of Afghanistan to appear before the Committee to discuss the merits of listing or delisting certain individuals, groups, undertakings and entities, including when a request by the Government of Afghanistan has been put on hold or rejected by the Committee (para. 24)

Requests all Member States, but particularly the Government of Afghanistan, to inform the Committee if they become aware of any information indicating that an individual, group, undertaking or entity that has been delisted should be considered for designation under paragraph 1 of the present resolution, and further requests that the Government provide to the Committee an annual report on the status of reportedly reconciled individuals who have been delisted by the Committee in the previous year (para. 25)

Directs the Committee to consider expeditiously any information indicating that a delisted individual has returned to activities set forth in paragraph 2 of the present resolution, including by engaging in acts inconsistent with paragraph 20 of the present resolution, and requests the Government of Afghanistan or other Member States, where appropriate, to submit a request to add that individual's name back on the list (para. 26)

Recognizes that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, urges the Committee to decide on listing and delisting requests in a timely manner, requests the Committee to review each entry on the List on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist, directs the Committee to review and amend its guidelines for such reviews, as appropriate, and requests the Monitoring Team to circulate to the Committee every 12 months (para. 28)

Delisting

Directs the Committee to remove expeditiously on a case-by-case basis individuals and entities that no longer meet the listing criteria outlined in paragraph 2, and requests that the Committee give due regard to requests for removal of individuals who have reconciled, in accordance with the Kabul Conference communiqué of 20 July 2010 on dialogue for all who renounce violence, have no links to international terrorist organizations, including Al-Qaida, respect the constitution, including its human rights provisions, notably the rights of women, and are willing to join in building a peaceful Afghanistan, and as further elaborated in the principles and outcomes of the 5 December 2011 Bonn Conference conclusions supported by the Government of Afghanistan and the international community (para. 20)

Strongly urges Member States to consult with the Government of Afghanistan on their delisting requests prior to submission to the Committee, to ensure coordination with the peace and reconciliation efforts of the Government of Afghanistan (para. 21)

Encourages UNAMA to support and facilitate cooperation between the Government of Afghanistan and the Committee to ensure that the Committee has sufficient information to consider delisting requests, and directs the Committee to consider delisting requests in accordance with the following principles, where relevant:

(a) Delisting requests concerning reconciled individuals should, if possible, include a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines, or, in the case of individuals reconciled under the Strengthening Peace Programme, documentation attesting to their reconciliation under the previous programme, as well as current address and contact information;

(b) Delisting requests concerning individuals who formerly held positions in the Taliban regime prior to 2002 who no longer meet the listing criteria outlined in paragraph 2 of the present resolution should, if possible, include a communication from the Government of Afghanistan confirming that the individual is not an active supporter of, or participant in, acts that threaten the peace, stability and security of Afghanistan, as well as current address and contact information;

(c) Delisting requests for reportedly deceased individuals should include an official statement of death from the State of nationality, residence or other relevant State (para. 23)

See para. 24 of the resolution, above

See para. 25 of the resolution, above

Confirms that the Secretariat shall, as soon as possible after the Committee has made a decision to remove a name from the List, transmit the decision to the Government of Afghanistan and the Permanent Mission of Afghanistan for notification, and the Secretariat should also, as soon as possible, notify the Permanent Mission of the State(s) in which the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of nationality, and recalls its decision that States receiving such notification take measures, in accordance with domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner (para. 27)

See para. 28 of the resolution, above

Focal point procedure

Recalls its decision that individuals and entities seeking removal from the List without the sponsorship of a Member State are eligible to submit such requests to the Focal Point mechanism established in resolution [1730 \(2006\)](#) (para. 22)

## Review

Review of list

See para. 28 of the resolution, under “Listing/delisting” above

## Exemptions

Grant exemptions

Decides that the travel ban imposed by paragraph 1 (b) shall not apply to individuals identified pursuant to paragraph 9, where the Committee determines, on a case-by-case basis only, that such entry or transit is justified, further decides that any such exemption approved by the Committee shall only be granted for the requested period for any travel to the specified location or locations, directs the Committee to decide on all such exemption

*Decision or mandated task, by category*

*Provisions*

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requests, as well as on requests to amend or renew previously granted exemptions, or on a request by any Member State to revoke previously granted exemptions, within 10 days of receiving them, and affirms that, notwithstanding any exemption from the travel ban, listed individuals remain subject to the other measures outlined in paragraph 1 of the present resolution (para. 10)

### **Monitoring and enforcement**

Monitor implementation

Requests the Government of Afghanistan, through the Monitoring Team, to provide to the Committee, for its consideration and review, a report on each individual's travel under a granted exemption, promptly upon the expiration of the exemption, and encourages relevant Member States to provide information to the Committee, as appropriate, on any instances of non-compliance (para. 11)

### **Coordination and cooperation**

Coordinate with other entities

Welcomes periodic briefings from the Government of Afghanistan on the content of the List, as well as on the impact of targeted sanctions on deterring threats to the peace, stability and security of Afghanistan and supporting Afghan-led reconciliation (para. 32)

Encourages continued cooperation between the Committee, the Government of Afghanistan and UNAMA, including by identifying and providing detailed information regarding individuals and entities participating in the financing or support of acts or activities set forth in paragraph 2 of the present resolution, and by inviting UNAMA representatives to address the Committee (para. 33)

Welcomes the Government of Afghanistan's desire to assist the Committee in the coordination of listing and delisting requests and in the submission of all relevant information to the Committee (para. 34)

Recognizes the need to maintain contact with relevant Security Council Committees, international organizations and expert groups, including the Committee established pursuant to resolution 1267 (1999), the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee), the United Nations Office on Drugs and Crime, the Counter-Terrorism Committee Executive Directorate and the Committee established pursuant to resolution 1540 (2004), particularly given the continuing presence and negative influence on the Afghan conflict of Al-Qaida and any cell, affiliate, splinter group or derivative thereof (para. 37)

Discuss implementation of measures

Encourages Member States and relevant international organizations to send representatives to meet with the Committee to share information and discuss any relevant issues (para. 31)

See para. 32 of the resolution, above

### **Outreach**

Provide public information

Directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the List, a narrative summary of reasons for listing for the corresponding entry (para. 15)

Requests the Secretariat to publish on the Committee website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner (para. 17)

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<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2096 (2013)</b>	
<b>Monitoring and enforcement</b>	
Provide a list of violators	Notes the establishment of the Security Council Committee pursuant to resolution 1988 (2011), its methods and procedures, including new procedures to facilitate and expedite requests for travel ban exemptions in support of the peace and reconciliation process, introduced in resolution 2082 (2012), welcomes in this context the cooperation of the Government of Afghanistan, the High Peace Council and UNAMA with the Committee, including by providing relevant information for updating the 1988 List, and by identifying individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, in accordance with the designation criteria set out in resolution 2082 (2012), and notes that means of financing or supporting these individuals, groups, undertakings and entities include but are not limited to proceeds derived from illicit cultivation, production and trafficking of narcotic drugs and their precursors originating in and transiting through Afghanistan, and encourages the continuation of such cooperation (para. 15)
<b>Coordination and cooperation</b>	
Coordinate with other entities	See para. 15 of the resolution, under “Monitoring and enforcement” above

Table 21

**Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004): provisions relating to the mandate,\* 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2082 (2012)</b>	
<b>General</b>	
Extension	Decides, in order to assist the Committee in fulfilling its mandate, that the Monitoring Team of the Committee established pursuant to resolution 1267 (1999), established pursuant to paragraph 7 of resolution 1526 (2004), shall also support the Committee for a period of 30 months, with the mandate set forth in the annex to the present resolution, and requests the Secretary-General to make any necessary arrangements to this effect (para. 35)
General support	In accordance with paragraph 35 of the present resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities: ... (w) Any other responsibility identified by the Committee (annex)
<b>Listing/delisting</b>	
Listing procedure	To encourage Member States to submit names and additional identifying information for inclusion on the List, as instructed by the Committee (annex, para. (j))
Provide information relevant to listing	To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing and preparing a draft narrative summary, referred to in paragraph 15 (annex, para. (g))  To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the List as updated and accurate as possible (annex, para. (k))

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Decision or mandated task, by category

Provisions

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Review of list

Recognizes that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, urges the Committee to decide on listing and delisting requests in a timely manner, requests the Committee to review each entry on the list on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist, directs the Committee to review and amend its guidelines for such reviews, as appropriate, and requests the Monitoring Team to circulate to the Committee every 12 months:

(a) A list of individuals on the List whom the Government of Afghanistan considers to be reconciled along with relevant documentation as outlined in paragraph 23 (a);

(b) A list of individuals and entities on the List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them;

(c) A list of individuals on the List who are reportedly deceased and entities that are reported or confirmed to have ceased to exist, along with the documentation requirements outlined in paragraph 23 (c) (para. 28)

To assist the Committee in regularly reviewing names on the List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing (annex, para. (b))

To bring to the attention of the Committee new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual (annex, para. (h))

See para. (k) of the annex, under "Listing/delisting" above

**Monitoring and enforcement**

Monitor implementation

To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, to pursue case studies, as appropriate, and to explore in depth any other relevant issues as directed by the Committee (annex, para. (l))

Gather and analyse information on compliance

Directs the Monitoring Team to gather information on instances of non-compliance with the measures imposed in the present resolution and to keep the Committee informed of such instances, as well as to facilitate, upon request by Member States, assistance on capacity-building, encourages Committee members to address issues of non-compliance and bring them to the attention of the Monitoring Team or Committee, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance (para. 36)

To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution (annex, para. (c))

To gather information on behalf of the Committee on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by collating information collected from Member States and engaging with suspected non-compliant parties, and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review (annex, para. (e))

See para. (l) of the annex, above

To gather information, including from the Government of Afghanistan and relevant Member States, on travel that takes place under a granted exemption, pursuant to paragraphs 9 and 10 of this resolution, and to report to the Committee, as appropriate (annex, para. (v))

**Coordination and cooperation**

Coordinate with other entities

See para. (e) of the annex, under “Monitoring and enforcement” above

To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee (annex, para. (i))

To consult with Member States and other relevant organizations and bodies, including UNAMA, and engage in regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in reports of the Monitoring Team referred to in paragraph (a) of this annex (annex, para. (m))

To consult with Member States’ intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures (annex, para. (n))

To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the asset freeze and to develop recommendations for the strengthening of that measure (annex, para. (o))

To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures (annex, para. (p))

To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices (annex, para. (q))

To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution [1699 \(2006\)](#) (annex, para. (r))

**Technical assistance**

Assist States in complying with measures

See para. 36 of the resolution, under “Monitoring and enforcement” above

To assist the Committee in facilitating assistance in capacity-building for enhancing implementation of the measures, upon request by Member States (annex, para. (s))

**Reporting**

Produce programme of work

To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel (annex, para. (d))

Provide periodic reports

To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities (annex, para. (t))

To report periodically, as appropriate, to the Committee on linkages between Al-Qaida and those individuals, groups, undertakings and entities eligible for designation under paragraph 1 of this resolution or any other relevant sanctions resolutions (annex, para. (u))



<i>Decision or mandated task, by category</i>	<i>Provisions</i>
Report and make recommendations	<p>See para. 36 of the resolution, under “Monitoring and enforcement” above</p> <p>To submit, in writing, two comprehensive, independent reports to the Committee, the first by 30 September 2013 and the second by 30 April 2014, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures (annex, para. (a))</p> <p>To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the List (annex, para. (f))</p> <p>See para. (l) of the annex, under “Monitoring and enforcement” above</p> <p>See para. (v) of the annex, under “Monitoring and enforcement” above</p>
<b>Outreach</b>	
Conduct country visits	<p>See para. (b) of the annex, under “Listing/delisting” above</p> <p>See para. (d) of the annex, under “Reporting” above</p> <p>See para. (i) of the annex, under “Coordination and cooperation” above</p>

\* With regard to the Taliban.

#### **Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau**

On 12 April 2012, a military coup d'état was carried out in Guinea-Bissau by the military leadership prior to the second round of presidential elections. In a statement by the President, the Security Council expressed its strong condemnation of the coup d'état and demanded the immediate restoration of the constitutional order.<sup>10</sup> By May 2012, the military junta had not yet heeded the demands of the Council. In response to the increasing instability and violence in the country, the Council adopted a series of measures aimed at re-establishing peace and security, including imposing targeted sanctions on members of the military junta governing the country. By resolution 2048 (2012) of 18 May 2012, the Council

imposed a travel ban on five individuals, named in the annex to the resolution, who had been involved in the coup d'état, and established a Committee to oversee the ban. Member States were strongly encouraged to submit to the Committee the names of additional individuals who were seeking to prevent the restoration of the constitutional order or who, through their actions, aimed at undermining the rule of law or at curtailing the primacy of civilian power and furthering impunity and instability in the country. The Council also decided that the Committee would determine on a case-by-case basis exemptions to the travel ban. There were no further decisions concerning the mandate of the Committee during the period under review.

Table 22 provides the full text of all provisions of the above-referenced resolution that relate to the establishment and mandate of the Committee.

<sup>10</sup> S/PRST/2012/15.

Table 22

**Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2048 (2012)</b>	
<b>General</b>	
Establishment	Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (“the Committee”), to undertake the tasks (para. 9)
<b>Committee guidelines</b>	
Promulgate committee guidelines	To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above (para. 9 (c))
<b>Listing/delisting</b>	
Designate individuals and entities	To designate those individuals subject to the measures imposed by paragraph 4 and to consider requests for exemptions in accordance with paragraph 5 (para. 9 (b))
<b>Coordination and cooperation</b>	
Discuss implementation of measures	To encourage a dialogue between the Committee and interested Member States and international, regional and subregional organizations, in particular those in the region, including by inviting representatives of such States or organizations to meet with the Committee to discuss implementation of the measures (para. 9 (e))
<b>Exemptions</b>	
Grant exemptions	Decides also that the measures imposed by paragraph 4 shall not apply: (a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation; ... (c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in Guinea-Bissau and stability in the region (para. 5)  See para. 9 (b) of the resolution, under “Listing/delisting” above
<b>Monitoring and enforcement</b>	
Monitor implementation	To monitor implementation of the measures imposed in paragraph 4 (para. 9 (a))
Gather and analyse information on compliance	To seek from all States and international, regional and subregional organizations whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above (para. 9 (f))
Take action on alleged violations	To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in the present resolution (para. 9 (g))
<b>Reporting</b>	
Provide periodic reports	To report within 30 days to the Council on its work for the first report and thereafter to report as deemed necessary by the Committee (para. 9 (d))

**Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic**

Expressing deep concern at the continuing deterioration of the security situation in the Central African Republic, characterized by a total breakdown in law and order, the absence of the rule of law, and intersectorian tensions, the Council, in its resolution 2127 (2013) of 5 December 2013, imposed an arms embargo on the country, and expressed its strong intent to consider imposing targeted measures, including travel bans and asset freezes. In the same resolution, the Council established a Committee to monitor the implementation

of the arms embargo. The Council also requested the Secretary-General to create an expert group (Panel of Experts on the Central African Republic) that would give assistance to the Committee by, inter alia, providing the Committee with information relevant to the potential designation at a later stage of individuals who might be engaging in activities prohibited under the sanctions regime.

Tables 23 and 24 provide the full text of all provisions in the resolution that relate to the establishment and mandate of the Committee and the Panel of Experts.

Table 23

**Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2127 (2013)</b>	
<b>General</b>	
Establishment	Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein “the Committee”), to undertake the tasks (para. 57)
<b>Committee guidelines</b>	
Promulgate committee guidelines	To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above (para. 57 (c))
<b>Coordination and cooperation</b>	
Discuss implementation of measures	To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures (para. 57 (e))
<b>Monitoring and enforcement</b>	
Monitor implementation	To monitor implementation of the measures imposed in paragraphs 54 and 55 with a view to strengthening, facilitating and improving implementation of these measures by Member States (para. 57 (a))
Gather and analyse information on compliance	To review information regarding those individuals who may be engaging in the acts described in paragraph 54 (para. 57 (b))  To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above (para. 57 (f))
Take action on alleged violations	To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in paragraphs 54 and 55 (para. 57 (g))
<b>Reporting</b>	
Provide periodic reports	To report within 60 days to the Council on its work and thereafter to report as deemed necessary by the Committee (para. 57 (d))

Table 24

**Panel of Experts on the Central African Republic pursuant to resolution 2127 (2013) concerning Central African Republic: provisions relating to the mandate, 2012-2013**

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<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2127 (2013)</b>	
<b>General</b>	
Establishment	Requests the Secretary-General to create for an initial period of 13 months, in consultation with the Committee, and to make the necessary financial and security arrangements to support the work of the Panel of Experts on the Central African Republic, a group of up to five experts (Panel of Experts), under the direction of the Committee, to carry out the (para. 59)
<b>Listing/delisting</b>	
Provide information relevant to listing	To assist the Committee in carrying out its mandate as specified in the present resolution, including through providing the Committee with information relevant to the potential designation at a later stage of individuals who may be engaging in the activities described in paragraph 54 (para. 59 (a))
<b>Review</b>	
Review of list	To assist the Committee in refining and updating information on the list of individuals violating measures imposed by paragraph 54 of the present resolution, including through the provision of biometric information and additional information for the publicly available narrative summary of reasons for listing (para. 59 (d))
<b>Monitoring and enforcement</b>	
Gather and analyse information on compliance	To gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in the present resolution, in particular incidents of non-compliance (para. 59 (b))
<b>Reporting</b>	
Report and make recommendations	To provide to the Council, after discussion with the Committee, an update no later than 5 March 2014, an interim report by 5 July 2014 and a final report no later than 5 November 2014 (para. 59 (c))

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## 2. Other committees

During the biennium 2012-2013, the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (Counter-Terrorism Committee) remained active, and the Counter-Terrorism Committee Executive Directorate established pursuant to resolution 1535 (2004) continued to support its work. The Committee established pursuant to resolution 1540 (2004) concerning non-proliferation was also active during the period.

### **Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism**

On 4 May 2012, the Council adopted a presidential statement, in which it encouraged the Counter-Terrorism Committee Executive Directorate to focus increased attention on resolution 1624 (2005), in its dialogue with Member States to develop strategies that include countering incitement of terrorist acts and in facilitating technical assistance.<sup>11</sup> On 15 January 2013, the Council adopted a presidential statement, in which it recalled the

<sup>11</sup> S/PRST/2012/17.

crucial role of the Executive Directorate in ensuring the full implementation of resolutions 1373 (2001) and 1624 (2005). The Council underlined the importance of capacity-building and technical assistance to increase the capabilities of Member States for effective implementation of Council resolutions, and encouraged the Counter-Terrorism Committee and the Executive Directorate to continue to work with Member States to assess and facilitate technical assistance.<sup>12</sup>

In resolution 2129 (2013) of 17 December 2013, the Council underlined that the overarching goal of the Committee was the full implementation of resolution 1373 (2001), and decided that the Counter-Terrorism Committee Executive Directorate would continue to operate as a special political mission until 31 December 2017. The Council also encouraged the Executive Directorate to cooperate with Member States, and reiterated the need to enhance the ongoing cooperation between the Counter-Terrorism Committee, the Committee established pursuant to resolutions 1267

<sup>12</sup> S/PRST/2013/1.

(1999) and 1989 (2011) and the Committee established pursuant to resolution 1540 (2004). This call for coordination echoed prior decisions of the Council relating to the Al-Qaida and Taliban sanctions regimes,<sup>13</sup> threats to international peace and security caused by terrorist acts<sup>14</sup> and peace and security in Africa.<sup>15</sup>

In addition to the tasks of supporting and monitoring implementation and reporting on its activities, the Council, in resolution 2129 (2013) directed the Executive Directorate, for the first time, to identify emerging issues, and invited it to enhance its partnerships with relevant entities in conducting research and information-gathering and identifying good practices.

Tables 25 and 26 provide the full text of all paragraphs in all Council decisions that relate to the establishment and mandate of the Committee and the Panel of Experts.

<sup>13</sup> Resolutions 2082 (2012) and 2083 (2012).

<sup>14</sup> S/PRST/2012/17 and S/PRST/2013/1.

<sup>15</sup> S/PRST/2013/5.

Table 25

**Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2129 (2013)</b>	
<b>General</b>	
General support	Underlines that the overarching goal of the Counter-Terrorism Committee is to ensure the full implementation of resolution 1373 (2001), and recalls the crucial role of the Counter-Terrorism Committee Executive Directorate in supporting the Committee in the fulfilment of its mandate (para. 1)
<b>Coordination and cooperation</b>	
Coordinate with other entities	Stresses the importance of a tailored dialogue and engagement among the Executive Directorate, the Committee and Member States, and encourages the Committee and the Executive Directorate to continue to arrange meetings involving counter-terrorism officials from Member States and relevant international, regional, and subregional organizations, with a thematic or regional focus relevant to the implementation of resolutions 1373 (2001) and 1624 (2005) (para. 20)  Reiterates the need to enhance the ongoing cooperation among the Counter-Terrorism Committee, the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced and systematized information-sharing, and coordination on visits to countries and participation in workshops, on technical assistance, on relations with international, regional and subregional organizations and agencies, including through the shared use of regionally based focal points, as appropriate and in accordance with their respective mandates, and on other issues of relevance to all three committees, expresses

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
	its intention to provide guidance to the Committees on areas of common interest in order to better coordinate counter-terrorism efforts, and stresses the importance of the Executive Directorate and relevant entities of the Counter-Terrorism Implementation Task Force being co-located and making necessary efforts to achieve this objective (para. 23)
<b>Monitoring and enforcement</b>	
Monitor implementation	See para. 20 of the resolution, under “Coordination and cooperation” above
<b>Reporting</b>	
Provide periodic reports	Stresses the importance of the Executive Directorate providing timely country reports to the Committee, encourages the Committee and the Executive Directorate to engage with Member States, as appropriate, after relevant country reports are adopted by the Committee, and invites the Executive Directorate to conduct regular follow-up activity with concerned Member States, as appropriate (para. 8)
	Requests the Counter-Terrorism Committee to report orally, through its Chair, at least once a year to the Council on the state of the overall work of the Committee and the Executive Directorate, and, as appropriate, in conjunction with the reports of the Chairs of the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Committee established pursuant to resolution 1540 (2004), expresses its intention to hold informal consultations at least once a year on the work of the Committee, and further requests the Committee to hold periodic meetings, including with a regional or thematic focus, for all Member States (para. 22)

Table 26

**Counter-Terrorism Committee Executive Directorate: provisions relating to the mandate, 2012-2013**

<i>Decision or mandated task, by category</i>	<i>Provisions</i>
<b>Resolution 2129 (2013)</b>	
<b>General</b>	
Extension	Decides that the Counter-Terrorism Committee Executive Directorate shall continue to operate as a special political mission under the policy guidance of the Counter-Terrorism Committee for the period ending 31 December 2017, and further decides to conduct an interim review by 31 December 2015 (para. 2)
General support	Underlines that the overarching goal of the Committee is to ensure the full implementation of resolution 1373 (2001), and recalls crucial role of the Executive Directorate in supporting the Committee in the fulfilment of its mandate (para. 1)
<b>Assessment and evaluation</b>	
Assess impact and effectiveness of measures	Directs the Executive Directorate to identify emerging issues, trends and developments related to resolutions 1373 (2001) and 1624 (2005), while taking into account the United Nations Global Counter-Terrorism Strategy, as appropriate, at all levels, in consultation with relevant partners, and to advise the Committee on practical ways for Member States to implement resolutions 1373 (2001) and 1624 (2005) (para. 5)

Recognizes the advantages of a comprehensive approach to preventing the spread of terrorism and violent extremism, consistent with resolutions 1373 (2001) and 1624 (2005), and in this regard, invites the Executive Directorate, as appropriate and in consultation with relevant Member States, to further engage and enhance its partnerships with international, regional and subregional organizations, civil society, academia and other entities in conducting research and information-gathering and identifying good practices, and in that context to support the efforts of the Committee to promote the implementation of resolutions 1373 (2001) and 1624 (2005), and underscores the importance of engaging with development entities (para. 19)

Reminds Member States that effective counter-terrorism measures and respect for human rights are complementary and mutually reinforcing and are an essential part of a successful counter-terrorism effort, notes the importance of respect for the rule of law so as to effectively combat terrorism, and encourages the Executive Directorate to further develop its activities in this area, to ensure that all human rights and rule of law issues relevant to the implementation of resolutions 1373 (2001) and 1624 (2005) are addressed consistently and even-handedly, including, as appropriate, on country visits that are organized with the consent of the Member State visited and in the delivery of technical assistance (para. 21)

### Monitoring and enforcement

#### Monitor implementation

Recalls that the Executive Directorate provided to the Committee, in accordance with resolution 1963 (2010), global implementation surveys of resolutions 1373 (2001) and 1624 (2005), and directs the Executive Directorate to produce updated versions of these global implementation surveys to the Committee prior to 31 December 2015 (para. 6)

Reiterates the obligation of Member States to refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists, and encourages the Executive Directorate to continue to fully take this obligation into account throughout its activities (para. 13)

Notes the evolving nexus between terrorism and information and communications technologies, in particular the Internet, and the use of such technologies to commit terrorist acts, and to facilitate such acts through their use to incite, recruit, fund or plan terrorist acts, and directs the Executive Directorate to continue to address this issue, in consultation with Member States and international, regional and subregional organizations, the private sector and civil society and to advise the Committee on further approaches (para. 14)

Stresses the importance of a tailored dialogue and engagement among the Executive Directorate, the Committee and Member States, and encourages the Committee and the Executive Directorate to continue to arrange meetings involving counter-terrorism officials from Member States and relevant international, regional, and subregional organizations, with a thematic or regional focus relevant to the implementation of resolutions 1373 (2001) and 1624 (2005) (para. 20)

### Coordination and cooperation

#### Coordinate with other entities

Underscores the essential role of the Executive Directorate within the United Nations to assess issues and trends relating to the implementation of resolutions 1373 (2001) and 1624 (2005) and to share information, as appropriate, with relevant United Nations counter-terrorism bodies and relevant international, regional and subregional organizations, welcomes the thematic and regional approach of the Executive Directorate aimed at addressing the counter-terrorism needs of each Member State and region, and in this regard encourages the Executive Directorate to promote international cooperation to further the implementation of resolutions 1373 and 1624 (para. 4)

Encourages the Executive Directorate to cooperate with Member States and regional and subregional organizations, upon request, to assess and advise them on formulating national and regional counter-terrorism strategies to further the implementation of resolutions 1373 (2001) and 1624 (2005), and to make available its assessments and other information, as appropriate, to relevant entities of the Counter-Terrorism Implementation Task Force (para. 7)

Encourages the Executive Directorate, in close cooperation with bilateral and multilateral donors and technical assistance providers, including relevant United Nations counter-terrorism bodies, to continue to work with Member States and regional and subregional organizations, at their request and in accordance with resolutions 1373 (2001) and 1624 (2005), to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, and encourages the Executive Directorate, as appropriate, to assess the impact of its donor-supported project activity linked to building capacity and cooperation (para. 11)

Also encourages the Executive Directorate, in close cooperation with the Counter-Terrorism Implementation Task Force and its relevant working groups, to continue to pay close attention to resolution 1624 (2005) in its dialogue with Member States, and to work with them to develop, in accordance with their obligations under international law, strategies which include countering incitement of terrorist acts motivated by extremism and intolerance and to facilitate technical assistance for its implementation, as called for in resolution 1624 (2005) and the United Nations Global Counter-Terrorism Strategy (para. 12)

See para. 14 of the resolution, under “Monitoring and enforcement” above

Recalls the adoption by the Global Counterterrorism Forum of the Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists, and encourages the Executive Directorate to take it into account, as appropriate, consistent with its mandate, including in its facilitation of capacity-building to Member States (para. 15)

Expresses its profound solidarity with the victims of terrorism and their families, and encourages the Executive Directorate to take into account the important role that victims and survivor networks can play in countering terrorism, in close cooperation with the Counter-Terrorism Implementation Task Force and its relevant working groups (para. 16)

Recognizes the comprehensive international standards embodied in the Financial Action Task Force revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation, and encourages the Executive Directorate to work closely with the Task Force, including in the Task Force’s mutual evaluations process, focusing on effective implementation of counter-terrorist financing recommendations (para. 17)

Encourages the Executive Directorate to continue its dialogue with Member States in various formats, with their consent, including for the purpose of considering advising, as appropriate, on the development of comprehensive and integrated national counter-terrorism strategies and the mechanisms to implement them that include attention to the factors that lead to terrorist activities, in accordance with their obligations under international law, and in close cooperation with the Counter-Terrorism Implementation Task Force and its working groups, with a view to ensuring coherence and complementarity of efforts and to avoid any duplication (para. 18)

See para. 19 of the resolution, under “Assessment and evaluation” above

See para. 20 of the resolution, under “Monitoring and enforcement” above



Decision or mandated task, by category

Provisions

Reiterates the need to enhance the ongoing cooperation between the Counter-Terrorism Committee, the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced and systematized information-sharing, and coordination on visits to countries and participation in workshops, on technical assistance, on relations with international, regional and subregional organizations and agencies, including through the shared use of regionally based focal points, as appropriate and in accordance with their respective mandates, and on other issues of relevance to all three committees, expresses its intention to provide guidance to the Committees on areas of common interest in order to better coordinate counter-terrorism efforts, and stresses the importance of the Executive Directorate and relevant entities of the Counter-Terrorism Implementation Task Force being co-located and making necessary efforts to achieve this objective (para. 23)

Directs the Executive Directorate to increase cooperation with the Committees that have mandates established pursuant to resolutions 1267 (1999) and 1989 (2011), 1988 (2011), 1373 (2001) and 1540 (2004) and their respective groups of experts (para. 24)

Encourages the Executive Directorate to enhance its dialogue and information-sharing with Special Envoys, and the Department of Political Affairs and the Department of Peacekeeping Operations of the Secretariat, including during planning stages of missions, as appropriate, in relation to the implementation of resolutions 1373 (2001) and 1624 (2005) (para. 25)

Welcomes and encourages the Executive Directorate's continued active participation in and support of all relevant activities under the United Nations Global Counter-Terrorism Strategy, including within the Counter-Terrorism Implementation Task Force and its working groups, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system (para. 26)

### Technical assistance

Assist States in complying with measures

See para. 7 of the resolution, under "Coordination and cooperation" above

Stresses the importance of the Executive Directorate providing timely country reports to the Committee, encourages the Committee and the Executive Directorate to engage with Member States, as appropriate, after relevant country reports are adopted by the Committee, and invites the Executive Directorate to conduct regular follow-up activity with concerned Member States, as appropriate (para. 8)

See paras. 11, 12 and 18 of the resolution, under "Coordination and cooperation" above

### Reporting

Provide periodic reports

See para. 8 of the resolution, under "Technical assistance" above

Directs the Executive Directorate to report to the Committee in a timely manner, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Executive Directorate, including its visits to Member States, the conduct of assessments, representing the Committee at different international and regional meetings, and other activities, including during planning stages, and to conduct an annual review and forecast of activities to facilitate implementation of resolutions 1373 (2001) and 1624 (2005) and cooperation in this area (para. 9)

Report and make recommendations

See para. 4 of the resolution, under "Coordination and cooperation" above

See para. 19 of the resolution, under "Assessment and evaluation" above

*Decision or mandated task, by category*

*Provisions*

**Outreach**

Provide public information	Also directs the Executive Directorate to make available information contained in national counter-terrorism surveys and assessments, when agreed by concerned Member States, and further directs the Executive Directorate to make available information on regional counter-terrorism capacities, when approved by the Committee, as appropriate (para. 10)
Conduct country visits	See para. 21 of the resolution, under “Assessment and evaluation” above

**Committee established pursuant to resolution 1540 (2004)**

During the period under review, there were no changes to the mandate of the Committee established pursuant to resolution 1540 (2004) to oversee the implementation of the resolution, in which the Council addressed non-proliferation. In resolution 2055 (2012) of 29 June 2012, the Council increased the size of the group of experts of the Committee established pursuant to resolution 1540 (2004) to up to nine experts. During the period, the Council did not make any changes to the mandate of the Group of Experts established by

resolution 1977 (2011) to assist the Committee. As with the other terrorism-related subsidiary organs, the need for coordination and cooperation between the Committee pursuant to resolutions 1267 (1999) and 1989 (2011), the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and the Committee established pursuant to resolution 1540 (2004) was reiterated in resolutions 2082 (2012), 2083 (2012) and 2129 (2013) and in the presidential statements of 4 May 2012, 15 January 2013 and 13 May 2013.<sup>16</sup>

<sup>16</sup> See S/PRST/2012/17, S/PRST/2013/1 and S/PRST/2013/5, respectively.

Table 27

**Group of Experts of the Committee established pursuant to Security Council resolution 1540 (2004): provisions relating to the mandate, 2012-2013**

*Decision or mandated task, by category*

*Provisions*

**Resolution 2055 (2012)**

**General**

Modification	Requests the Secretary-General to increase the size of the group of experts referred to in paragraph 5 (a) of resolution 1977 (2011) to up to nine experts. (para. 5)
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## II. Working groups

### Note

During the period under review, five of the six existing working groups of the Security Council held regular meetings; however, the Working Group established pursuant to resolution 1566 (2004) did not meet in 2012-2013. Some meetings held by the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa were open to non-Council members,<sup>17</sup> but the other four working groups held informal meetings. The working groups, as in the case of the committees described in section I of part IX, consisted of all 15 members of the Council, and their decisions were adopted by consensus. The mandates of the working groups, shown in table 28, remained largely unchanged.

Two of the working groups were specifically mentioned in Council decisions. In connection with the Working Group on Children and Armed Conflict, the Council reiterated its call to consider a broad range of options for increasing pressure on persistent perpetrators of violations and abuses committed against children in situations of armed conflict (see table 28). In two presidential statements on the Central African region, the Council explicitly called for the implementation of the conclusions of the Working Group on Children and Armed Conflict concerning the situation of children and armed conflict affected by the Lord's Resistance Army.<sup>18</sup> In a presidential statement on children and armed conflict, the Council welcomed the consideration by the Working Group of options for increasing pressure on persistent perpetrators, requested enhanced exchange of pertinent information between the Working Group and relevant sanctions bodies, and invited the Working Group to make full use of its toolkit<sup>19</sup> in relation to enhancing compliance.<sup>20</sup>

<sup>17</sup> See [S/2012/965](#), paras. 12 and 13, and [S/2013/778](#), para. 13.

<sup>18</sup> [S/PRST/2013/6](#), second paragraph; and [S/PRST/2013/18](#), fourteenth paragraph.

<sup>19</sup> See [S/2006/724](#), annex.

<sup>20</sup> See [S/PRST/2013/8](#).

The activities of the Working Group on Children and Armed Conflict were regularly acknowledged by the Council in its decisions. The Council took note of the conclusions of the Working Group in connection with the situations in Afghanistan and the Central African Republic and the reports of the Secretary-General on the Sudan and, in particular, in relation to the adoption of action plans to put an end to the recruitment and use of children by armed groups in the Democratic Republic of the Congo and Somalia.<sup>21</sup>

In respect of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, the Council decided to follow up on the communiqués of the annual consultative meetings of the Peace and Security Council of the African Union and the Security Council, including through the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa,<sup>22</sup> and welcomed the intention of the Working Group to incorporate gender perspectives in its work.<sup>23</sup>

Table 28 provides information on the establishment, mandate, key provisions and chairmanships and vice-chairmanships of the informal and ad hoc working groups of the Council in 2012 and 2013.

<sup>21</sup> See, in relation to the situation in Afghanistan, resolutions [2041 \(2012\)](#), thirty-seventh preambular paragraph, [2069 \(2012\)](#), third preambular paragraph, [2096 \(2013\)](#) thirty-seventh preambular paragraph and [2120 \(2013\)](#), third preambular paragraph; in relation to the situation concerning the Democratic Republic of the Congo, resolution [2053 \(2012\)](#), eleventh preambular paragraph; in relation to reports of the Secretary-General on the Sudan, resolutions [2057 \(2012\)](#), sixteenth preambular paragraph, [2109 \(2013\)](#), nineteenth preambular paragraph and [2113 \(2013\)](#), seventh preambular paragraph; in relation to the situation in the Central African Republic, resolution [2088 \(2013\)](#), eleventh preambular paragraph; and in relation to the situation in Somalia, resolution [2093 \(2013\)](#), ninth preambular paragraph.

<sup>22</sup> Resolution [2033 \(2012\)](#), para. 18.

<sup>23</sup> See [S/PRST/2013/4](#), fifteenth paragraph.

Table 28  
Working groups of the Security Council, 2012-2013

<i>Establishment</i>	<i>Mandate</i>	<i>Chairmanships<sup>a</sup></i>
<b>Informal Working Group on Documentation and Other Procedural Questions</b>		
Established in June 1993 No formal decision was taken	To deal with issues related to Security Council documentation and other procedural questions	Portugal (2012) Argentina (2013) Vice-Chair: Pakistan (2013)
<b>Informal Working Group on International Tribunals</b>		
Established in June 2000 No formal decision was taken	To deal with a specific issue pertaining to the statute of the International Tribunal for the former Yugoslavia and subsequently mandated to deal with other (legal) issues pertaining to the Tribunals	Guatemala (2012) Guatemala (2013) Vice-Chair: Australia (2013)
<b>Working Group on Peacekeeping Operations</b>		
Established on 31 January 2001 <a href="#">S/PRST/2001/3</a>	To address both generic peacekeeping issues relevant to the responsibilities of the Council and technical aspects of individual peacekeeping operations, without prejudice to the competence of the Special Committee on Peacekeeping Operations  Where appropriate, to seek the views of the troop-contributing countries, including through meetings between the Working Group and the troop-contributing countries, so that their views are taken into account by the Council	Morocco (2012) Pakistan (2013) Vice-Chair: United Kingdom (2013)
<b>Ad Hoc Working Group on Conflict Prevention and Resolution in Africa</b>		
Established in March 2002 <a href="#">S/2002/207<sup>b</sup></a>	To monitor the implementation of recommendations contained in the presidential statement <a href="#">S/PRST/2002/2</a> and previous presidential statements and resolutions regarding conflict prevention and resolution in Africa  To propose recommendations on the enhancement of cooperation between the Security Council and the Economic and Social Council as well as with other United Nations agencies dealing with Africa  To examine, in particular, regional and cross-conflict issues that affect the Council's work on African conflict prevention and resolution  To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution between the United Nations and regional (Organization of African Unity) <sup>c</sup> and subregional organizations	South Africa (2012) Rwanda (2013) Vice-Chair: Togo (2013)
<b>Working Group established pursuant to resolution 1566 (2004)</b>		
Established on 8 October 2004 Resolution <a href="#">1566 (2004)</a>	To consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups or entities involved in or associated with terrorist activities, other than those designated by the Committee established pursuant to resolution <a href="#">1267 (1999)</a> concerning Al-Qaida and the Taliban	India (2012) Morocco (2013) Vice-Chairs: France, Russian Federation, Rwanda (2013)

<i>Establishment</i>	<i>Mandate</i>	<i>Chairmanships<sup>a</sup></i>
	<p>and associated individuals and entities,<sup>d</sup> including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing their financial assets, preventing their movement through the territories of Member States, preventing supply to them of all types of arms and related material, and on the procedures for implementing these measures</p> <p>To consider the possibility of establishing an international fund to compensate victims of terrorist acts and their families, which might be financed through voluntary contributions which could consist in part of assets seized from terrorist organizations, their members and sponsors, and submit its recommendations to the Council</p>	
<b>Working Group on Children and Armed Conflict</b>		
<p>Established on 26 July 2005 Resolution <a href="#">1612 (2005)</a></p>	<p>To review the reports of the monitoring and reporting mechanism on children and armed conflict</p> <p>To review progress in the development and implementation of the action plans called for in resolutions <a href="#">1539 (2004)</a> and <a href="#">1612 (2005)</a></p> <p>To consider other relevant information presented to it</p> <p>To make recommendations to the Council on possible measures to promote the protection of children affected by armed conflict, including through recommendations on appropriate mandates for peacekeeping missions and recommendations with respect to the parties to the conflict</p> <p>To address requests, as appropriate, to other bodies within the United Nations system for action to support implementation of the present resolution in accordance with their respective mandates</p>	<p>Germany (2012) Luxembourg (2013)</p> <p>Vice-Chair: Argentina (2013)</p>
<p>Resolution <a href="#">2068 (2012)</a></p>	<p>Reiterates its call upon the Working Group on Children and Armed Conflict, with the support of the Special Representative of the Secretary-General for Children and Armed Conflict, to consider, within one year, a broad range of options for increasing pressure on persistent perpetrators of violations and abuses against children in situations of armed conflict</p>	
<p><a href="#">S/PRST/2013/8</a></p>	<p>... The Council stresses its commitment to effectively deal with persistent perpetrators, and welcomes in this regard the ongoing consideration by its Working Group on Children and Armed Conflict of options for increasing pressure on persistent perpetrators of violations and abuses committed against children in situations of armed conflict, in accordance with its resolutions <a href="#">1998 (2011)</a> and <a href="#">2068 (2012)</a></p>	

<i>Establishment</i>	<i>Mandate</i>	<i>Chairmanships<sup>a</sup></i>
	<p>... The Council further requests enhanced exchange of pertinent information on violations and abuses committed against children in armed conflict between its Working Group on Children and Armed Conflict and relevant sanctions committees and their expert groups</p> <p>The Council commends the sustained activity of its Working Group on Children and Armed Conflict and stresses the importance of continuing to adopt timely conclusions and recommendations, in line with its resolution 1612 (2005) and subsequent resolutions. Furthermore, the Council invites its Working Group to make full use of its toolkit in light of ongoing discussions on enhancing compliance, and in this regard to continue considering the issue of persistent perpetrators and action plan implementation</p>	

<sup>a</sup> Vice-Chairs for working groups were elected for the first time in 2013.

<sup>b</sup> In a note by the President of the Security Council dated 21 December 2010 (S/2010/654), the Council renewed the mandate of the Ad Hoc Working Group for a period of one year, until 31 December 2011. From that date forward, the Ad Hoc Working Group has continued to meet without the annual renewal of its mandate.

<sup>c</sup> Now the African Union.

<sup>d</sup> Pursuant to resolutions 1988 (2011) and 1989 (2011), the tasks previously assigned to the Committee established pursuant to resolution 1267 (1999) have been divided between the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Committee established pursuant to resolution 1988 (2011).

### III. Investigative bodies

#### Note

During the period under review, no investigative bodies were authorized by the Security Council.

### IV. Tribunals

#### Note

During the period under review, both 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 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 continued to function in parallel

with the newly established International Residual Mechanism for Criminal Tribunals.

#### Developments in 2012 and 2013

During the period under review, pursuant to Security Council resolution 2038 (2012), the Council appointed a prosecutor for the branch of the Mechanism for the International Criminal Tribunal for Rwanda.<sup>24</sup>

<sup>24</sup> By resolution 1966 (2010), the Council established the International Residual Mechanism for Criminal Tribunals with two branches, one for each Tribunal, with a view to bringing the work of both Tribunals to a close.

The Council also pressed for the two Tribunals to complete all remaining work and bring their activities to a close. In resolutions 2054 (2012) and 2080 (2012), the Council specifically requested the International Criminal Tribunal for Rwanda to report on the projected schedule for the transition of its functions to the Mechanism, with a view to completing all remaining work and the closure of the Tribunal as early as possible and no later than 31 December 2014. In respect of the International Tribunal for the Former Yugoslavia, the Council, in

resolutions 2081 (2012) and 2130 (2013), requested that all possible measures be taken to complete the work as expeditiously as possible. At the same time, the Council extended the terms of judges of both Tribunals in order for them to complete the cases to which they had been assigned.

Tables 29 and 30 provide the text of all provisions of Council decisions relating to the Tribunals. Table 31 features all provisions of Council decisions relating to the Mechanism.

Table 29

**International Tribunal for the Former Yugoslavia: provisions relating to the mandate, 2012-2013**

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**Resolution 2081 (2012)**

Completion of mandate

Requests the International Tribunal for the Former Yugoslavia to take all possible measures to complete its work as expeditiously as possible with the aim of facilitating the closure of the Tribunal, taking into account resolution 1966 (2010), in which the Council requested the Tribunal to complete its trial and appeals proceedings by 31 December 2014, and recognizes that concerns have been expressed that its current trial and appeal schedules go beyond 31 December 2014 (para. 1)

Also requests the International Tribunal to present by 15 April 2013 a consolidated comprehensive plan on the completion strategy, closure and transition to the Mechanism, as recommended by the Board of Auditors, and updated and detailed schedules for each of the individual cases with a timeline for each procedural part of the case (para. 2)

Extension of terms of office of judges

Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2013 or until the completion of the cases to which they are assigned, if sooner (para. 5)

Also decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2013 or until the completion of the cases to which they are assigned, if sooner (para. 6)

Further decides to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 1 June 2013 or until the completion of the cases to which they are assigned, if sooner (para. 7)

Decides to extend the term of office of ad litem Judge Frederik Harhoff (Denmark), who is a member of the Trial Chambers, until 31 December 2013 or until the completion of the cases to which he is assigned, if sooner (para. 8)

Also decides to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2013 or until the completion of the cases to which they are assigned, if sooner (para. 9)

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**Resolution 2130 (2013)**

Completion of mandate

Requests the International Tribunal for the Former Yugoslavia to take all possible measures to complete its work as expeditiously as possible with the aim of facilitating the closure of the Tribunal, taking into account resolution 1966 (2010), in which the Council requested the Tribunal to complete its trial and appeals proceedings by 31 December 2014, and expresses concern that, in order to complete the work of the Tribunal, trials and appeals will go beyond 2014 (para. 1)

Extension of terms of office of judges	Decides to extend the term of office of the following permanent and ad litem judges at the International Tribunal, who are members of the Trial Chambers and the Appeals Chamber, until 31 December 2014 or until the completion of the cases to which they are assigned, if sooner (para. 2)
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Table 30

**International Criminal Tribunal for Rwanda: provisions relating to the mandate, 2012-2013**

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**Resolution 2054 (2012)**

Extension of terms of office of judges	<p>Decides that, notwithstanding the expiry of their term of office on 30 June 2012, Judge William H. Sekule (United Republic of Tanzania), Judge Solomy Balungi Bossa (Uganda) and Judge Mparany Mamy Richard Rajohnson (Madagascar) may continue, on an exceptional basis, to serve at the International Criminal Tribunal for Rwanda until 31 December 2012 or until the completion of the <i>Ngirabatware</i> case, which they began before the expiry of their term of office, while taking note of the intention of the International Tribunal to complete the <i>Ngirabatware</i> case by 31 December 2012 (para. 1)</p> <p>Notes the intention of the International Tribunal to complete all remaining judicial work by 31 December 2014, decides, bearing in mind the expiry of his term of office on 30 June 2012, to extend the term of office of Judge Vagn Joensen (Denmark) on an exceptional basis until 31 December 2014, so that he may continue to perform the functions required of him as trial judge and President of the International Tribunal to complete the work of the Tribunal, and expresses its intention to review this decision in June 2013 (para. 2)</p>
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Completion of mandate	Requests the International Tribunal to report to the Council, as a part of its pending report to the Council on the completion strategy pursuant to resolution 1534 (2004), on the projected schedule of the coordinated transition of functions of the International Tribunal to the International Residual Mechanism for Criminal Tribunals pursuant to articles 5 and 6 of the transitional arrangements annexed to resolution 1966 (2010), with concrete estimated dates, taking into account that the branch of the Mechanism for the International Criminal Tribunal for Rwanda commences functioning on 1 July 2012, with a view to completing all remaining work in the International Tribunal and the closure of the International Tribunal as early as possible and no later than 31 December 2014 (para. 3)
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**Resolution 2080 (2012)**

Extension of terms of office of judges	Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2014 or until the completion of the cases to which they are assigned, if sooner (para. 1)
Completion of mandate	Requests the International Tribunal to report to the Council, as a part of its pending report to the Council on the completion strategy pursuant to resolution 1534 (2004), on the projected schedule of the coordinated transition of functions of the International Tribunal to the Mechanism pursuant to articles 5 and 6 of the transitional arrangements annexed to resolution 1966 (2010) with concrete estimated dates, with a view to completing all remaining work in the International Tribunal and its closure as early as possible and no later than 31 December 2014 (para. 2)

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Table 31

**International Residual Mechanism for Criminal Tribunals: provisions relating to the mandate, 2012-2013**

**Resolution 2038 (2012)**

Appointment	Decides to appoint Mr. Hassan Bubacar Jallow as Prosecutor of the International Residual Mechanism for Criminal Tribunals with effect from 1 March 2012 for a term of four years
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## V. Ad hoc commissions

### Note

No new commissions were created during 2012 and 2013.

The United Nations Compensation Commission established pursuant to resolutions 687 (1991) and 692 (1991) continued to function, without any changes to its mandate.<sup>25</sup>

<sup>25</sup> By resolutions 687 (1991) of 3 April 1991 and 692 (1991) of 20 May 1991, the Security Council established the United Nations Compensation Commission to administer a fund to compensate for any direct loss, damage or injury to foreign Governments, nationals and corporations following the Iraqi invasion and occupation of Kuwait.

## VI. Special advisers, envoys and representatives

### Note

While the Secretary-General has broad authority to appoint representatives and advisers, in many cases the appointments are made at the request or with the support of the Security Council. Section VI provides information concerning the special advisers, envoys and representatives whose mandates relate to the Council's responsibility for the maintenance of international peace and security. It does not cover special representatives appointed as heads of peacekeeping or political missions or those authorized by the General Assembly, such as the Special Representative of the Secretary-General for Children and Armed Conflict.

### Developments during 2012 and 2013

During the period under review, the Council, in its decisions, referred frequently to new and continuing

special advisers, representatives or envoys.<sup>26</sup> In particular, the Council welcomed or underlined the importance of the ongoing efforts of the Personal Envoy of the Secretary-General for Western Sahara, the Special Adviser on the Prevention of Genocide, the Special Adviser on the Responsibility to Protect, the Special Adviser on Cyprus and the Special Adviser on Yemen.<sup>27</sup>

In addition, the Secretary-General appointed special envoys for the Sahel and for the Great Lakes Region, as well as the Special Coordinator of the Joint Mission of the Organization for the Prohibition of Chemical Weapons and the United Nations for the Elimination of

<sup>26</sup> During the period 2012-2013, no reference was made to the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004), appointed in 2004; and, following her appointment by an exchange of letters (S/2013/608 and S/2013/609), no further reference was made to the Special Coordinator of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Mission in the Syrian Arab Republic.

<sup>27</sup> To support the efforts of the Special Adviser on Yemen, during 2012-2013 the Secretary-General established a small office in Yemen, headed by the Special Adviser at the level of Assistant Secretary-General.

the Chemical Weapons Programme of the Syrian Arab Republic.

At a high-level meeting on 26 September 2012, at which the Council discussed the political turmoil, humanitarian crisis and rising insecurity in the region, the Secretary-General announced his intention to appoint a Special Envoy for the Sahel, and on 5 October 2012, he followed up with a letter informing the Council of his intention to appoint a Special Envoy for the Sahel.<sup>28</sup> The Council, in resolution [2071 \(2012\)](#) of 12 October 2012, welcomed the appointment, stating that the Special Envoy should mobilize international efforts for the Sahel, coordinate the implementation of the United Nations integrated strategy for the Sahel and engage actively in defining the parameters of a comprehensive solution to the Malian crisis. Subsequently, in three presidential statements and a resolution,<sup>29</sup> the Council stressed the importance of coordination between the Special Envoy, the United Nations Office for West Africa and United Nations entities working in the region.

In view of the deteriorating security situation in the eastern part of the Democratic Republic of the Congo, in resolution [2076 \(2012\)](#) the Council requested the Secretary-General to report to it on options for high-level dialogue between relevant parties in the region, including the possible designation of a special envoy. After the signing of the Peace, Security and Cooperation

<sup>28</sup> [S/2012/750](#).

<sup>29</sup> For relevant provisions of decisions, see table 32.

Framework for the Democratic Republic of the Congo and the Region on 24 February 2013 in Addis Ababa, the Secretary-General appointed a Special Envoy for the Great Lakes Region.<sup>30</sup> In resolution [2098 \(2013\)](#), the Council welcomed the designation of the Special Envoy and called upon her to, *inter alia*, lead, coordinate and assess the implementation of national and regional commitments under the Framework.

In a letter dated 7 October 2013, in accordance with resolution [2118 \(2013\)](#), the Secretary-General presented to the Council a proposal for a joint mission of the Organization for the Prohibition of Chemical Weapons and the United Nations to eliminate the chemical weapons programme of the Syrian Arab Republic. The Joint Mission would be headed by a civilian Special Coordinator.<sup>31</sup> Following authorization of the mission by the Council<sup>32</sup> and in consultation with the Director-General of the Organization for the Prohibition of Chemical Weapons, the Secretary-General appointed a Special Coordinator of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Mission, at the level of Under-Secretary-General.<sup>33</sup>

Table 32 lists the provisions relating to special advisers, envoys and representatives of the Secretary-General during the period under review.

<sup>30</sup> [S/2013/166](#).

<sup>31</sup> See [S/2013/591](#).

<sup>32</sup> [S/2013/603](#).

<sup>33</sup> [S/2013/608](#).

Table 32

**Special advisers, envoys and representatives of the Secretary-General: provisions relating to their mandates, 2012-2013**

<i>Establishment</i>	<i>Decision</i>
<b>Personal Envoy of the Secretary-General for Western Sahara</b>	
<a href="#">S/1997/236</a>	<a href="#">Resolution 2044 (2012)</a>
19 March 1997	Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara to implement resolutions <a href="#">1754 (2007)</a> , <a href="#">1783 (2007)</a> , <a href="#">1813 (2008)</a> , <a href="#">1871 (2009)</a> , <a href="#">1920 (2010)</a> , and <a href="#">1979 (2011)</a> (second preambular paragraph)
	<i>See also</i> <a href="#">resolution 2099 (2013)</a> , <i>second preambular paragraph</i>
	Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, welcoming his ongoing consultations with the parties and neighbouring States, and looking forward to his regional visit in the near future, including to Western Sahara, in accordance with the communiqué of the informal meeting on Western Sahara held from 11 to 13 March 2012 (penultimate preambular paragraph)

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Establishment

Decision

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See also [resolution 2099 \(2013\)](#), penultimate preambular paragraph

Affirms its strong support for the commitment of the Secretary-General and his Personal Envoy for Western Sahara towards a solution to the question of Western Sahara in this context, and calls for an intensified pace of meetings and strengthening of contacts (para. 6)

[Resolution 2099 \(2013\)](#)

Affirms its strong support for the commitment of the Secretary-General and his Personal Envoy for Western Sahara towards a solution to the question of Western Sahara in this context, and calls for renewed meetings and strengthening of contacts (para. 6)

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#### Special Adviser to the Secretary-General on Cyprus

[S/1997/320](#)

17 April 1997

[S/1997/321](#)

21 April 1997

[Resolution 2058 \(2012\)](#)

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 ... (ante-penultimate preambular paragraph)

See also [resolutions 2089 \(2013\)](#) and [2114 \(2013\)](#), ante-penultimate preambular paragraph

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#### Special Adviser to the Secretary-General on the Prevention of Genocide

[S/2004/567](#)

12 July 2004

[S/2004/568](#)

13 July 2004

[S/PRST/2013/4](#)

... The Council further recalls the important role of the Special Advisers to the Secretary-General on the Prevention of Genocide and on the Responsibility to Protect in matters relating to the prevention and resolution of conflict (thirteenth paragraph)

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#### Special Adviser to the Secretary-General on the Responsibility to Protect

[S/2007/721](#)

7 December 2007

[S/2007/722](#)

7 December 2007

[S/PRST/2013/4](#)

The Security Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law and emphasizes in this context the responsibility of States to comply with their relevant obligations to end impunity and, to that end, to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law, also in the context of conflict prevention and conflict resolution. The Council underlines the importance of raising awareness of and ensuring respect for all applicable international law, including international humanitarian law and human rights law, stresses the importance of the responsibility to protect as outlined in the 2005 World Summit Outcome, including the primary responsibility of Member States to protect their populations from genocide, ethnic cleansing, crimes against humanity and war crimes. The Council further underlines the role of the international community in encouraging and helping States, including through capacity-building, to meet their primary responsibility. The Council looks forward to the 2013 report of the Secretary-General on the responsibility to protect. The Council further recalls the important role of the Special Advisers to the Secretary-General on the Prevention of Genocide and Responsibility to Protect in matters relating to the prevention and resolution of conflict (thirteenth paragraph)

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*Establishment*

*Decision*

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### Special Representative of the Secretary-General on Sexual Violence in Conflict

Resolution [1888 \(2009\)](#)  
30 September 2009

[S/PRST/2012/3](#)

The Council commends the work of the Special Representative of the Secretary-General on Sexual Violence in Conflict in carrying out her mandate in accordance with relevant resolutions of the Council. The Council underlines the importance of her mandate and the mandate of the Team of Experts on the Rule of Law and Sexual Violence in Conflict, which contribute to the women and peace and security agenda. The Council invites the Special Representative to continue to provide briefings and information consistent with her mandate and the Secretary-General to recommend appropriate actions (ultimate paragraph)

Resolution [2101 \(2013\)](#)

Requests the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict to continue sharing relevant information with the Committee, in accordance with paragraph 7 of resolution [1960 \(2010\)](#) and paragraph 9 of resolution [1998 \(2011\)](#) (para. 29)

Resolution [2122 \(2013\)](#)

Welcomes more regular briefings by the Under-Secretary-General and Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Under-Secretary-General and Special Representative of the Secretary-General on Sexual Violence in Conflict on issues of relevance to women and peace and security (para. 2 (a))

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### Special Adviser to the Secretary-General on Yemen

[S/2012/469](#)  
21 June 2012

Resolution [2051 \(2012\)](#)

Requests the Secretary-General to continue his good offices role, including through the efforts of his Special Adviser on Yemen, Mr. Jamal Benomar, stresses the importance of their close coordination with international partners in order to contribute to the successful transition in Yemen, and in this regard welcomes the political engagement of the United Nations through a small presence in Yemen consisting of a team of experts to support the implementation of the transition process and to provide advice to the parties in conjunction with the Government of Yemen, in particular in support of the national dialogue process (para. 16)

[S/2012/470](#)  
21 June 2012

[S/PRST/2012/8](#)

The Council reiterates its call to all parties to remain fully committed to the success of the transition and welcomes the continued engagement of the good offices of the Secretary-General and his Special Adviser on Yemen, Mr. Jamal Benomar. It welcomes the intention of the Secretary-General to dispatch a team of experts to monitor the implementation and provide advice to the parties in consultation with the Government of Yemen; and supports the intention of the United Nations to focus its political engagement through a small presence in Yemen of officials working closely alongside the United Nations country team in order to support Yemeni efforts to organize a national dialogue process that is inclusive, transparent and participatory, and working, in coordination with partner missions, with the Government to adopt transitional justice legislation, carry out constitutional reform and offer support up to and including the general elections in 2014. The Council remains closely engaged on the situation in Yemen and will continue to closely follow the next steps towards a peaceful political transition of power (ultimate paragraph)

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*Establishment*

*Decision*

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### Special Envoy of the Secretary-General for the Sahel

[S/2012/750](#)

5 October 2012

[Resolution 2071 \(2012\)](#)

Welcomes the appointment by the Secretary-General of a Special Envoy for the Sahel, who should mobilize international efforts for the Sahel, coordinate the implementation of the United Nations integrated strategy for the Sahel and engage actively in defining the parameters of a comprehensive solution to the Malian crisis (para. 10)

[S/2012/751](#)

9 October 2012

[S/PRST/2012/26](#)

The Council also welcomes the holding by the Special Envoy of the Secretary-General for the Sahel of the Rome meeting of 7 December 2012, which identified concrete and coordinated actions to advance the resolution of the multiple crises in the Sahel region (ante-penultimate paragraph)

The Council encourages the Special Envoy of the Secretary-General to pursue his efforts in order to coordinate bilateral, interregional and international response and support for the Sahel region and to engage constructively with other representatives from regional and subregional organizations, bilateral partners and countries of the region and in this regard stresses the importance of a coherent, comprehensive and coordinated approach by all United Nations entities involved in the Sahel region and their cooperation with one another with a view to maximizing synergies (penultimate paragraph)

The Council reiterates in this regard its call to the Secretary-General and his Special Envoy to finalize, as soon as possible, the United Nations integrated strategy for the Sahel region encompassing governance, security, humanitarian, human rights and development issues as requested by the Council in its resolution [2056 \(2012\)](#) (ultimate paragraph)

[Resolution 2085 \(2012\)](#)

Welcoming the appointment of Mr. Romano Prodi as Special Envoy of the Secretary-General for the Sahel, as well as the appointment of Mr. Pierre Buyoya as High Representative of the African Union for Mali and the Sahel, and encouraging them to work in close coordination with the Special Representative of the Secretary-General for West Africa and the mediator of the Economic Community of West African States (tenth preambular paragraph)

[S/PRST/2013/10](#)

The Council welcomes the efforts of the Special Envoy of the Secretary-General for the Sahel in the development of the United Nations strategy and in drawing attention to the situation in the Sahel region as well as in mobilizing resources and support for the immediate and long-term needs of the Sahel region. The Council also welcomes the proposal of the Special Envoy to partner with relevant international and regional financial institutions to promote innovative approaches and initiatives for the Sahel region and in this regard encourages the Special Envoy to foster more coherent and coordinated United Nations support for the Sahel region. The Council also encourages the Special Envoy to pursue his efforts and good offices in order to enhance transregional and interregional cooperation and international assistance towards the Sahel region (seventh paragraph)

The Council stresses the importance of a coordinated approach by all concerned United Nations entities involved in the implementation of the United Nations strategy for enhanced cooperation with a view to maximizing synergies. The Council requests the Secretary-General to ensure effective implementation of the United Nations strategy through close collaboration between the Office of the Special Envoy of the Secretary-General for the Sahel, the United Nations Office for West Africa (UNOWA) and relevant United Nations entities working in the Sahel region, including the United Nations Office on Drugs and Crime. The Council further requests UNOWA to establish an effective and detailed coordination mechanism to prioritize activities and to ensure coordinated implementation by the United Nations system of the United Nations strategy (ninth paragraph)

[S/PRST/2013/20](#)

The Council welcomes the convening by the Secretary-General on 26 September 2013 of the high-level meeting on the situation in the Sahel on the margins of the sixty-eighth session of the General Assembly. The Council expresses its appreciation to the Secretary-General and his Special Envoy for the Sahel for their efforts and personal engagement in raising awareness of the challenges facing the Sahel region and mobilizing international support for the region (fourth paragraph)

The Council welcomes the efforts of the Special Envoy of the Secretary-General for the Sahel and the Special Representatives of the Secretary-General for West and Central Africa as well as UNOWA and the United Nations Regional Office for Central Africa and other United Nations entities operating on the ground in support of States of the Sahel region (tenth paragraph)

The Council reiterates the importance of a coordinated approach by all concerned United Nations entities involved in the implementation of the United Nations integrated strategy for enhanced cooperation with a view to maximizing synergies. In this regard, the Council welcomes the work undertaken by UNOWA in coordination with the Office of the Secretary-General's Special Envoy for the Sahel region and relevant United Nations entities working in the Sahel region to establish an effective and detailed coordination mechanism to prioritize activities and to ensure coordinated implementation by the United Nations system of the strategy (eleventh paragraph)

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**Special Envoy of the Secretary-General for the Great Lakes Region**

[S/2013/166](#)

18 March 2013

[Resolution 2098 \(2013\)](#)

Welcoming further the designation by the Secretary-General of Ms. Mary Robinson, former President of Ireland, as his Special Envoy for the Great Lakes region (seventh preambular paragraph)

[S/2013/167](#)

18 March 2013

Calls upon the newly designated Special Envoy of the Secretary-General for the Great Lakes Region, in coordination with and with the appropriate support from the Special Representative of the Secretary-General for the Democratic Republic of the Congo, to lead, coordinate and assess the implementation of national and regional commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region, as set out in annex A to the present resolution, including through the swift establishment of benchmarks and appropriate follow-up measures, and, building on the Framework, encourages the Special Envoy to lead a comprehensive political process that includes all relevant stakeholders to address the underlying root causes of the conflict (para. 4)

Calls upon the Special Representative, in collaboration with the Special Envoy, to support, coordinate and assess the implementation of national commitments under the Framework in the Democratic Republic of the Congo, as set out in annex B to the present resolution (para. 5)

Expresses its intention to review progress of the implementation of the Framework in the region against the associated benchmarks and appropriate follow-up measures after the conclusion of the first visit to the region of the Special Envoy and regularly thereafter, as well as on the basis of the reports of the Secretary-General referred to in paragraph 34 below, and further expresses its intention, in the event that any or all of the parties have not complied with the commitments set forth in the Framework, to take appropriate measures as necessary (para. 6)

Also requests the Secretary-General to report to the Council every three months: (a) in coordination with his Special Envoy and his Special Representative on the implementation of the commitments under the Framework and on any breaches of the commitments contained therein, including on the basis of the benchmarks and appropriate follow-up measures referred to in paragraphs 4 and 5 above (para. 34)

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Decision

[S/PRST/2013/11](#)

The Council commends the joint visit of the Secretary-General of the United Nations, Mr. Ban Ki-moon, and the President of the World Bank Group, Mr. Jim Yong Kim, accompanied by the Special Envoy of the Secretary-General for the Great Lakes Region, Ms. Mary Robinson, to the Democratic Republic of the Congo, Rwanda and Uganda from 22 to 24 May 2013 in support of the Framework, and welcomes the announcement made by the World Bank of \$1 billion in planned funding for development projects in the Great Lakes region aiming at the recovery of livelihoods to reduce the vulnerability of the people of the region and the revitalization and expansion of cross-border economic activity. In this regard, the Council encourages multilateral institutions and bilateral partners to support the objectives of the Framework and stresses the importance of swiftly delivering concrete peace dividends (sixth paragraph)

## VII. Peacebuilding Commission

### Note

During the period under review, Burundi, the Central African Republic, Guinea, Guinea-Bissau, Liberia and Sierra Leone remained on the agenda of the Peacebuilding Commission, which was established by resolution [1645 \(2005\)](#) of 20 December 2005.<sup>34</sup>

### Developments during 2012 and 2013

During the period under review, consistent with past practice, the Security Council invited the Chair of the Peacebuilding Commission and the Chairs of its country-specific configurations to provide briefings on the respective items on the agenda of the Commission.<sup>35</sup> In meetings of the Council concerning the situation in Burundi, the Chair of the Burundi configuration of the Peacebuilding Commission briefed the Council three times on his work with the Government of Burundi and on progress made in the political, judicial, economic and

security fields.<sup>36</sup> The Chair of the Guinea-Bissau configuration briefed the Council a total of six times on the situation in Guinea-Bissau, focusing specifically on the political process and the elections.<sup>37</sup> On three occasions, the Chair of the Liberia configuration addressed the Council on progress regarding security sector reform, the rule of law and national reconciliation.<sup>38</sup> Finally, the Chair of the Sierra Leone configuration briefed the Council at four meetings on peacebuilding in the context of the drawdown of the United Nations Integrated Peacebuilding Office in Sierra Leone.<sup>39</sup>

### Appointments to the Organizational Committee

In 2012, Colombia and Morocco were the two elected members of the Council that were selected to participate in the Organizational Committee of the Peacebuilding Commission.<sup>40</sup> In 2013, Morocco continued to participate, and the Council selected Guatemala to replace Colombia.<sup>41</sup>

<sup>34</sup> By the resolution, the Council, acting concurrently with the General Assembly, decided that the main purposes of the Peacebuilding Commission would be, inter alia, to bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery, to focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations.

<sup>35</sup> The practice of inviting the Chairs of country-specific configurations of the Peacebuilding Commission to participate in formal Council meetings was established by a note by the President dated 26 July 2010 ([S/2010/507](#), annex, para.61).

<sup>36</sup> See [S/PV.6799](#), [S/PV.6909](#) and [S/PV.7006](#). For more information, see part I, sect. 4, “The situation in Burundi”.

<sup>37</sup> See [S/PV.6743](#), [S/PV.6754](#), [S/PV.6766](#), [S/PV.6818](#), [S/PV.6963](#) and [S/PV.7070](#). For more information, see part I, sect. 9, “The situation in Guinea-Bissau”.

<sup>38</sup> See [S/PV.6830](#), [S/PV.6941](#) and [S/PV.7029](#). For more information, see part I, sect. 2, “The situation in Liberia”.

<sup>39</sup> See [S/PV.6739](#), [S/PV.6829](#), [S/PV.6933](#) and [S/PV.7034](#). For more information, see part I, sect. 5, “The situation in Sierra Leone”.

<sup>40</sup> [S/2012/103](#).

<sup>41</sup> [S/2013/39](#).

**Peacebuilding Commission: selected decisions**

During the period under review, the Council made reference to the Peacebuilding Commission in several of its decisions. Under thematic items, the Council on several occasions indicated support for the work of the Commission, as well as its readiness to make use of the advisory role of the Commission in accordance with resolution 1645 (2005). Under country-specific items, the Council welcomed the engagement of the country configurations of the Commission, in general as well as in such specific areas as security sector reform, rule of law and national reconciliation.<sup>42</sup> To ensure a coherent approach to peacebuilding, the Council also called for

coordination and collaboration with United Nations entities in the country and with the host country Government, emphasizing the supporting role of the Commission. In respect of the Central African Republic, the Council encouraged the Commission to assist in addressing peacebuilding challenges in the country, and looked forward to the rapid appointment of a new Chair for the country-specific configuration.<sup>43</sup> With regard to Guinea-Bissau, the Council stressed the impact of the complex situation on the work of the Commission.<sup>44</sup>

Tables 33 and 34 provide the full text of all provisions in Council decisions in 2012 and 2013 that relate to the Peacebuilding Commission, categorized in alphabetical order by agenda item.

<sup>42</sup> See, for Burundi, resolution 2090 (2013), fourteenth preambular paragraph; for Liberia, resolution 2066 (2012), sixth preambular paragraph, resolution 2079 (2012), eighth preambular paragraph, resolution 2116 (2013), seventh preambular paragraph and resolution 2128 (2013), thirteenth preambular paragraph; for Sierra Leone, resolutions 2065 (2012) and 2097 (2013), ultimate preambular paragraph.

<sup>43</sup> Resolutions 2088 (2013) and 2121 (2013), thirteenth preambular paragraph; and resolution 2127 (2013), twenty-eighth preambular paragraph.

<sup>44</sup> Resolution 2092 (2013), ante-penultimate preambular paragraph; and resolution 2103 (2013), nineteenth and twentieth preambular paragraphs.

Table 33

**Peacebuilding Commission: provisions relating to the mandate, 2012-2013**

<i>Decision and date</i>	<i>Provisions</i>
<b>Children and armed conflict</b>	
<a href="#">S/PRST/2013/8</a> 17 June 2013	The Council further calls upon Member States, United Nations entities, including the Peacebuilding Commission, and other parties concerned to ensure that post-conflict recovery and reconstruction planning, programmes and strategies prioritize issues concerning children affected by armed conflict (seventeenth paragraph)
<b>Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security</b>	
<a href="#">S/PRST/2013/12</a> 6 August 2013	The Council recognizes the role that regional and subregional organizations can play in post-conflict peacebuilding, recovery, reconstruction and development processes, and affirms the importance of interaction and cooperation between the Peacebuilding Commission and regional and subregional organizations and arrangements. The Council encourages the Commission to continue to work in close consultation with regional and subregional organizations and arrangements, with a view to ensuring more consistent and integrated strategies for post-conflict peacebuilding and recovery (seventeenth paragraph)
<b>Peace and security in Africa</b>	
<a href="#">S/PRST/2013/4</a> 15 April 2013	The Council recalls that early warning and response systems, preventive diplomacy, preventive deployment, mediation, practical disarmament measures, peacemaking, peacekeeping and peacebuilding strategies are interdependent and complementary components of a comprehensive conflict prevention strategy. The Council notes the importance of creating and maintaining peace through inclusive dialogue, reconciliation and reintegration. The Council further reiterates its support for the work of the Peacebuilding Commission and expresses its continued willingness to make use of the advisory, advocacy and resource mobilization roles of the Commission in peacebuilding activities (sixth paragraph)



*Decision and date*

*Provisions*

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[S/PRST/2013/22](#)

18 December 2013

The Council calls upon States of the region to continue to assist each other, to the maximum extent possible, in the prevention, investigation, prosecution and punishment of acts of drug trafficking and related transnational organized crime, and to bring to justice those who finance, plan, support or commit such acts, in accordance with international law. It calls upon relevant entities of the United Nations, including the Peacebuilding Commission and other relevant international and regional organizations, to support the development and strengthening of the capacities of national and regional institutions, in particular of the law enforcement agencies, including towards the strengthening of the West Africa Coast Initiative, and the judicial systems of the countries of the region, to prevent, investigate, prosecute, judge and punish those responsible for drug trafficking-related crimes and transnational criminal activities, as well as to provide mutual legal assistance. It stresses further the importance of fighting corruption, promoting transparency and increasing accountability in order to effectively and efficiently combat drug trafficking and transnational organized crime in the region (thirteenth paragraph)

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#### **Post-conflict peacebuilding**

[S/PRST/2012/29](#)

20 December 2012

The Council recalls its resolution [1645 \(2005\)](#) and recognizes the important role of the Peacebuilding Commission in advancing and supporting an integrated and coherent approach to peacebuilding, including promoting improved coherence and alignment of partners' policies around national peacebuilding strategies and priorities. The Council reiterates its support for the work of the Commission and expresses its continued willingness to make use of its advisory, advocacy and resource mobilization role, including through targeted advice on international and national commitment to long-term peacebuilding objectives in countries on the Commission's agenda. The Council further emphasizes the role of the Peacebuilding Commission in support of a seamless transition of mandated missions in countries on its agenda, in particular through the mobilization of sustained international support to critical national capacity needs (eighth paragraph)

The Council requests the Secretary-General to brief the Council and the General Assembly by December 2013 and to submit a report no later than December 2014 on further progress in the United Nations peacebuilding efforts in the aftermath of conflict, including the issue of the participation of women in peacebuilding, and placing particular emphasis on the impact on the ground, including lessons learned from United Nations peacebuilding activities in country-specific contexts, and on progress in taking forward the elements included in this statement, taking into consideration the views of the Peacebuilding Commission (ultimate paragraph)

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#### **United Nations peacekeeping operations**

[Resolution 2086 \(2013\)](#)

21 January 2013

Recalls its resolution [1645 \(2005\)](#), and expresses its continued willingness to make use of the advisory, advocacy and resource mobilization roles of the Peacebuilding Commission in peacebuilding activities, welcomes the progress the Commission has achieved, and emphasizes the need for further harnessing these roles in advancing and supporting an integrated and coherent approach with respect to multidimensional peacekeeping mandates in countries on its agenda (para. 19)

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Table 34  
Decisions relating to the Peacebuilding Commission, under country-specific agenda items, 2012-2013

<i>Decision and date</i>	<i>Provisions</i>
<b>The situation in Burundi</b>	
<a href="#">Resolution 2090 (2013)</a> 13 February 2013	Calls upon the Government of Burundi, with the support of the Peacebuilding Commission and international partners, to honour its commitments on peacebuilding priorities as defined in the new poverty reduction strategy paper, and underscores the importance of international partners, in collaboration with the Government of Burundi, and with the support of the United Nations Office in Burundi, the United Nations system in Burundi and the Commission, continuing to support Burundi's development efforts and ensure effective follow-up of commitments made at the Geneva Conference of Development Partners to allow implementation of the new poverty reduction strategy paper and support the implementation of the new United Nations Development Assistance Framework (para. 12)
<b>The situation in Guinea-Bissau</b>	
<a href="#">S/PRST/2012/15</a> 21 April 2012	The Council stresses that the recurrence of illegal interference of the military in politics contributes to the persistence of instability and a culture of impunity and hampers efforts towards consolidation of the rule of law, implementation of security sector reform, promotion of development and entrenchment of a democratic culture. In this regard, the Council welcomes the efforts of the Guinea-Bissau configuration of the Peacebuilding Commission and of the Angolan bilateral mission (MISSANG) in pursuit of peace and stability in the country (ante-penultimate paragraph)
<a href="#">Resolution 2103 (2013)</a> 22 May 2013	Decides to extend the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) for a period of 12 months beginning on 1 June 2013 until 31 May 2014, and to readjust it as recommended by the Secretary-General to perform the following tasks: ... (i) Working with the Peacebuilding Commission in support of Guinea-Bissau's peacebuilding priorities (para. 1)  Fully supports the recommendations of the Secretary-General related to adjustments to the integrated approach in Guinea-Bissau, the Peacebuilding Commission and Peacebuilding Fund, and of the activities of the United Nations country team, as outlined in his report (para. 2)
<a href="#">S/PRST/2013/19</a> 9 December 2013	The Council urges the authorities in charge of the transitional period and national institutions of Guinea-Bissau to work together to alleviate social tensions and humanitarian hardships in order to ensure a climate that is peaceful and conducive to the implementation of far-reaching reforms for the consolidation of peace and democracy, the strengthening of national institutions, and the promotion of human rights and socioeconomic development. The Council welcomes in this regard the prospective resumption of engagement by the Guinea-Bissau configuration of the Peacebuilding Commission, once appropriate conditions are in place, welcomes the intention of its Chair to visit Guinea-Bissau, and encourages close cooperation between the Commission and UNIOGBIS (ultimate paragraph)
<b>The situation in Liberia</b>	
<a href="#">Resolution 2066 (2012)</a> 17 September 2012	Emphasizes the need for coherence between, and integration of, peacekeeping, peacebuilding, and development to achieve an effective response to post-conflict situations, requests that the Secretary-General, in conjunction with the United Nations country team and international partners, continue to coordinate and collaborate with the Peacebuilding Commission, and calls for the timely completion of the justice and security hubs, with requisite full staffing to make these hubs fully operational, to contribute to improved access to justice and security services throughout Liberia; and encourages the Commission, following close consultation with the Government of Liberia, to continue to report on the findings of its missions and its recommendations on how it can accelerate progress on security sector reform, the rule of law and national reconciliation (para. 16)

*Decision and date*

*Provisions*

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### **The situation in Sierra Leone**

[S/PRST/2012/11](#)

11 April 2012

The Council acknowledges the role of the Peacebuilding Commission in supporting peacebuilding efforts in Sierra Leone, including in addressing the priority area of youth employment. The Council urges the Commission to continue working in support of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) and the United Nations country team (penultimate paragraph)

Resolution [2065 \(2012\)](#)

12 September 2012

Encourages the Peacebuilding Commission to continue providing support to the Government of Sierra Leone, UNIPSIL and the United Nations country team in the preparation and conduct of the 2012 elections and to advocate for the continued implementation of the Agenda for Change until it expires, the balanced development of the Agenda for Prosperity and the strengthening of mechanisms aimed at ensuring the timeliness and predictability of national and international funding for peacebuilding and development priorities, including through promoting increased South-South cooperation, and requests the Commission to keep the Council regularly updated on progress made and to review its engagement with Sierra Leone following the successful completion of the elections and in line with the drawdown of the Office (para. 13)

[S/PRST/2012/25](#)

30 November 2012

In addition, the Council requests the Peacebuilding Commission to continue to provide support to Sierra Leone, in particular in international resource mobilization efforts and the coordination of international development partners (penultimate paragraph)

Resolution [2097 \(2013\)](#)

26 March 2013

Encourages the Government of Sierra Leone to engage in discussions on the nature, activities and scope of the United Nations role post-UNIPSIL in coordination with the Office, the United Nations country team, multilateral and bilateral partners, the Peacebuilding Commission and other relevant stakeholders (para. 5)

Requests the Peacebuilding Commission to continue to provide support to the Government of Sierra Leone, working with UNIPSIL and the United Nations country team, in particular through efforts to mobilize resources for the Agenda for Prosperity, and, noting its request in resolution [2065 \(2012\)](#) for the Commission to review its engagement with Sierra Leone following the successful completion of the elections and in line with the drawdown of the Office, requests that the Commission review its engagement with a view to scaling down its role (para. 20)

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## **VIII. Subsidiary organs of the Security Council proposed but not established**

### **Note**

During the period under review, there were no instances in which a subsidiary organ was formally proposed but not established.



## **Part X**

### **Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

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## Introductory note

### Article 29

*The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.*

### Rule 28

*The Security Council may appoint a commission or committee or a rapporteur for a specified question.*

The powers of the Security Council to establish subsidiary organs are set out in Article 29 of the Charter of the United Nations and reflected in rule 28 of its provisional rules of procedure. Part X covers decisions of the Council relating to field-based subsidiary organs that the Council established for the performance of its functions under the Charter and that were active during 2012 and 2013. These field-based subsidiary organs or peace operations can be divided into two categories, namely, (a) peacekeeping operations; and (b) political missions and peacebuilding offices.

Other subsidiary organs, namely, committees, working groups, investigative bodies, tribunals, ad hoc commissions, special advisers, envoys and representatives and the Peacebuilding Commission, are covered in part IX. Peace operations led by regional organizations are covered in part VIII, which deals with the Council's cooperation with regional organizations.

Part X is divided into two sections: I. peacekeeping operations; and II. political and peacebuilding missions. The introduction to each of the sections provides an overview table identifying the nature of the mandates assigned to the individual peace operations since establishment, as well as key trends and developments relating to them.

Subsections provide a summary of the major developments resulting from Council decisions adopted during the period under review affecting the mandate and composition of each peace operation. In most cases, one table shows the mandated tasks of the peace operation since its establishment or since the last reinstatement of the mandate by decision of the Council, and another shows the full text of all paragraphs in Council decisions that relate to changes to the mandate of the peace operation during the period under review. The peace operations are grouped by region in the order in which they were established, except for those that succeeded another operation on the ground.

The mandates of the peacekeeping operations, political missions and peacebuilding offices consist of a series of mandated tasks, which are grouped into 13 categories with descriptions such as "rule of law/judicial matters" or "political process". These descriptions are based purely on the language used in the decisions of the Council and do not necessarily reflect the specific structures or activities of the mission.

To assist the reader in understanding how the Council changed existing mandates during the period under review, each change to a mandate is classified as either a "newly mandated task" or an "additional element". If the provision, either in its entirety or in part, contained one or more mandated tasks for the subsidiary organ



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to carry out for the first time, or if the Council has decided to reinstate the mandate of a peace operation, it is classified as a newly mandated task.

If the provision is classified as an additional element, the Council is providing instructions to expand a mandate beyond its original scope. For example, if a political mission is requested by the Council, for the first time, to assist in the organization of national elections, it is considered to have within its overall mandate a newly mandated task of “electoral assistance”. If the Council subsequently requests the political mission to assist with local elections, it is classified as an additional element to the existing mandated task of electoral assistance. This system of categorization is provided only as a convenience to the reader and does not reflect any practice or decision of the Council.

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## I. Peacekeeping operations

### Note

Section I focuses on the decisions adopted by the Security Council during the period under review concerning the establishment and termination of peacekeeping operations, as well as changes to their mandates and composition.

### Overview of peacekeeping operations during 2012 and 2013

The Council managed 17 peacekeeping operations during 2012 and 15 during 2013.<sup>1</sup>

#### *Newly established and terminated peacekeeping operations*

During the period under review, the Council established two new peacekeeping operations, one of which was both established and terminated during 2012. By its [resolution 2043 \(2012\)](#) of 21 April 2012, the Council established the United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS) to monitor the cessation of armed violence and support the implementation of a six-point proposal to end the conflict in the Syrian Arab Republic. The Mission was suspended on 15 June 2012 and, after a renewal of its mandate by the Council in its [resolution 2059 \(2012\)](#) of 20 July 2012 for a final period of 30 days, was terminated. This was due to the continued use of heavy weapons and violent acts by all sides, which hindered the Mission's capability to implement its mandate. The other new peacekeeping operation established by the Council, by its [resolution 2100 \(2013\)](#) of 25 April 2013, was the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the first United Nations peacekeeping operation authorized to function alongside a military force conducting counter-terrorism operations. The Council also mandated MINUSMA to protect cultural and historical sites.

During the period under review, the mandate of one peacekeeping operation was not renewed. By its [resolution 2037 \(2012\)](#) of 23 February 2012, the Council extended the mandate of the United Nations Integrated

Mission in Timor-Leste for the last time, until 31 December 2012, when the Mission completed its mandate.

#### *Mandates of peacekeeping operations, including authorization of the use of force*

During the period under review, a total of five peacekeeping operations were authorized or reauthorized to use force,<sup>2</sup> namely, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO),<sup>3</sup> the United Nations Operation in Côte d'Ivoire,<sup>4</sup> the United Nations Interim Security Force for Abyei,<sup>5</sup> the United Nations Mission in South Sudan<sup>6</sup> and MINUSMA.<sup>7</sup> In the case of MONUSCO, the Council decided that the Mission should include an "intervention brigade", with the responsibility of neutralizing armed groups, in order to reduce the threat posed by such groups to State authority and civilian security in eastern Democratic Republic of the Congo. In the case of two peacekeeping missions, the African Union-United Nations Hybrid Operation in Darfur<sup>8</sup> and the United Nations Interim Force in Lebanon,<sup>9</sup> the Council reaffirmed the authority of the missions to take all necessary action to carry out their priority mandates.

The mandates of several peacekeeping operations continued to expand in scope during the period with newly mandated tasks or additional elements added to existing mandates.

Five peacekeeping operations continued to carry out relatively few specific tasks, such as monitoring ceasefires and patrolling buffer zones between the parties. With the exception of UNSMIS, the other four peace operations - the United Nations Disengagement Observer Force, the United Nations Military Observer Group in India and Pakistan (UNMOGIP), the United Nations Truce Supervision Organization (UNTSO) and the United

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<sup>1</sup> For discussions and a decision on the item entitled "United Nations peacekeeping operations", see part I, sect. 26. For discussions on individual peacekeeping operations, see the respective country-specific studies in part I.

<sup>2</sup> For additional information regarding the Council's authorization of the use of force, see part VII, sect. IV.

<sup>3</sup> Resolution [2098 \(2013\)](#), para. 12.

<sup>4</sup> Resolutions [2062 \(2012\)](#), para. 5; and [2112 \(2013\)](#), para. 7.

<sup>5</sup> Resolutions [2075 \(2012\)](#), para. 1; [2104 \(2013\)](#), para. 1; and [2126 \(2013\)](#), para. 1.

<sup>6</sup> Resolutions [2057 \(2012\)](#), para. 5; and [2109 \(2013\)](#), para. 4.

<sup>7</sup> Resolution [2100 \(2013\)](#), para. 17.

<sup>8</sup> Resolution [2063 \(2012\)](#), paras. 3 and 4.

<sup>9</sup> Resolutions [2064 \(2012\)](#), thirteenth preambular paragraph; and [2115 \(2013\)](#), thirteenth preambular paragraph.

Nations Peacekeeping Force in Cyprus - were established prior to the mid-1970s. The mandates of three peacekeeping missions (UNMOGIP, the United Nations Interim Administration Mission in Kosovo and UNTSO) continued to be open-ended, with no decision required to renew or extend their mandates.

An overview of the mandates of peacekeeping operations during the period under review, provided in tables 1 and 2, shows that the Council mandated the majority of the peacekeeping operations to carry out a wide range of tasks, with emphasis placed on the protection of civilians, building national capacity, in particular building the capacity of the police to protect civilians, and the provision of support to political processes and electoral assistance. The Council mandated

security-related tasks to all peacekeeping operations, ranging from the provision of support to the military and police and ceasefire monitoring to security sector reform and demilitarization and arms management. Furthermore, the Council increasingly emphasized that peacekeeping operations must execute their mandates in coordination with the United Nations country teams in the host countries.<sup>10</sup> However, there was regional variation in the range of tasks mandated. The peacekeeping operations in Africa generally had a wider range of mandated activities than those in other regions.

<sup>10</sup> See, for example, the United Nations Operation in Côte d'Ivoire and the African Union-United Nations Hybrid Operation in Darfur.

**Table 1**  
**Specific mandates of peacekeeping operations: Africa**

<i>Mandate</i>	<i>MINURSO</i>	<i>UNMIL</i>	<i>UNOCI</i>	<i>UNAMID</i>	<i>MONUSCO</i>	<i>UNISFA</i>	<i>UNMISS</i>	<i>MINUSMA</i>
Chapter VII (full)		X	X		X		X	X
Chapter VII (partial)				X		X		
Authorization of the use of force			X	X	X	X	X	X
Civilian-military coordination		X			X			
Demilitarization and arms management	X	X	X	X	X	X	X	X
Electoral assistance	X	X	X	X	X		X	X
Human rights; women and peace and security; children and armed conflict		X	X	X	X	X	X	X
Humanitarian support	X	X	X	X	X	X		X
International cooperation and coordination	X	X	X	X	X		X	X
Military and police	X	X	X	X	X	X	X	X
Political process	X	X	X	X	X	X	X	X
Public information		X	X		X		X	
Rule of law/judicial matters		X	X	X	X		X	X
Security sector reform		X	X		X		X	X
Support to sanctions regimes		X	X	X	X			X
Support to State institutions		X	X	X	X		X	X

*Abbreviations:* MINURSO, United Nations Mission for the Referendum in Western Sahara; MINUSMA, United Nations Multidimensional Integrated Stabilization Mission in Mali; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; UNAMID, African Union-United Nations Hybrid Operation in Darfur; UNISFA, United Nations Interim Security Force for Abyei; UNMIL, United Nations Mission in Liberia; UNMISS, United Nations Mission in South Sudan; UNOCI, United Nations Operation in Côte d'Ivoire.

Table 2  
**Specific mandates of peacekeeping operations: Americas, Asia, Europe and Middle East**

<i>Mandate</i>	<i>MINUSTAH</i>	<i>UNMOGIP</i>	<i>UNMIT</i>	<i>UNFICYP</i>	<i>UNMIK</i>	<i>UNTSO</i>	<i>UNDOF</i>	<i>UNIFIL</i>	<i>UNSMIS</i>
Chapter VII (full)	X				X				
Chapter VII (partial)									
Authorization of the use of force								X	
Civilian-military coordination					X				
Demilitarization and arms management	X							X	
Electoral assistance	X		X						
Human rights; women and peace and security; children and armed conflict	X		X		X				
Humanitarian support	X		X	X	X			X	
International cooperation and coordination	X		X		X			X	
Military and police	X	X	X	X	X	X	X	X	X
Political process	X		X	X	X				X
Public information	X		X						
Rule of law/judicial matters	X		X						
Security sector reform	X		X						
Support to sanctions regimes									
Support to State institutions	X		X		X			X	

*Abbreviations:* MINUSTAH, United Nations Stabilization Mission in Haiti; UNDOF, United Nations Disengagement Observer Force; UNFICYP, United Nations Peacekeeping Force in Cyprus; UNIFIL, United Nations Interim Force in Lebanon; UNMIK, United Nations Interim Administration Mission in Kosovo; UNMOGIP, United Nations Military Observer Group in India and Pakistan; UNSMIS, United Nations Supervision Mission in the Syrian Arab Republic; UNTSO, United Nations Truce Supervision Organization.

*Authorized strength of peacekeeping operations*

During the period under review, nine missions, including two that were newly established, changed in composition (see table 3).<sup>11</sup>

<sup>11</sup> In a note by the President of the Security Council dated 28 October 2013 (S/2013/630), Council members encouraged the Secretariat to make the broadest possible call for contributions prior to the constitution of a peacekeeping operation and to provide potential contributors with all necessary information in order to facilitate their decision-making regarding participation in the operation.

Table 3  
Changes in composition of peacekeeping operations, 2012-2013

Mission	Changes in composition	Decision
MINURSO	The police component was increased from 81 to 87	<a href="#">Resolution 2099 (2013)</a>
UNMIL	The military component <i>would be</i> reduced by 4,200 in three phases, so that only 3,750 military personnel <i>would remain</i> by July 2015. The police component was increased from 1,375 to 1,795 in 2012	<a href="#">Resolutions 2066 (2012) and 2116 (2013)</a>
UNOCI	The military component was reduced from 9,792 to 8,837 in 2012 and then to 7,137 in 2013	<a href="#">Resolutions 2062 (2012) and 2112 (2013)</a>
MINUSTAH	The military component was reduced from 7,340 to 5,021, following a balanced withdrawal of infantry and engineering personnel, and the police component from 3,241 to 2,601	<a href="#">Resolution 2119 (2013)</a>
UNAMID	The military component was reduced from 19,555 to 16,200 and the police component from 3,772 to 2,310, in 17 formed police units of up to 140 personnel each	<a href="#">Resolution 2063 (2012)</a>
UNISFA	The military component was increased from 4,200 to 5,326	<a href="#">Resolution 2104 (2013)</a>
UNMISS	The military component was increased from 7,000 to 12,500 and the police component from 900 to 1,323	<a href="#">Resolution 2132 (2013)</a>
MINUSMA	A military component of 11,200 personnel and a police component of 1,440 personnel were authorized	<a href="#">Resolution 2100 (2013)</a>
UNSMIS	An advance team of 30 unarmed military observers was authorized, followed by 300 unarmed military observers for an initial period of 90 days	<a href="#">Resolutions 2042 (2012) and 2043 (2012)</a>

*Abbreviations:* MINURSO, United Nations Mission for the Referendum in Western Sahara; MINUSMA, United Nations Multidimensional Integrated Stabilization Mission in Mali; MINUSTAH, United Nations Stabilization Mission in Haiti; UNAMID, African Union-United Nations Hybrid Operation in Darfur; UNISFA, United Nations Interim Security Force for Abyei; UNMIL, United Nations Mission in Liberia; UNMISS, United Nations Mission in South Sudan; UNOCI, United Nations Operation in Côte d'Ivoire; UNSMIS, United Nations Supervision Mission in the Syrian Arab Republic.

## Africa

### United Nations Mission for the Referendum in Western Sahara

The United Nations Mission for the Referendum in Western Sahara (MINURSO) was established by the Security Council on 29 April 1991, by resolution 690 (1991), in accordance with the settlement proposals accepted on 30 August 1988 by Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente Polisario).

During the period under review, the Council extended the mandate of MINURSO twice for periods of one year, the last being until 30 April 2014,<sup>12</sup> without changes to its mandate. However, in [resolution 2099 \(2013\)](#) of 25 April 2013, the Council supported the request by the Secretary-General for an additional six United Nations police officers to implement the expanded family visit programme.<sup>13</sup> Table 4 provides an overview of the mandate of MINURSO since its establishment.

<sup>12</sup> Resolutions [2044 \(2012\)](#), para. 1; and [2099 \(2013\)](#), para. 1.

<sup>13</sup> Resolution [2099 \(2013\)](#), para. 10.

Table 4  
**MINURSO: overview of mandate by category**

Category and mandated task	Resolution			
	690 (1991)	1148 (1998)	2044 (2012)	2099 (2013)
<b>Demilitarization and arms management</b>	X <sup>a</sup>	X <sup>a</sup>		
<b>Electoral assistance</b>	X <sup>a</sup>			
<b>Humanitarian support</b>	X <sup>a</sup>			
<b>International cooperation and coordination</b>	X <sup>a</sup>			
Ceasefire monitoring	X <sup>a</sup>			
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>			
Support to police	X <sup>a</sup>			
<b>Political process</b>	X <sup>a</sup>			

<sup>a</sup> Newly mandated task.

### United Nations Mission in Liberia

The United Nations Mission in Liberia (UNMIL) was established by the Security Council under Chapter VII of the Charter by [resolution 1509 \(2003\)](#) of 19 September 2003.

During the period under review, the Council extended the mandate of UNMIL twice for periods of one year, the last being until 30 September 2014.<sup>14</sup> In view of a modified mandate, the Council reduced the authorized military strength of UNMIL in 2012<sup>15</sup> and 2013<sup>16</sup> and increased the number of its police personnel in 2012.<sup>17</sup>

In [resolution 2066 \(2012\)](#) of 17 September 2012, acting under Chapter VII of the Charter, the Council modified the mandate of UNMIL in the area of support to police. It requested the Mission to support the efforts of the Government of Liberia, as appropriate, to achieve a

successful transition of complete security responsibility to the Liberia National Police through capacity-building, including training, in coordination with all relevant actors. The Council decided that the primary tasks of UNMIL would be to support the Government in securing peace and stability and protecting civilians, and called upon UNMIL to support the people and the Government in priority areas, including national reconciliation, constitutional reform and decentralization, and security sector and rule of law reform. It encouraged UNMIL to ensure regular interaction with the civilian population to increase understanding of the mandates and activities of the Mission. In [resolutions 2116 \(2013\)](#) of 18 September 2013 and [2128 \(2013\)](#) of 10 December 2013, acting under Chapter VII of the Charter, the Council called upon the United Nations Operation in Côte d'Ivoire and UNMIL to enhance their inter-mission cooperation for the stabilization of the border area in support of the Ivorian and Liberian authorities. Table 5 provides an overview of the mandate of UNMIL since its establishment. Table 6 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>14</sup> Resolutions [2066 \(2012\)](#), para. 1; and [2116 \(2013\)](#), para. 1.

<sup>15</sup> Resolution [2066 \(2012\)](#), para. 4.

<sup>16</sup> Resolution [2116 \(2013\)](#), para. 4.

<sup>17</sup> Resolution [2066 \(2012\)](#), para. 5.

Table 5  
UNMIL: overview of mandate by category

Category and mandated task	Resolution														
	1509 (2003)	1521 (2003)	1626 (2005)	1638 (2005)	1657 (2006)	1750 (2007)	1836 (2008)	1885 (2009)	1938 (2010)	1971 (2011)	2008 (2011)	2066 (2012)	2079 (2012)	2116 (2013)	2128 (2013)
<b>Civilian-military coordination</b>	X <sup>a</sup>														
<b>Demilitarization and arms management</b>	X <sup>a</sup>		X <sup>c</sup>												
<b>Electoral assistance</b>	X <sup>a</sup>							X <sup>b</sup>	X <sup>c</sup>		X <sup>c</sup>				
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>										X <sup>b</sup>	X <sup>c</sup>		X <sup>c</sup>	
Humanitarian support	X <sup>a</sup>														
International cooperation and coordination	X <sup>a</sup>		X <sup>b</sup>		X <sup>b</sup>						X <sup>b</sup>	X <sup>b</sup>		X <sup>b</sup>	X <sup>b</sup>
Military and police															
Ceasefire monitoring	X <sup>a</sup>														
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>											X <sup>c</sup>		X <sup>c</sup>	
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>		X <sup>b</sup>							X <sup>b</sup>					
Security monitoring; patrolling; deterrence	X <sup>a</sup>		X <sup>b</sup>			X <sup>b</sup>			X <sup>b</sup>	X <sup>d</sup>	X <sup>b</sup>				
Support to police	X <sup>a</sup>						X <sup>b</sup>		X <sup>c</sup>			X <sup>b</sup>		X <sup>c</sup>	
<b>Political process</b>	X <sup>a</sup>										X <sup>c</sup>	X <sup>a</sup>		X <sup>c</sup>	
<b>Public information</b>	X <sup>a</sup>											X <sup>b</sup>		X <sup>c</sup>	
<b>Rule of law/judicial matters</b>	X <sup>a</sup>			X <sup>b</sup>		X <sup>b</sup>						X <sup>a</sup>		X <sup>c</sup>	
<b>Security sector reform</b>	X <sup>a</sup>											X <sup>a</sup>		X <sup>c</sup>	
<b>Support to sanctions regimes</b>	X <sup>a</sup>	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>									X <sup>c</sup>		X <sup>c</sup>
<b>Support to State institutions</b>	X <sup>a</sup>											X <sup>a</sup>		X <sup>c</sup>	

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

<sup>d</sup> Discontinuation of only the military personnel providing security for the Special Court for Sierra Leone.

Table 6  
UNMIL: changes to mandate, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2066 (2012) (adopted under Chapter VII)</b>		
<b>International cooperation and coordination</b>		
	Emphasizes that the Government of Liberia bears primary and ultimate responsibility for security and, recognizing that the Government must prioritize in order to best utilize its available resources, decides that the primary tasks of the Mission are to continue to support the Government in order to solidify peace and stability in Liberia and to protect civilians, and that the Mission shall also support the efforts of the Government, as appropriate, to achieve a successful transition of complete security responsibility to the Liberia National Police by strengthening the capabilities of the National Police to manage existing personnel, improve training programmes to expedite their readiness to assume security responsibilities, and coordinate these efforts with all partners, including the Government, the National Police leadership and donor partners (para. 2)	Additional element
<b>Military and police</b>		
Support to police	See para. 2 of the resolution, above	Additional element
<b>Political process</b>		
	Emphasizes that, in order to be sustainable, the transition planning process should take into account broad challenges, including governance and the rule of law, as well as the political context, and calls upon the Mission to make the appropriate internal adjustments and, at the request of the Government of Liberia, and consistent with its mandate, support the people and the Government of Liberia in taking forward the identified priorities, including national reconciliation, constitutional reform and decentralization, while enhancing its support for security sector and rule of law reforms (para. 8)	Newly mandated task
<b>Public information</b>		
	Encourages the Mission to ensure regular interaction with the civilian population to raise awareness and understanding about its mandate and activities, within existing resources (para. 10)	Additional element
<b>Rule of law/judicial matters</b>		
	See para. 8 of the resolution, under “Political process” above	Newly mandated task
<b>Security sector reform</b>		
	See para. 8 of the resolution, under “Political process” above	Newly mandated task
<b>Support to State institutions</b>		
	See para. 8 of the resolution, under “Political process” above	Newly mandated task



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Category and mandated task	Text of mandate	Change to mandate
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**Resolution 2116 (2013) (adopted under Chapter VII)**

**International cooperation and coordination**

<p>Reaffirms the inter-mission cooperation arrangements provided for in its resolutions <a href="#">1609 (2005)</a> of 24 June 2005 and <a href="#">2100 (2013)</a>, consistent with the conditions outlined therein, and calls upon the United Nations in Côte d’Ivoire and Liberia, including all components of the United Nations Operation in Côte d’Ivoire and the Mission, within their respective mandates, capabilities and areas of deployment, to enhance their inter-mission cooperation for the stabilization of the border area, including through the development of a shared, strategic vision and plan, in support of the Ivorian and Liberian authorities (para. 14)</p>	<p>Additional element</p>
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**Resolution 2128 (2013) (adopted under Chapter VII)**

International cooperation and coordination

<p>Reaffirms the need for the Mission and the United Nations Operation in Côte d’Ivoire to regularly coordinate their strategies and operations in areas near the Liberian-Côte d’Ivoire border, to contribute to subregional security (para. 14)</p>	<p>Additional element</p>
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## United Nations Operation in Côte d’Ivoire

The United Nations Operation in Côte d’Ivoire (UNOCI) was established by the Security Council under Chapter VII of the Charter, by [resolution 1528 \(2004\)](#) of 27 February 2004. The Council authorized UNOCI to use all necessary means to carry out its mandate. UNOCI took over from the peacekeeping forces of the Economic Community of West African States and the United Nations Mission in Côte d’Ivoire.<sup>18</sup>

During the period under review, the Council, by resolutions adopted under Chapter VII of the Charter, extended the mandate of UNOCI twice for periods ranging from 11 to 12 months, the last being until 30 June 2014.<sup>19</sup> The Council also reduced the authorized strength of the military component twice.<sup>20</sup>

Several modifications were made to the mandate of UNOCI during the reporting period. In [resolution 2062 \(2012\)](#) of 26 July 2012, the Council encouraged UNOCI and the United Nations country team to reconfigure within their existing capacities and reinforce their field presence, in order to enhance their coordinated support to the local authorities throughout Côte d’Ivoire, in areas where civilians were at greater risk. In [resolution 2101 \(2013\)](#) of 25 April 2013, acting under Chapter VII of the Charter, the Council recalled that UNOCI was mandated to collect, as appropriate, arms and any related materiel brought into Côte d’Ivoire in violation of the measures imposed by paragraph 7 of [resolution 1572 \(2004\)](#), as amended by paragraphs 1 and 2 of [resolution 2045 \(2012\)](#), and to dispose of such arms and related materiel as appropriate. In [resolution 2112 \(2013\)](#) of 30 July 2013, the Council reiterated the elements of the mandate of UNOCI contained in [resolution 2000 \(2011\)](#), with some expansion, except in the area of electoral assistance, since regional and municipal elections had been held on 21 April 2013. Table 7 provides an overview of the mandate of UNOCI since its establishment. Table 8 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

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<sup>18</sup> For information relating to the mandate of the United Nations Mission in Côte d’Ivoire, see *Repertoire, Supplement 2000–2003*, chap. V, part I.E; and *Supplement 2004–2007*, chap. V, part I.F.

<sup>19</sup> Resolutions [2062 \(2012\)](#), para. 1; and [2112 \(2013\)](#), para. 1.

<sup>20</sup> Resolutions [2062 \(2012\)](#), para. 3; and [2112 \(2013\)](#), para. 3.

Table 7  
UNOCI: overview of the mandate by category

Category and mandated task	Resolution														
	1739 (2007)	1765 (2007)	1795 (2008)	1819 (2008)	1826 (2008)	1842 (2008)	1865 (2009)	1880 (2009)	1911 (2010)	1933 (2010)	1981 (2011)	2000 (2011)	2062 (2012)	2101 (2013)	2112 (2013)
<b>Authorization of the use of force</b>	X <sup>a</sup>								X <sup>c</sup>	X <sup>a</sup>		X <sup>a</sup>	X <sup>c</sup>		X <sup>a</sup>
<b>Demilitarization and arms management</b>	X <sup>a</sup>	X <sup>b</sup>					X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>a</sup>	X <sup>b</sup>	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>a</sup>
<b>Electoral assistance</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>		X <sup>b</sup>		X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>		X <sup>a</sup>	X <sup>c</sup>		
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>	X <sup>c</sup>					X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>a</sup>		X <sup>a</sup>	X <sup>c</sup>		X <sup>a</sup>
<b>Humanitarian support</b>	X <sup>a</sup>	X <sup>c</sup>								X <sup>a</sup>		X <sup>a</sup>			X <sup>a</sup>
<b>International cooperation and coordination</b>	X <sup>a</sup>	X <sup>c</sup>								X <sup>a</sup>	X <sup>b</sup>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>
Military and police															
Ceasefire monitoring	X <sup>a</sup>														
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>							X <sup>b</sup>		X <sup>a</sup>		X <sup>a</sup>	X <sup>c</sup>		X <sup>a</sup>
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>									X <sup>a</sup>		X <sup>a</sup>			X <sup>a</sup>
Security monitoring; patrolling; deterrence	X <sup>a</sup>	X <sup>b</sup>								X <sup>a</sup>		X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>a</sup>
Support to military	X <sup>a</sup>	X <sup>b</sup>								X <sup>a</sup>		X <sup>a</sup>			X <sup>a</sup>
Support to police	X <sup>a</sup>	X <sup>b</sup>						X <sup>c</sup>		X <sup>a</sup>		X <sup>a</sup>			X <sup>a</sup>

<i>Category and mandated task</i>	<i>Resolution</i>														
	1739 (2007)	1765 (2007)	1795 (2008)	1819 (2008)	1826 (2008)	1842 (2008)	1865 (2009)	1880 (2009)	1911 (2010)	1933 (2010)	1981 (2011)	2000 (2011)	2062 (2012)	2101 (2013)	2112 (2013)
<b>Political process</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>		X <sup>b</sup>		X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>a</sup>		X <sup>a</sup>			X <sup>a</sup>
<b>Public information</b>	X <sup>a</sup>	X <sup>c</sup>						X <sup>c</sup>		X <sup>a</sup>		X <sup>a</sup>			X <sup>a</sup>
<b>Rule of law/judicial matters</b>	X <sup>a</sup>	X <sup>c</sup>						X <sup>c</sup>		X <sup>a</sup>		X <sup>a</sup>	X <sup>c</sup>		X <sup>a</sup>
<b>Security sector reform</b>	X <sup>a</sup>	X <sup>b</sup>								X <sup>a</sup>		X <sup>a</sup>	X <sup>c</sup>		X <sup>a</sup>
<b>Support to sanctions regimes</b>	X <sup>a</sup>			X <sup>b</sup>		X <sup>b</sup>				X <sup>a</sup>		X <sup>a</sup>			X <sup>a</sup>
<b>Support to State institutions</b>	X <sup>a</sup>	X <sup>c</sup>								X <sup>a</sup>		X <sup>a</sup>	X <sup>b</sup>		X <sup>a</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 8  
UNOCI: changes to mandate, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2062 (2012) (adopted under Chapter VII)</b>		
<b>International cooperation and coordination</b>		
	Encourages the United Nations Operation in Côte d'Ivoire and the United Nations country team to reconfigure within their existing capacities and reinforce their field presence, in order to enhance their coordinated support to the local authorities throughout Côte d'Ivoire, in areas where civilians are at greater risk, particularly but not only in western Côte d'Ivoire (para. 6)	Additional element
<b>Support to State institutions</b>		
	See para. 6 of the resolution, above	Additional element
<b>Resolution 2101 (2013) (adopted under Chapter VII)</b>		
<b>Demilitarization and arms management</b>		
	Recalls that the United Nations Operation in Côte d'Ivoire is mandated, within the monitoring of the arms embargo, to collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), as amended by paragraphs 1 and 2 of resolution 2045 (2012), and to dispose of such arms and related materiel as appropriate (para. 14)	Additional element
<b>Resolution 2112 (2013) (adopted under Chapter VII)</b>		
<b>Authorization of the use of force</b>		
	Authorizes the United Nations Operation in Côte d'Ivoire to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment (para. 7)	Newly mandated task
<b>Demilitarization and arms management</b>		
	Decides further that the mandate of the United Nations Operation in Côte d'Ivoire shall be the following:  ...(c) Disarmament, demobilization and reintegration programme and collection of weapons  – To assist the Government of Côte d'Ivoire, in close coordination with other bilateral and international partners, in implementing without further delay the new national programme for the disarmament, demobilization and reintegration of former combatants and the dismantling of militias and self-defence groups, taking into account the rights and needs of the distinct categories of persons to be disarmed, demobilized and reintegrated, including children and women;  – To support the registration and screening of former combatants and assist in assessing and verifying the reliability of the listings of former combatants;	Newly mandated task

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	<ul style="list-style-type: none"> <li>– To support the disarmament and repatriation of foreign armed elements, where relevant in cooperation with the United Nations Mission in Liberia and United Nations country teams in the region;</li> <li>– To assist the national authorities, including the National Commission to Fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, in collecting, registering, securing and disposing of weapons and in clearing explosive remnants of war, as appropriate, in accordance with resolution <a href="#">2101 (2013)</a>;</li> <li>– To coordinate with the Government of Côte d’Ivoire in ensuring that the collected weapons are not disseminated or reutilized outside a comprehensive national security strategy, as referred to in point (d);</li> </ul>	
	<p>...(e) Monitoring of the arms embargo</p> <ul style="list-style-type: none"> <li>– To monitor the implementation of the measures imposed by paragraph 7 of resolution <a href="#">1572 (2004)</a> of 15 November 2004, in cooperation with the Group of Experts on Côte d’Ivoire established pursuant to resolution <a href="#">1584 (2005)</a> of 1 February 2005, including by inspecting, as they deem it necessary and, when appropriate, without notice, all weapons, ammunition and related materiel regardless of location, consistent with resolution <a href="#">2101 (2013)</a>;</li> <li>– To collect, as appropriate, arms and any related materiel brought into Côte d’Ivoire in violation of the measures imposed by paragraph 7 of resolution <a href="#">1572 (2004)</a> and to dispose of such arms and related materiel as appropriate (para. 6)</li> </ul>	Newly mandated task

**Human rights; women and peace and security; children and armed conflict**

	<p>... (d) Reconstitution and reform of security institutions</p> <ul style="list-style-type: none"> <li>– To assist the Government of Côte d’Ivoire in implementing, without delay and in close coordination with other international partners, its comprehensive national security strategy;</li> <li>– To support the Government of Côte d’Ivoire in providing effective, transparent and harmonized coordination of assistance, including the promotion of a clear division of tasks and responsibilities, by international partners to the security sector reform process;</li> <li>– To advise the Government of Côte d’Ivoire, as appropriate, on security sector reform and the organization of the future national army, to facilitate the provision, within its current resources and as requested by the Government and in close coordination with other international partners, of training in human rights, child protection and protection from sexual and gender-based violence to the security and law enforcement institutions, as well as capacity-building support by providing technical assistance, co-location and mentoring programmes for the police, gendarmerie, justice and corrections officers and to contribute to restoring their presence throughout Côte d’Ivoire and to offer support to the development of a sustainable vetting mechanism for personnel that will be absorbed into security sector institutions;</li> </ul>	Newly mandated task
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Category and mandated task	Text of mandate	Change to mandate
	<p>...(f) Support for compliance with international humanitarian and human rights law</p> <ul style="list-style-type: none"> <li>– To contribute to the promotion and protection of human rights in Côte d’Ivoire, with special attention to grave violations and abuses committed against children and women, notably sexual and gender-based violence, in close coordination with the independent expert established pursuant to Human Rights Council resolution 17/21 of 17 June 2011;</li> <li>– To monitor, help to investigate and report to the Security Council on abuses and violations of human rights and violations of international humanitarian law, including those against children, in line with resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009, 1998 (2011) of 12 July 2011 and 2068 (2012) of 19 September 2012, in order to prevent such abuses and violations and to end impunity;</li> <li>– To bring to the attention of the Security Council all individuals identified as perpetrators of serious human rights violations and to keep the Security Council Committee established pursuant to resolution 1572 (2004) informed of any significant developments in this regard when appropriate;</li> <li>– To support the efforts of the Government of Côte d’Ivoire in combating sexual and gender-based violence, including through contributing to the development of a nationally owned multisectoral strategy in cooperation with United Nations Action against Sexual Violence in Conflict entities;</li> <li>– To provide specific protection for women affected by armed conflict, including through the deployment of women’s protection advisers, to ensure gender expertise and training, as appropriate and within existing resources, in accordance with resolutions 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009, 1960 (2010) of 16 December 2010 and 2106 (2013) of 24 June 2013 (para. 6)</li> </ul>	Newly mandated task
	<p>Calls upon those responsible to cease committing acts of sexual and gender-based violence immediately, and further calls upon the United Nations Operation in Côte d’Ivoire, where consistent with its authorities and responsibilities, to continue to support national and international efforts to bring to justice perpetrators of grave abuses of human rights and violations of international humanitarian law in Côte d’Ivoire, irrespective of their status or political affiliation (para. 17)</p>	Newly mandated task
<b>Humanitarian support</b>		
	<p>... (a) Protection of civilians</p> <ul style="list-style-type: none"> <li>– To protect, without prejudice to the primary responsibility of the Ivorian authorities, the civilian population from imminent threat of physical violence, within its capabilities and areas of deployment;</li> <li>– To implement the comprehensive strategy for the protection of civilians in coordination with the United Nations country team;</li> <li>– To work closely with humanitarian agencies, particularly in relation to areas of tensions and with respect to the return of displaced persons, to collect information on and identify potential threats against the civilian population and bring them to the attention of the Ivorian authorities, as appropriate;</li> </ul>	Newly mandated task

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	<p>... (g) Support for humanitarian assistance</p> <p>– To facilitate, as necessary, unhindered humanitarian access and to help to strengthen the delivery of humanitarian assistance to conflict-affected and vulnerable populations, notably by contributing to enhancing security for its delivery;</p> <p>– To support the Ivorian authorities in preparing for the voluntary, safe and sustainable return of refugees and internally displaced persons in cooperation with relevant humanitarian organizations, and in creating security conditions conducive to it (para. 6)</p>	Newly mandated task
<b>International cooperation and coordination</b>		
	See para. 6 (a) of the resolution, under “Humanitarian support” above	Newly mandated task
	<p>... (b) Addressing remaining security threats and border-related challenges</p> <p>– To support, within its existing authorities, capabilities and areas of deployment, the national authorities in stabilizing the security situation in the country;</p> <p>– To monitor and deter the activities of militias, mercenaries and other illegal armed groups and to support the Government of Côte d’Ivoire in addressing border security challenges consistent within its existing mandate to protect civilians, including cross-border security and other challenges in the border areas, notably with Liberia, and to this end, to coordinate closely with the United Nations Mission in Liberia in order to further inter-mission cooperation, such as through undertaking coordinated patrols and contingency planning, where appropriate and within their existing mandates and capabilities;</p> <p>– To liaise with the Republican Forces of Côte d’Ivoire in order to promote mutual trust among all elements composing the Republican Forces;</p> <p>– To support the Ivorian authorities, as necessary, in the provision of security for members of the Government and key political stakeholders, until 31 December 2013, at which date this task shall be transferred wholly to the Ivorian security forces; (para. 6)</p>	Newly mandated task
	See para. 6 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See paras. 6 (d), 6 (f) and 17 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated tasks
	Calls upon all United Nations entities in Côte d’Ivoire and Liberia, including all components of the United Nations Operation in Côte d’Ivoire and the United Nations Mission in Liberia, within their respective mandates, capabilities and areas of deployment, to enhance their support for the stabilization of the border area, including through increased inter-mission cooperation and the development of a shared strategic vision and plan in support of the Ivorian and Liberian authorities (para. 26)	Newly mandated task

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	Commends inter-mission cooperation between the United Nations Operation in Côte d'Ivoire and the United Nations Multidimensional Integrated Stabilization Mission in Mali, and encourages both United Nations missions to continue in this direction as authorized by paragraph 14 of resolution <a href="#">2100 (2013)</a> (para. 27)	Newly mandated task
<b>Military and police</b>		
Protection of civilians, including refugees and internally displaced persons	See para. 6 (a) of the resolution, under "Humanitarian support" above	Newly mandated task
Protection of humanitarian and United Nations personnel and facilities/ free movement of personnel and equipment	...(j) Protection of United Nations personnel – To protect United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations personnel (para. 6)	Newly mandated task
Security monitoring; patrolling; deterrence	See paras. 6 (b) and 26 of the resolution, under "International cooperation and coordination" above	Newly mandated tasks
Support to military	See para. 6 (b) of the resolution, under "International cooperation and coordination" above	Newly mandated task
Support to police	See para. 6 (d) of the resolution, under "Human rights; women and peace and security; children and armed conflict" above	Newly mandated task
<b>Political process</b>		
	Welcomes the initiative taken by the Government of Côte d'Ivoire to enhance political dialogue with the political opposition, including extra-parliamentary political parties, calls upon the Government to continue to step up concrete measures in this regard and ensure political space and rights for the opposition, further calls upon all opposition parties to play a constructive role and contribute towards reconciliation, and requests the Special Representative of the Secretary-General for Côte d'Ivoire to continue to use her good offices role, including to facilitate dialogue between all political stakeholders (para. 19)	Newly mandated task
<b>Public information</b>		
	...(h) Public information – To continue to use the broadcasting capacity of the United Nations Operation in Côte d'Ivoire, through ONUCI FM, to contribute to the overall effort to create a peaceful environment, until the 2015 presidential elections; – To monitor any public incidents of incitement to hatred, intolerance and violence and bring to the attention of the Security Council all individuals identified as instigators of political violence, and to keep the Committee established pursuant to resolution <a href="#">1572 (2004)</a> informed of any significant developments in this regard, when appropriate (para. 6)	Newly mandated task



<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Rule of law/judicial matters</b>		
	See paras. 6 (d) and 17 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated tasks
<b>Security sector reform</b>		
	See para. 6 (d) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
<b>Support to sanctions regimes</b>		
	See para. 6 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See para. 6 (f) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
	See para. 6 (h) of the resolution, under “Public information” above	Newly mandated task
<b>Support to State institutions</b>		
	<p>...(i) Redeployment of State administration and the extension of State authority throughout the country</p> <p>– To support the Ivorian authorities in extending effective State administration and strengthening public administration in key areas throughout the country, at the national and local levels (para. 6)</p>	Newly mandated task

### **African Union-United Nations Hybrid Operation in Darfur**

The African Union-United Nations Hybrid Operation in Darfur (UNAMID) was established by the Security Council on 31 July 2007, by resolution [1769 \(2007\)](#), in support of the early and effective implementation of the Darfur Peace Agreement of 5 May 2008. UNAMID succeeded the African Union Mission in the Sudan on 31 December 2007.

During the period under review, the Council extended the mandate of UNAMID twice, for periods of 12 and 13 months, the last being until 31 August 2014.<sup>21</sup> In [resolution 2063 \(2012\)](#) of 31 July 2012, the Council reconfigured and reduced the uniformed personnel of UNAMID.<sup>22</sup>

In the same resolution, the Council modified the mandate of UNAMID. The Council requested UNAMID to support the development and training of community policing and to increase both military and police patrols in areas at high risk of conflict in order to secure internally displaced persons camps, adjacent areas and areas of return. It also requested UNAMID to support the implementation of the Doha Document for Peace in Darfur by working with the United Nations country team on disarmament, demobilization and reintegration and building the capacity of the police, justice and corrections sectors. The Council emphasized the importance of ensuring the ability of UNAMID to monitor cases of human rights violations and abuses in and relating to Darfur. It requested UNAMID to support and monitor the development of a Darfur-based internal dialogue taking place in an environment of respect for the civil and political rights of participants, including freedom of speech and assembly, freedom from harassment, arbitrary arrest and intimidation and freedom from interference by the Government of the Sudan or the armed

<sup>21</sup> Resolutions [2063 \(2012\)](#), para. 1; and [2113 \(2013\)](#), para. 1.

<sup>22</sup> Resolution [2063 \(2012\)](#), para. 2.

groups in Darfur. In [resolution 2113 \(2013\)](#) of 30 July 2013, the Council mandated UNAMID to enhance its efforts to respond promptly and effectively to threats of violence against civilians, including internally displaced persons, and to monitor whether any arms or related materiel were present in Darfur. In connection with the attack that took place on 13 July 2013, in which seven United Nations peacekeepers were killed, and other attacks that killed or

wounded others, the Council urged UNAMID to take all necessary measures within its rules of engagement to protect United Nations personnel and equipment. Table 9 provides an overview of the mandate of UNAMID since its establishment. Table 10 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

Table 9  
UNAMID: overview of mandate by category

Category and mandated task	Resolution						
	1769 (2007)	1828 (2008)	1881 (2009)	1935 (2010)	2003 (2011)	2063 (2012)	2113 (2013)
Authorization of the use of force	X <sup>a</sup>						
Demilitarization and arms management	X <sup>a</sup>			X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>
Electoral assistance	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>			
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>
Humanitarian support	X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>
International cooperation and coordination	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>
Military and police							
Ceasefire monitoring	X <sup>a</sup>						
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>
Protection of humanitarian and United Nations personnel and facilities/ free movement of personnel and equipment	X <sup>a</sup>		X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>
Security monitoring; patrolling; deterrence	X <sup>a</sup>			X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>
Support to police	X <sup>a</sup>					X <sup>b</sup>	X <sup>c</sup>
Political process	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>
Rule of law/judicial matters	X <sup>a</sup>					X <sup>b</sup>	X <sup>c</sup>
Security sector reform							
Support to sanctions regimes	X <sup>a</sup>			X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>
Support to State institutions	X <sup>a</sup>			X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 10  
UNAMID: changes to mandate, 2012-2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2063 (2012)</b>		
<b>Demilitarization and arms management</b>		
	<p>Urges the Government of the Sudan and the Liberation and Justice Movement to implement the Doha Document for Peace in Darfur in full, including by ensuring that the Darfur Regional Authority, the National Human Rights Commission and the Office of the Special Prosecutor for Darfur, whose establishment by the signatory parties in accordance with the Doha Document is welcome, are resourced and empowered to carry out their mandates, and demands that the non-signatory armed groups refrain from impeding the implementation of the Doha Document; requests the African Union-United Nations Hybrid Operation in Darfur to support the implementation of the Doha Document by working closely with the United Nations country team on disarmament, demobilization and reintegration and building the capacity of the police, justice and corrections sectors; and requests the Operation and the United Nations country team to develop an Integrated Strategic Framework for United Nations system-wide support to the Doha Document based on a clear division of labour and taking into account the Darfur Joint Assessment Mission, and requests the Secretary-General to present the Framework to the Security Council in his next ninety-day report (para. 6)</p>	Additional element
<b>Human rights; women and peace and security; children and armed conflict</b>		
	<p>Condemns human rights violations and abuses in and relating to Darfur, including arbitrary arrests and detentions, expresses deep concern about the situation of all those so detained, including members of civil society and internally displaced persons, and emphasizes the importance of ensuring the ability of the African Union-United Nations Hybrid Operation in Darfur, within its current mandate, and of other relevant organizations to monitor such cases, calls upon the Government of the Sudan fully to respect its obligations, including by fulfilling its commitment to lift the state of emergency in Darfur, releasing all political prisoners, allowing free expression and undertaking effective efforts to ensure accountability for serious violations of international human rights and humanitarian law, by whomsoever perpetrated, emphasizes the importance of the Operation acting to promote human rights and bringing abuses and violations to the attention of the authorities, and requests the Secretary-General to report on all the human rights issues identified in the present resolution in his regular reports to the Council and to promptly report gross violations and abuses to the Council (para. 15)</p>	Additional element
<b>International cooperation and coordination</b>		
	<p>See para. 6 of the resolution, under “Demilitarization and arms management” above</p>	Additional element
	<p>Also notes the request contained in paragraph 19 of resolution <a href="#">2057 (2012)</a> of 5 July 2012 related to the regional threat of the Lord’s Resistance Army, and encourages the African Union-United Nations Hybrid Operation in Darfur, within existing capacities and consistent with its mandate, to cooperate and share information in this regard (para. 17)</p>	Additional element

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
Military and police Protection of civilians, including refugees and internally displaced persons	Underlines the need for the African Union-United Nations Hybrid Operation in Darfur to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to (a) the protection of civilians across Darfur, including through the implementation of a mission-wide early warning strategy; proactive military deployment and increased patrols in areas at high risk of conflict; securing, through increased police patrols, internally displaced persons camps, adjacent areas and areas of return; and supporting the development and training of community policing for internally displaced persons camps and areas of return; and (b) ensuring safe, timely and unhindered humanitarian access and the safety and security of humanitarian personnel and humanitarian activities, so as to facilitate the unimpeded delivery of humanitarian assistance throughout Darfur; and requests the Operation to maximize the use of its capabilities, in cooperation with the United Nations country team and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives (para. 3)	Additional element
Security monitoring; patrolling; deterrence	See para. 3 of the resolution, above	Additional element
Support to police	See para. 6 of the resolution, under “Demilitarization and arms management” above	Additional element

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### Political process

See para. 6 of the resolution, under “Demilitarization and arms management” above	Additional element
Reaffirms its support for a Darfur-based internal dialogue that takes place in an environment of respect for the civil and political rights of participants, including women, such that they can exercise their views without fear of retribution; freedom of speech and assembly to permit open consultations; freedom of movement of participants and the African Union-United Nations Hybrid Operation in Darfur; proportional participation among Darfurians; freedom from harassment, arbitrary arrest and intimidation; and freedom from interference by the Government of the Sudan or the armed groups; calls upon the Government and the armed groups to ensure the enabling environment necessary for such a dialogue; requests the Operation to support and monitor the development of such a dialogue; requests the Secretary-General, in his regular reports, referred to in paragraph 12, to report any security incidents, threats, violations of the participants’ freedoms or instances of interference; and calls upon the signatories to the Doha Document for Peace in Darfur to heed the results of the internal dialogue process and to respond in the context of implementation of the Doha Document to the wants and needs of the people expressed through such a process (para. 8)	Additional element

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### Rule of law/judicial matters

See para. 6 of the resolution, under “Demilitarization and arms management” above	Additional element
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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
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**Resolution 2113 (2013)**

**Military and police**

<p>Protection of civilians, including refugees and internally displaced persons</p>	<p>Underlines the need for the African Union-United Nations Hybrid Operation in Darfur to continue to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to (a) the protection of civilians across Darfur, including through the full implementation of its mission-wide early warning strategy with associated early warning indicators; proactive military deployment and increased patrols in areas at high risk of conflict; enhanced efforts to respond promptly and effectively to threats of violence against civilians; securing, through increased police patrols, internally displaced persons camps, adjacent areas and areas of return; and supporting the development and training of community policing for internally displaced persons camps and areas of return; and (b) ensuring safe, timely and unhindered humanitarian access, and the safety and security of humanitarian personnel and humanitarian activities, so as to facilitate the unimpeded delivery of humanitarian assistance throughout Darfur; and requests the Operation to maximize the use of its capabilities, in cooperation with the United Nations country team and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives (para. 4)</p>	<p>Additional element</p>
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<p>Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment</p>	<p>Commends the troop- and police-contributing countries of the African Union-United Nations Hybrid Operation in Darfur and the contributions of donors to the Operation, calls upon Member States to pledge and provide remaining force enablers, including military air assets, required for the Operation, and recalls the importance of continued close consultations with troop- and police-contributing countries; strongly condemns all attacks on the Operation, including the attack of 13 July 2013 that led to the death of seven United Nations peacekeepers and other attacks that have killed or wounded others; underlines that any attack or threat of attack on the Operation is unacceptable, and notes that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution 1591 (2005) of 29 March 2005; demands that there be no recurrence of such attacks and that those responsible be held to account following prompt and thorough investigation, stresses the need to enhance the safety and security of Operation personnel, and urges the Operation to take all measures necessary within its rules of engagement to protect United Nations personnel and equipment; condemns the ongoing impunity for those who attack peacekeepers, and in this regard urges the Government of the Sudan to do its utmost to bring all perpetrators of any such crimes to justice and to cooperate with the Operation in this regard, and further urges relevant parties to cooperate with the Panel of Experts on the Sudan appointed by the Secretary-General pursuant to paragraph 3 (b) of resolution 1591 (2005), whose mandate was extended by subsequent resolutions (para. 11)</p>	<p>Additional element</p>
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**Political process**

	<p>Expresses deep concern over the increased localized conflicts, increased criminality and violence and their effect on civilians, and particularly over the sharp increase in inter-tribal clashes, and calls upon all parties urgently to put an end to such clashes and to pursue reconciliation and dialogue; expresses deep concern over the proliferation of arms, in particular small arms and light weapons, and in this regard requests the African Union-United Nations Hybrid Operation in</p>	<p>Additional element</p>
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Darfur to continue to support local conflict resolution mechanisms, including with civil society organizations, and authorizes the Joint Chief Mediator to conduct mediation and reconciliation efforts involving Darfuri armed groups; and further requests the Operation to monitor whether any arms or related material are present in Darfur in accordance with its mandate as set out in paragraph 9 of resolution 1769 (2007), and in this context to continue to cooperate with the Panel of Experts established pursuant to resolution 1591 (2005) in order to facilitate its work (para. 23)

### United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

By resolution 1925 (2010) of 28 May 2010, the Security Council established the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) under Chapter VII of the Charter. MONUSCO succeeded the United Nations Organization Mission in the Democratic Republic of the Congo<sup>23</sup> on 1 July 2010.

During the period under review, acting under Chapter VII of the Charter, the Council extended the mandate of MONUSCO twice, for periods of 12 and 8 months, the last being until 31 March 2014.<sup>24</sup> The Council did not authorize any changes to the composition of MONUSCO in 2012 or 2013.

In resolution 2053 (2012) of 27 June 2012, the Council, acting under Chapter VII of the Charter, requested MONUSCO to keep a reserve force capable of redeploying rapidly and reaffirmed that the protection of civilians must be given priority in decisions about the use of available resources. The Council modified several previously authorized tasks; it requested MONUSCO to support effective coordination, transparency and harmonization of efforts as well as a clear division of tasks and responsibilities of all international partners involved in assisting the security sector reform and to avail itself of the good offices of the Special Representative of the Secretary-General for the

Democratic Republic of the Congo in monitoring, reporting and following up on human rights violations. The Council also requested MONUSCO to continually assess and review its technical and logistical support for the organization and conduct of provincial and local elections.

In resolution 2098 (2013) of 28 March 2013, the Council, acting under Chapter VII of the Charter, decided that MONUSCO should, within its authorized strength, include an “intervention brigade”, until the Government had made sufficient progress in the creation of a Congolese “rapid reaction force”, to neutralize armed groups posing a threat to State authority and civilian security in eastern Democratic Republic of the Congo and to make space for stabilization activities. The Council requested MONUSCO to take all necessary measures to perform tasks related to the protection of civilians under imminent threat, monitoring the implementation of the arms embargo and the provision of support to national and international judicial processes. The Council called upon the Special Representative to support, coordinate and assess the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, and encouraged MONUSCO to participate in the activities of the Expanded Joint Border Verification Mechanism as a regional confidence-building mechanism.

In the same resolution, the Council modified several previously authorized tasks, including for the Mission to provide good offices, advice and support to the Government in training battalions of the Congolese National Police and an array of other tasks, including reforming the criminal justice institutions, finalizing a clear and comprehensive security sector reform implementation road map, building on the Stabilization and Reconstruction Plan for Eastern Democratic Republic of the Congo and the revised International Security and Stabilization Support Strategy to support the

<sup>23</sup> For information relating to the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo, see *Repertoire, Supplement 1996-1999*, chap. V, part I.E; *Supplement 2000-2003*, chap. V, part I.E; *Supplement 2004-2007*, chap. V, part I.F; *Supplement 2008-2009*, part X, sect. I; and *Supplement 2010-2011*, part X, sect. I.

<sup>24</sup> Resolutions 2053 (2012), para. 1; and 2098 (2013), para. 9.

consolidation of State authority and control in conflict-affected areas in eastern Democratic Republic of the Congo, and designing a single overarching plan for disarmament, demobilization and reintegration and for disarmament, demobilization, repatriation, resettlement and reintegration for foreign and Congolese combatants not suspected of genocide, war crimes, crimes against humanity or gross violations of human rights.

Furthermore, the Council requested MONUSCO to observe and report on flows of military personnel, arms or related materiel across the eastern border of the

Democratic Republic of the Congo, including by using surveillance capabilities provided by unmanned aerial systems, and requested the Special Representative to encourage the prompt establishment and consolidation of an effective national civilian structure to control key mining activities and manage equitably the extraction of and trade in natural resources in eastern Democratic Republic of the Congo. Table 11 provides an overview of the mandate of MONUSCO since its establishment. Table 12 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

Table 11  
MONUSCO: overview of mandate by category

Category and mandated task	Resolution					
	1925 (2010)	1952 (2010)	1991 (2011)	2021 (2011)	2053 (2012)	2098 (2013)
Authorization of the use of force	X <sup>a</sup>					X <sup>a</sup>
Civilian-military coordination						X <sup>a</sup>
Demilitarization and arms management	X <sup>a</sup>				X <sup>c</sup>	X <sup>b</sup>
Electoral assistance	X <sup>a</sup>		X <sup>b</sup>		X <sup>b</sup>	X <sup>b</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>		X <sup>b</sup>		X <sup>b</sup>	X <sup>a</sup>
Humanitarian support	X <sup>a</sup>					
International cooperation and coordination	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>a</sup>
Military and police						
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>		X <sup>b</sup>		X <sup>c</sup>	X <sup>a</sup>
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>					X <sup>b</sup>
Security monitoring; patrolling; deterrence	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>a</sup>
Support to military	X <sup>a</sup>					X <sup>a</sup>
Support to police	X <sup>a</sup>					X <sup>b</sup>
Political process	X <sup>a</sup>		X <sup>b</sup>		X <sup>b</sup>	X <sup>a</sup>
Public information	X <sup>a</sup>				X <sup>c</sup>	X <sup>c</sup>
Rule of law/judicial matters	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>
Security sector reform	X <sup>a</sup>				X <sup>b</sup>	X <sup>a</sup>
Support to sanctions regimes	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>
Support to State institutions	X <sup>a</sup>		X <sup>b</sup>			X <sup>a</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 12  
MONUSCO: changes to mandate, 2012-2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2053 (2012) (adopted under Chapter VII)</b>		
<b>Electoral assistance</b>		
	<p>Decides that the Mission shall support the organization and conduct of provincial and local elections through the provision of technical and logistical support, in accordance with paragraph 7 of resolution 1991 (2011) of 28 June 2011, decides further that this support will be continually assessed and reviewed according to progress made by the Congolese authorities in consolidating the credibility of the Independent National Electoral Commission, agreeing on viable operational plans in order to ensure international support, adopting a realistic electoral calendar and continuing to ensure the full access of observers and representatives of political parties to all electoral sites and operations, recalls the need for the Special Representative of the Secretary-General for the Democratic Republic of the Congo to promote and facilitate inclusive and transparent political dialogue among various Congolese stakeholders, including women's groups, supports the establishment by the Congolese authorities of the Constitutional Court, calls upon the Election Partnership Committee to meet more regularly to closely follow and adapt international support to the electoral process, and requests the Secretary-General to report on this progress in his report of November 2012 (para. 16)</p>	Additional element
<b>Human rights; women and peace and security; children and armed conflict</b>		
	<p>Welcomes the positive steps taken by the Government of the Democratic Republic of the Congo to investigate the violations of human rights alleged to have been committed in Kinshasa in the context of the elections of 28 November 2011, urges the Government to prosecute those responsible, calls upon the Government to protect and promote all human rights throughout the country and ensure full respect for fundamental rights and liberties, including freedom of expression and freedom of peaceful assembly, in the light of the upcoming provincial and local elections scheduled for 2013, and decides that the Mission shall pursue its monitoring, reporting and following up on human rights violations, including by using the good offices of the Special Representative of the Secretary-General as required (para. 17)</p>	Additional element
<b>International cooperation and coordination</b>		
	<p>Calls upon the Congolese authorities to share its priorities and strategies with international partners on a regular basis, requests the Mission to support effective coordination, transparency and harmonization of efforts as well as a clear division of tasks and responsibilities of all international partners involved in assisting the security sector reform, in this regard calls upon the Government of the Democratic Republic of the Congo, with support from the Mission, to make strategic use of the information on internationally supported security sector reform projects already being collected by the Ministry of Planning, and calls upon all Member States and international organizations to improve information-sharing and to fully cooperate with the Congolese authorities and the Mission in this regard (para. 10)</p>	Additional element



**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Military and police</b>		
Security monitoring; patrolling; deterrence	Requests the Mission to undertake a strategic review of the implementation of the International Security and Stabilization Support Strategy, providing a clear definition of stabilization in the context of eastern Democratic Republic of the Congo and a strategy and time frame for achieving these stabilization goals, with a view to strengthening its efforts and engaging closely with the Government of the Democratic Republic of the Congo to ensure that these efforts are closely aligned with and provide effective support to the Government's Stabilization and Reconstruction Plan, requests further the Secretary-General to present the results of this review in an annex to his report in February 2013, and encourages donors to support the relevant Congolese authorities in fully implementing the Plan (para. 7)	Additional element
<b>Political process</b>		
	See para. 16 of the resolution, under "Electoral assistance" above	Additional element
<b>Security sector reform</b>		
	See para. 10 of the resolution, under "International cooperation and coordination" above	Additional element
<b>Resolution 2098 (2013) (adopted under Chapter VII)</b>		
<b>Authorization of the use of force</b>		
	Decides to extend the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo until 31 March 2014, takes note of the recommendations contained in the special report of the Secretary-General on the Democratic Republic of the Congo and in the Great Lakes region regarding the Mission, and decides that the Mission shall, for an initial period of one year and within the authorized troop ceiling of 19,815, on an exceptional basis and without creating a precedent or any prejudice to the agreed principles of peacekeeping, include an "intervention brigade" consisting, inter alia, of three infantry battalions, one artillery and one special force and reconnaissance company with headquarters in Goma, under the direct command of the Force Commander of the Mission, with the responsibility of neutralizing armed groups as set out in paragraph 12 (b) and the objective of contributing to reducing the threat posed by armed groups to State authority and civilian security in eastern Democratic Republic of the Congo, and to make space for stabilization activities (para. 9)	Newly mandated task
	Authorizes the Mission, through its military component, in pursuit of the objectives described in paragraph 11 to take all necessary measures to perform the tasks, through its regular forces and its Intervention Brigade as appropriate (para. 12)	Additional element
<b>Civilian-military coordination</b>		
	Requests the civilian component of the Mission to support in particular, as appropriate, the implementation of the tasks outlined in paragraphs 12 (a), 12 (c) and 12 (d) (para. 13)	Newly mandated task

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	Requests the military component of the Mission to support in particular, as appropriate, the implementation of the tasks outlined in paragraphs 15 (a) to (d) and 15 (i) (para. 16)	Newly mandated task

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### **Demilitarization and arms management**

... (c) *Monitoring the implementation of the arms embargo* Additional element

Monitor the implementation of the arms embargo as described in paragraph 1 of resolution 2078 (2012) in cooperation with the Group of Experts established pursuant to resolution 1533 (2004) and, in particular, observe and report on flows of military personnel, arms or related materiel across the eastern border of the Democratic Republic of the Congo, including by using, as specified in the letter from the Council of 22 January 2013, surveillance capabilities provided by unmanned aerial systems, seize, collect and dispose of arms or related materials whose presence in the Democratic Republic of the Congo violates the measures imposed by paragraph 1 of resolution 2078 (2012) and share relevant information with the Group of Experts (para. 12)

See para. 13 of the resolution, under “Civil-military coordination” above Additional element

Authorizes the Mission, through its civilian component, to contribute, in coordination with the United Nations country team and in support of national mechanisms to implement the PSC Framework, to the following tasks: Additional element

... (d) Provide good offices, advice and support to the Government of the Democratic Republic of the Congo for the design of a single overarching plan for disarmament, demobilization and reintegration and for disarmament, demobilization, repatriation, resettlement and reintegration for foreign and Congolese combatants not suspected of genocide, war crimes, crimes against humanity or gross violations of human rights, including members of the Armed Forces of the Democratic Republic of the Congo, and support, when appropriate, the implementation of this plan (para. 15)

See para. 16 of the resolution, under “Civil-military coordination” above Additional element

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### **Electoral assistance**

Calls upon the Special Representative to perform, through his good offices, the following tasks: Additional element

... (b) Promote inclusive and transparent political dialogue among all Congolese stakeholders with a view to furthering reconciliation and democratization and encourage the organization of credible and transparent provincial and local elections (para. 14)

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### **Human rights; women and peace and security; children and armed conflict**

... (a) *Protection of civilians* Newly mandated task

... (iii) Work with the Government of the Democratic Republic of the Congo to identify threats to civilians and implement existing response plans to ensure the protection of civilians from abuses and violations of human rights and violations of international humanitarian law, including all forms of sexual and gender-based violence and grave violations against children, and requests the Mission to ensure that child protection concerns are integrated into all

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	operations and strategic aspects of the work of the Mission and accelerate the implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence, as called for in resolution 1960 (2010), and employ women’s protection advisers to engage with parties to conflict in order to seek commitments on the prevention of and response to conflict-related sexual violence (para. 12)	
	See para. 13 of the resolution, under “Civil-military coordination” above	Additional element
	...(a) Monitor, report and follow-up on human rights violations and abuses, and support the United Nations system in-country to ensure that any support provided by the United Nations in eastern Democratic Republic of the Congo shall be consistent with international humanitarian law and human rights law and refugee law as applicable;	Additional element
	...(h) Provide good offices, advice and support to the Government of the Democratic Republic of the Congo to promote human rights and to fight impunity, including through the implementation of the Government’s “zero-tolerance policy” with respect to discipline and human rights and international humanitarian law violations committed by elements of the security forces, in particular its newly integrated elements;	Additional element
	(i) Continue to collaborate with the Government of the Democratic Republic of the Congo in the swift and vigorous implementation of the action plan to prevent and end the recruitment and use of children and sexual violence against children by the Armed Forces of the Democratic Republic of the Congo, and continue dialogue with all listed parties to obtain further commitments and work towards the development and implementation of time-bound action plans to end the recruitment and use of children and other violations of international humanitarian law (para. 15)	Additional element
	See para. 16 of the resolution, under “Civil-military coordination” above	Additional element
<b>International cooperation and coordination</b>		
	...(d) <i>Provision of support to national and international judicial processes</i> Support and work with the Government of the Democratic Republic of the Congo to arrest and bring to justice those responsible for war crimes and crimes against humanity in the country, including through cooperation with States of the region and the International Criminal Court (para. 12)	Additional element
	See para. 13 of the resolution, under “Civil-military coordination” above	Additional element
	... (a) Encourage and accelerate greater national ownership of security sector reform by the authorities of the Democratic Republic of the Congo, including through the urgent finalization and implementation of a national strategy for the establishment of effective, inclusive and accountable security and justice institutions by the Democratic Republic of the Congo and play a leading role in coordinating the support for security sector reform provided by international and bilateral partners and the United Nations system (para. 14)	Additional element
	See para. 15 of the resolution, under “Demilitarization and arms management” above	Additional element

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	<p>...(c) Provide good offices, advice and support to the Government of the Democratic Republic of the Congo for reform of the army, including, as a first step, the establishment of a vetted, well-trained and adequately equipped rapid reaction force within the Armed Forces of the Democratic Republic of the Congo which should form the nucleus for a professional, accountable, well-sustained and effective national defence force, and support, when appropriate and in coordination with international partners, the training of the Rapid Reaction Force which should, in the frame of the benchmarks and timelines set by the security sector reform roadmap, develop the capacity to assume as soon as possible security responsibilities from the Intervention Brigade of the Mission (para. 15)</p>	Newly mandated task
	<p>...(e) Provide good offices, advice and support to the Government of the Democratic Republic of the Congo, in close cooperation with other international partners, to build on the Government's Stabilization and Reconstruction Plan and the revised International Security and Stabilization Support Strategy to support the establishment of a minimum level of sustainable State authority and control in conflict-affected areas in eastern Democratic Republic of the Congo, including through area-based efforts to improve security and State authority and enable the commencement of sustainable socioeconomic recovery (para. 15)</p>	Additional element
	See para. 16 of the resolution, under "Civil-military coordination" above	Additional element
	Decides that the Mission, in coordination with the United Nations country team, shall transfer as soon as feasible to the United Nations country team appropriate tasks that are not mentioned in paragraphs 12, 14 and 15, including technical election support and demining support, and calls upon the Mission to continue to work with the United Nations country team and the Congolese authorities towards the adoption and implementation of the Peace Consolidation Programme covering provinces not affected by the conflict, and requests the Mission, where appropriate, to continue transferring tasks to the United Nations country team in those provinces (para. 18)	Additional element
	Encourages the Mission, in coordination with members of the International Conference on the Great Lakes Region, to participate, as appropriate and within the limits of its capacities and mandate, in the activities of the Expanded Joint Verification Mechanism as a regional confidence-building mechanism, consistent with paragraph 12 (c) (para. 23)	Newly mandated task
	Requests the Mission to keep the African Union, the International Conference on the Great Lakes Region and the Southern African Development Community informed of the operational situation in eastern Democratic Republic of the Congo (para. 30)	Newly mandated task
<b>Military and police</b>		
Protection of civilians, including refugees and internally displaced persons	See para. 9 of the resolution, under "Authorization of the use of force" above	Newly mandated task

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	<p>...<i>(a) Protection of civilians</i></p> <p>(i) Ensure, within its area of operations, effective protection of civilians under imminent threat of physical violence, including civilians gathered in displaced and refugee camps, humanitarian personnel and human rights defenders, in the context of violence emerging from any of the parties engaged in the conflict, and mitigate the risk to civilians before, during and after any military operation (para. 12)</p>	Additional element
	See para. 12 (a) (iii) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
	<p><i>(b) Neutralizing armed groups through the Intervention Brigade</i></p> <p>In support of the authorities of the Democratic Republic of the Congo, on the basis of information collation and analysis, and taking full account of the need to protect civilians and mitigate risk before, during and after any military operation, carry out targeted offensive operations through the Intervention Brigade referred to in paragraphs 9 and 10, either unilaterally or jointly with the Armed Forces of the Democratic Republic of the Congo, in a robust, highly mobile and versatile manner and in strict compliance with international law, including international humanitarian law and with the human rights due diligence policy on United Nations support to non-United Nations forces, to prevent the expansion of all armed groups, neutralize these groups and disarm them in order to contribute to the objective of reducing the threat posed by armed groups on State authority and civilian security in eastern Democratic Republic of the Congo and to make space for stabilization activities (para. 12)</p>	Newly mandated task
	See para. 13 of the resolution, under “Civil-military coordination” above	Additional element
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	See para. 12 (a) (i) of the resolution, above	Additional element
	See para. 13 of the resolution, under “Civil-military coordination” above	Additional element
Security monitoring; patrolling; deterrence	See para. 9 of the resolution, under “Authorization of the use of force” above	Newly mandated task
	See para. 12 (b) of the resolution, above	Newly mandated task
Support to military	See para. 12 (b) of the resolution, above	Newly mandated task
Support to police	... (f) Provide good offices, advice and support to the Government of the Democratic Republic of the Congo for the reform of the police, including by contributing, in compliance with the human rights due diligence policy on United Nations support to non-United Nations forces, to the provision of training to battalions of the Congolese National Police;	Additional element

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	(g) Provide good offices, advice and support to the Government of the Democratic Republic of the Congo for the development and the implementation, in accordance with the Congolese strategy for justice reform, of a multi-year joint United Nations justice support programme in order to develop the criminal justice institutions and processes, the police, the judiciary and prisons in conflict-affected areas (para. 15)	Additional element
<b>Political process</b>		
	Calls upon the Special Representative, in collaboration with the Special Envoy, to support, coordinate and assess the implementation of national commitments under the PSC Framework in the Democratic Republic of the Congo, as set out in annex B (para. 5)	Newly mandated task
	See para. 14 (b) of the resolution, under “Electoral assistance” above	Additional element
	See para. 15 of the resolution, under “Demilitarization and arms management” above	Additional element
<b>Rule of law/judicial matters</b>		
	See para. 12 (d) of the resolution, under “International cooperation and coordination” above	Additional element
	See para. 13 of the resolution, under “Civil-military coordination” above	Additional element
	See para. 15 (g) of the resolution, under “Military and police” above	Additional element
<b>Security sector reform</b>		
	See para. 14 (a) of the resolution, under “International cooperation and coordination” above	Additional element
	...(b) Provide good offices, advice and support to the Government of the Democratic Republic of the Congo to enable the development and finalization of a clear and comprehensive security sector reform implementation roadmap including benchmarks and timelines to establish effective and accountable security institutions (para. 15)	Additional element
	See para. 15 (c) of the resolution, under “International cooperation and coordination” above	Newly mandated task
	See para. 15 (e) of the resolution, under “International cooperation and coordination” above	Additional element
	See para. 16 of the resolution, under “Civil-military coordination” above	Additional element
<b>Support to sanctions regimes</b>		
	See para. 12 (c) of the resolution, under “Demilitarization and arms management” above	Additional element
	See para. 13 of the resolution, under “Civil-military coordination” above	Additional element

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	... (c) Encourage the prompt establishment and the consolidation of an effective national civilian structure to control key mining activities and to manage in an equitable manner the extraction of and trade in natural resources in eastern Democratic Republic of the Congo (para. 14)	Additional element
<b>Support to State institutions</b>		
	See para. 14 (c) of the resolution, under “Support to sanctions regimes” above	Additional element
	See para. 15 (b) of the resolution, under “Security sector reform” above	Additional element
	See para. 15 (e) of the resolution, under “International cooperation and coordination” above	Additional element
	See para. 16 of the resolution, under “Civil-military coordination” above	Additional element
	See para. 23 of the resolution, under “International cooperation and coordination” above	Newly mandated task

### **United Nations Interim Security Force for Abyei**

The Security Council established the United Nations Interim Security Force for Abyei (UNISFA) on 27 June 2011, by [resolution 1990 \(2011\)](#), taking into account the Agreement between the Government of the Sudan and the Sudan People’s Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area.<sup>25</sup> The Council, acting under Chapter VII of the Charter, authorized UNISFA to take the actions necessary to protect civilians and United Nations personnel and facilities in the Abyei Area and to ensure security in the Area and protect it from incursions by unauthorized elements, as defined in the Agreement.

During the period under review, the Council extended the mandate of UNISFA four times for periods of six months, the last being until 31 May 2014.<sup>26</sup> In [resolution 2104 \(2013\)](#) of 29 May 2013, the Council

increased the military component of the Mission<sup>27</sup> to enable UNISFA to support the Joint Border Verification and Monitoring Mechanism, established pursuant to the agreement reached between the Sudan and South Sudan on 30 July 2011.

In the same resolution, the Council modified the mandate of UNISFA and underscored that the mandate included taking all actions necessary to protect civilians under imminent threat of physical violence, irrespective of the source of such violence. The Council requested UNISFA to continue its dialogue with the Abyei Joint Oversight Committee and the Misseriya and Ngok Dinka communities in its efforts to ensure full compliance by all relevant parties with Abyei’s status as a weapons-free area, with priority placed on the urgent elimination of heavy or crew-served weapons and rocket-propelled grenades. In [resolution 2126 \(2013\)](#) of 25 November 2013, the Council requested UNISFA to document and report on the movement of weapons into Abyei and the presence of weapons in the area. Table 13 provides an overview of the mandate of UNISFA since its establishment. Table 14 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>25</sup> Resolution [1990 \(2011\)](#), para. 1.

<sup>26</sup> Resolutions [2047 \(2012\)](#), para. 1; [2075 \(2012\)](#), para. 1; [2104 \(2013\)](#), para. 1; and [2126 \(2013\)](#), para. 1. For all four extensions, for the tasks set out in para. 3 of resolution [1990 \(2011\)](#), the Council acted under Chapter VII of the Charter.

<sup>27</sup> Resolution [2104 \(2013\)](#), para. 2.

Table 13  
UNISFA: overview of mandate by category

Category and mandated task	Resolution						
	1990 (2011)	2024 (2011)	2032 (2011)	2047 (2012)	2075 (2012)	2104 (2013)	2126 (2013)
Authorization of the use of force	X <sup>a</sup>		X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
Demilitarization and arms management	X <sup>a</sup>	X <sup>b</sup>				X <sup>b</sup>	X <sup>b</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>		X <sup>c</sup>				
Humanitarian support	X <sup>a</sup>						
Military and police							
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>					X <sup>b</sup>	X <sup>c</sup>
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>						
Security monitoring; patrolling; deterrence	X <sup>a</sup>	X <sup>b</sup>					
Support to police	X <sup>a</sup>						
Political process	X <sup>a</sup>	X <sup>b</sup>				X <sup>b</sup>	X <sup>c</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.



Table 14  
UNISFA: changes to mandate, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2104 (2013) (adopted in part under Chapter VII)</b>		
<b>Demilitarization and arms management</b>		
	Requests the Force to continue its dialogue with the Abyei Joint Oversight Committee and with the Misseriya and Ngok Dinka communities on effective strategies and oversight mechanisms for ensuring full compliance by all relevant parties with Abyei's status as a weapons-free area, with a particular priority placed on the urgent elimination of heavy or crew-served weapons, as well as rocket-propelled grenades, and calls upon the Governments of the Sudan and South Sudan, the Oversight Committee and the Misseriya and Ngok Dinka communities to extend full cooperation to the Force in this regard (para. 10)	Additional element
<b>Military and police</b>		
Protection of civilians, including refugees and internally displaced persons	Underscores that the protection of civilians mandate of the Force as set out in paragraph 3 of resolution 1990 (2011) includes taking the actions necessary to protect civilians under imminent threat of physical violence, irrespective of the source of such violence (para. 4)	Additional element
<b>Political process</b>		
	See para. 10 of the resolution, under "Demilitarization and arms management" above	Additional element
<b>Resolution 2126 (2013) (adopted in part under Chapter VII)</b>		
<b>Demilitarization and arms management</b>		
	Requests that the Force, consistent with its mandate and within its existing capabilities, observe, document and report on the movement of weapons into Abyei and the presence of weapons within Abyei as part of the Secretary-General's regular reporting cycle (para. 10)	Additional element

## United Nations Mission in South Sudan

Welcoming the establishment of the Republic of South Sudan on 9 July 2011, the Security Council established the United Nations Mission in South Sudan (UNMISS) under Chapter VII of the Charter by [resolution 1996 \(2011\)](#) of 8 July 2011. UNMISS was authorized to use all means necessary to carry out its protection of civilians mandate.<sup>28</sup>

During the period under review, the Council extended the mandate of UNMISS twice for periods of 12 months, the last being until 15 July 2014.<sup>29</sup> The

military component of UNMISS was increased after conflict broke out between the Government of South Sudan and the Sudan People's Liberation Movement/Army in Opposition on 15 December 2013.<sup>30</sup>

In [resolution 2057 \(2012\)](#) of 5 July 2012, the Council, acting under Chapter VII of the Charter, noted that the mandate of UNMISS to improve the security environment in the context of the protection of civilians was a priority and underscored the need for UNMISS to focus its attention on capacity-building efforts in that area. In the same resolution, the Council requested UNMISS to work closely with the Government of South Sudan and in coordination with all relevant United

<sup>28</sup> Resolution [1996 \(2011\)](#), para. 4.

<sup>29</sup> Resolutions [2057 \(2012\)](#), para. 1; and [2109 \(2013\)](#), para. 1.

<sup>30</sup> Resolution [2132 \(2013\)](#), para. 4.

Nations actors and other international partners in support of the disarmament, demobilization and reintegration process. In [resolution 2109 \(2013\)](#) of 11 July 2013, the Council, acting under Chapter VII of the Charter, requested UNMISS to advise and assist the Government in implementing its action plan to end the recruitment of child soldiers, and to be prepared to play a role in coordinating international efforts to support preparations for credible national elections in 2015. In both

resolutions, the Council requested the Mission to further develop its communication with local communities, including through the use of community liaison assistants and translators, to improve understanding of the mandate of the Mission. Table 15 provides an overview of the mandate of UNMISS since its establishment. Table 16 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

Table 15  
UNMISS: overview of mandate by category

Category and mandated task	Resolution		
	1996 (2011)	2057 (2012)	2109 (2013)
Authorization of the use of force	X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>
Demilitarization and arms management	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>
Electoral assistance	X <sup>a</sup>		X <sup>b</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>
International cooperation and coordination	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>
Military and police			
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>		
Security monitoring; patrolling; deterrence	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>
Support to military	X <sup>a</sup>		
Support to police	X <sup>a</sup>		
Political process	X <sup>a</sup>		
Public information	X <sup>a</sup>	X <sup>a</sup>	X <sup>b</sup>
Rule of law/judicial matters	X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>
Security sector reform	X <sup>a</sup>		
Support to State institutions	X <sup>a</sup>		

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 16  
UNMISS: changes to mandate, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2057 (2012) (adopted under Chapter VII)</b>		
<b>Demilitarization and arms management</b>		
	Also calls upon the Government of South Sudan to fully implement the national disarmament, demobilization and reintegration strategy and to expedite the ongoing disarmament, demobilization and reintegration programme in a coherent manner, and requests the Mission to work closely with the Government and in coordination with all relevant United Nations actors and other international partners in support of the disarmament, demobilization and reintegration process (para. 18)	Additional element
<b>International cooperation and coordination</b>		
	See para. 18 of the resolution, above	Additional element
<b>Military and police</b>		
Protection of civilians, including refugees and internally displaced persons	Notes the priority of the mandated tasks of the Mission in resolution 1996 (2011) for the protection of civilians and for the achievement of an improved security environment, urges the Mission to deploy its assets accordingly, and underscores the need for the Mission to focus adequate attention on capacity-building efforts in this area, welcomes the development of a protection of civilians strategy and an early warning and early response strategy, encourages the Mission to implement them, and requests the Secretary-General to include progress made in implementing these strategies in his reports to the Security Council (para. 3)	Additional element
Security monitoring; patrolling; deterrence	See para. 3 of the resolution, above	Additional element
<b>Public information</b>		
	Welcomes the initiative of the Mission to launch an outreach campaign throughout the country, and encourages the Mission, within existing resources, to further develop its communication with local communities to improve understanding of the mandate of the Mission (para. 11)	Newly mandated task
<b>Resolution 2109 (2013) (adopted under Chapter VII)</b>		
<b>Electoral assistance</b>		
	Requests that the Mission, consistent with its mandate and within its current capabilities, be prepared to play a role in coordinating international efforts to support preparations for credible national elections in 2015, including in consultation with the Government of South Sudan and those Member States willing and able to provide support, and urges expeditious efforts from national authorities, the Mission, the United Nations country team and relevant international partners in this regard (para. 42)	Additional element

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
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**Human rights; women and peace and security; children and armed conflict**

<p>Welcomes the progress made on the demobilization of child soldiers and the signing by the Government of South Sudan on 12 March 2012 of an action plan to end child recruitment reaffirming the commitment to release all children from the Sudan People’s Liberation Army, acknowledges the measures taken by the Government to implement the action plan, calls for the further implementation of the action plan, requests the Mission to advise and assist the Government in this regard, further requests the Secretary-General to strengthen child protection in United Nations system activities in South Sudan, including through the continued deployment of child protection advisers within the Mission, and ensure continued monitoring and reporting of the situation of children, and welcomes the work of the United Nations country task force on the monitoring and reporting mechanism, established in September 2011 (para. 17)</p>	<p>Additional element</p>
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**International cooperation and coordination**

<p>See para. 42 of the resolution, under “Electoral assistance” above</p>	<p>Additional element</p>
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**Public information**

<p>Welcomes the initiative of the Mission to conduct an outreach campaign throughout the country, and encourages the Mission, within existing capabilities, to develop an effective public communications strategy and to further develop its communication with local communities to improve understanding of the mandate of the Mission, including use of community liaison assistants and translators (para. 11)</p>	<p>Additional element</p>
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**United Nations Multidimensional Integrated Stabilization Mission in Mali**

The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was established by the Security Council under Chapter VII of the Charter, by [resolution 2100 \(2013\)](#) of 25 April 2013, for an initial period of 12 months, subsuming the United Nations Office in Mali. Upon the transfer of authority to it from the African-led International Support Mission in Mali<sup>31</sup> on 1 July 2013, MINUSMA commenced the implementation of its mandate.<sup>32</sup> The Council decided that MINUSMA would comprise up to 11,200 military personnel and 1,440 police personnel.<sup>33</sup>

In the same resolution, the Council authorized MINUSMA to use all means necessary to stabilize the

key population centres, to support the re-establishment of State authority throughout the country and to protect civilians and United Nations personnel.

Also in the same resolution, the Council mandated MINUSMA to contribute to the creation of a secure environment for the safe, civilian-led delivery of humanitarian assistance and the voluntary return of internally displaced persons and refugees, to protect cultural and historical sites in Mali and to support the efforts of the transitional authorities to bring to justice those responsible for war crimes and crimes against humanity in Mali. The Council also mandated MINUSMA to support the implementation of the transitional road map towards the full restoration of constitutional order, democratic governance and national unity in Mali, including the national political dialogue and the electoral process, to support national and international efforts for security sector reform, demilitarization and arms management, and to promote and protect human rights. The Council requested MINUSMA to assist the Committee pursuant to

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<sup>31</sup> For information regarding the African-led International Support Mission in Mali, see part VIII, sect. III.

<sup>32</sup> Resolution [2100 \(2013\)](#), para. 7.

<sup>33</sup> *Ibid.*, para. 12.

resolutions 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004). It also requested MINUSMA to assist the transitional authorities, in collaboration with the United Nations Educational, Scientific and Cultural Organization, in protecting from

attack the cultural and historical sites in Mali. Table 17 provides an overview of the mandate of MINUSMA. Table 18 provides the full text of all paragraphs in resolution 2100 (2013) that relate to the mandate of MINUSMA.

Table 17  
**MINUSMA: overview of mandate by category**

<i>Category and mandated task</i>	<i>Resolution</i>
	2100 (2013)
Authorization of the use of force	X <sup>a</sup>
Demilitarization and arms management	X <sup>a</sup>
Electoral assistance	X <sup>a</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>
Humanitarian support	X <sup>a</sup>
International cooperation and coordination	X <sup>a</sup>
Military and police	
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>
Security monitoring; patrolling; deterrence	X <sup>a</sup>
Support to police	X <sup>a</sup>
Political process	X <sup>a</sup>
Rule of law/judicial matters	X <sup>a</sup>
Security sector reform	X <sup>a</sup>
Support to sanctions regimes	X <sup>a</sup>
Support to State institutions	X <sup>a</sup>

<sup>a</sup> Newly mandated task.

Table 18  
MINUSMA: establishment of the mandate in 2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2100 (2013) (adopted under Chapter VII)</b>		
<b>Authorization of the use of force</b>		
	<p>Authorizes the United Nations Multidimensional Integrated Stabilization Mission in Mali to use all necessary means, within the limits of its capacities and areas of deployment, to carry out its mandate as set out in paragraphs 16 (a) (i) and (ii), (c) (i) and (iii), (e), (f) and (g), and requests the civilian and military components of the Stabilization Mission to coordinate their work with the aim of supporting the tasks outlined in paragraph 16 (para. 17)</p>	Newly mandated task
<b>Demilitarization and arms management</b>		
	<p>Decides that the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali shall be the following: <i>(a) Stabilization of key population centres and support for the re-establishment of State authority throughout the country</i></p>	Newly mandated task
	<p>...(iv) To assist the transitional authorities of Mali, through training and other support, in mine action and weapons and ammunition management;</p>	
	<p>(v) To assist the transitional authorities of Mali in developing and implementing programmes for the disarmament, demobilization and reintegration of former combatants and the dismantling of militias and self-defence groups, consistent with the objectives of reconciliation and taking into account the specific needs of demobilized children (para. 16)</p>	Newly mandated task
<b>Electoral assistance</b>		
	<p>...(b) <i>Support for the implementation of the transitional road map, including the national political dialogue and the electoral process</i></p>	Newly mandated task
	<p>...(iv) To support the organization and conduct of inclusive, free, fair and transparent presidential and legislative elections, including through the provision of appropriate logistical and technical assistance and effective security arrangements (para. 16)</p>	
<b>Human rights; women and peace and security; children and armed conflict</b>		
	<p>See para. 16 (a) (v) of the resolution, under “Demilitarization and arms management” above</p>	Newly mandated task
	<p>...(c) <i>Protection of civilians and United Nations personnel</i> ...(ii) To provide specific protection for women and children affected by armed conflict, including through the deployment of child protection advisers and women’s protection advisers, and to address the needs of victims of sexual and gender-based violence in armed conflict;</p>	Newly mandated task
	<p>...(d) <i>Promotion and protection of human rights</i> (i) To monitor, help to investigate and report to the Council on any abuses or violations of human rights or violations of international humanitarian law committed throughout Mali and to contribute to efforts to prevent such violations and abuses;</p>	Newly mandated task

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	(ii) To support, in particular, the full deployment of human rights observers of the United Nations Multidimensional Integrated Stabilization Mission in Mali throughout the country;	Newly mandated task
	(iii) To monitor, help to investigate and report to the Council specifically on violations and abuses committed against children as well as violations committed against women, including all forms of sexual violence in armed conflict;	Newly mandated task
	(iv) To assist the transitional authorities of Mali in their efforts to promote and protect human rights (para. 16)	Newly mandated task
	Reiterates that the transitional authorities of Mali have primary responsibility to protect civilians in Mali, further recalls its resolutions <a href="#">1265 (1999)</a> of 17 September 1999, <a href="#">1296 (2000)</a> of 19 April 2000, <a href="#">1674 (2006)</a> of 28 April 2006, <a href="#">1738 (2006)</a> of 23 December 2006 and <a href="#">1894 (2009)</a> of 11 November 2009 on the protection of civilians in armed conflict, its resolutions <a href="#">1612 (2005)</a> of 26 July 2005, <a href="#">1882 (2009)</a> of 4 August 2009, <a href="#">1998 (2011)</a> of 12 July 2011 and <a href="#">2068 (2012)</a> of 19 September 2012 on children and armed conflict and its resolutions <a href="#">1325 (2000)</a> of 31 October 2000, <a href="#">1820 (2008)</a> of 19 June 2008, <a href="#">1888 (2009)</a> of 30 September 2009, <a href="#">1889 (2009)</a> of 5 October 2009 and <a href="#">1960 (2010)</a> of 16 December 2010 on women and peace and security, calls upon the United Nations Multidimensional Integrated Stabilization Mission in Mali and all military forces in Mali to take them into account and to abide by international humanitarian, human rights and refugee law, and recalls the importance of training in this regard (para. 24)	Newly mandated task
	Requests the United Nations Multidimensional Integrated Stabilization Mission in Mali to take fully into account gender considerations as a cross-cutting issue throughout its mandate and to assist the transitional authorities of Mali in ensuring the participation, involvement and representation of women at all levels and at an early stage of the stabilization phase, including the security sector reform and disarmament, demobilization and reintegration processes, as well as in the national political dialogue and electoral processes (para. 25)	Newly mandated task
	Also requests that the United Nations Multidimensional Integrated Stabilization Mission in Mali take fully into account the need to protect civilians and mitigate risk to civilians, including, in particular, women, children and displaced persons, and civilian objects in the performance of its mandate as defined in paragraphs 16 and 17, where undertaken jointly with the Malian defence and security forces, in strict compliance with the human rights due diligence policy on United Nations support to non-United Nations security forces (para. 26)	Newly mandated task
<b>Humanitarian support</b>	<p>...(e) <i>Support for humanitarian assistance</i></p> <p>In support of the transitional authorities of Mali, to contribute to the creation of a secure environment for the safe, civilian-led delivery of humanitarian assistance, in accordance with humanitarian principles, and the voluntary return of internally displaced persons and refugees in close coordination with humanitarian actors (para. 16)</p>	Newly mandated task

Category and mandated task	Text of mandate	Change to mandate
<b>International cooperation and coordination</b>		
	<p>...(a) <i>Stabilization of key population centres and support for the re-establishment of State authority throughout the country</i></p>	Newly mandated task
	<p>...(iii) To support national and international efforts towards rebuilding the Malian security sector, especially the police and gendarmerie, through technical assistance, capacity-building, co-location and mentoring programmes, as well as the rule of law and justice sectors, within its capacities and in close coordination with other bilateral partners, donors and international organizations engaged in these fields, including the European Union (para. 16)</p>	
<b>Military and police</b>		
Protection of civilians, including refugees and internally displaced persons	<p>...(c) <i>Protection of civilians and United Nations personnel</i></p> <p>(i) To protect, without prejudice to the responsibility of the transitional authorities of Mali, civilians under imminent threat of physical violence, within its capacities and areas of deployment (para. 16)</p>	Newly mandated task
	<p>See paras. 24 and 26 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above</p>	Newly mandated tasks
Protection of humanitarian and United Nations personnel and facilities/ free movement of personnel and equipment	<p>...(c) <i>Protection of civilians and United Nations personnel</i></p> <p>...(iii) To protect United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations and associated personnel (para. 16)</p>	Newly mandated task
Security monitoring; patrolling; deterrence	<p>...(a) <i>Stabilization of key population centres and support for the re-establishment of State authority throughout the country</i></p> <p>(i) In support of the transitional authorities of Mali, to stabilize the key population centres, especially in the north of Mali, and in this context to deter threats and take active steps to prevent the return of armed elements to those areas;</p>	Newly mandated task
	<p>...(f) <i>Support for cultural preservation</i></p> <p>To assist the transitional authorities of Mali, as necessary and feasible, in protecting from attack the cultural and historical sites in Mali, in collaboration with the United Nations Educational, Scientific and Cultural Organization (para. 16)</p>	Newly mandated task
Support to police	<p>See para. 16 (a) (iii) of the resolution, under “International cooperation and coordination” above</p>	Newly mandated task
<b>Political process</b>		
	<p>See para. 16 (a) (v) of the resolution, under “Demilitarization and arms management” above</p>	Newly mandated task
	<p>...(b) <i>Support for the implementation of the transitional road map, including the national political dialogue and the electoral process</i></p> <p>(i) To assist the transitional authorities of Mali to implement swiftly the transitional road map towards the full restoration of constitutional order, democratic governance and national unity in Mali;</p>	Newly mandated task



**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	(ii) To exercise good offices, confidence-building and facilitation at the national and local levels, including through local partners as appropriate, in order to anticipate, prevent, mitigate and resolve conflict;	Newly mandated task
	(iii) To assist the transitional authorities of Mali and communities in the north of Mali to facilitate progress towards an inclusive national dialogue and reconciliation process, notably the negotiation process referred to in paragraph 4, including by enhancing negotiation capacity and promoting the participation of civil society, including women’s organizations (para. 16)	Newly mandated task
<b>Rule of law/judicial matters</b>		
	See para. 16 (a) (iii) of the resolution, under “International cooperation and coordination” above	Newly mandated task
	...(g) <i>Support for national and international justice</i> To support, as feasible and appropriate, the efforts of the transitional authorities of Mali, without prejudice to their responsibilities, to bring to justice those responsible for war crimes and crimes against humanity in Mali, taking into account the referral by the transitional authorities of Mali of the situation in their country since January 2012 to the International Criminal Court (para. 16)	Newly mandated task
<b>Security sector reform</b>		
	See para. 16 (a) (iii) of the resolution, under “International cooperation and coordination” above	Newly mandated task
<b>Support to sanctions regimes</b>		
	Requests the United Nations Multidimensional Integrated Stabilization Mission in Mali, within its capabilities and its areas of deployment and without prejudice to its mandate, to assist the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004) of 30 January 2004, including by passing information relevant to the implementation of the measures in paragraph 1 of its resolution 2083 (2012) of 17 December 2012 (para. 31)	Newly mandated task
<b>Support to State institutions</b>		
	...(a) <i>Stabilization of key population centres and support for the re-establishment of State authority throughout the country</i>	Newly mandated task
	...(ii) To support the transitional authorities of Mali to extend and re-establish State administration throughout the country (para. 16)	

## Americas

### United Nations Stabilization Mission in Haiti

The United Nations Stabilization Mission in Haiti (MINUSTAH) was established by the Security Council on 30 April 2004 by [resolution 1542 \(2004\)](#).

During the period under review, the Council extended the mandate of MINUSTAH twice for periods of one year, the last being until 15 October 2014.<sup>34</sup>

<sup>34</sup> Resolutions [2070 \(2012\)](#), para. 1; and [2119 \(2013\)](#), para. 1.

Following the initial partial drawdown of military and police capabilities of MINUSTAH mandated in [resolution 2012 \(2011\)](#) of 14 October 2011, the Council, in [resolution 2119 \(2013\)](#) of 10 October 2013, authorized a further reduction of both the military and the police components of the Mission.<sup>35</sup>

In [resolution 2070 \(2012\)](#) of 12 October 2012, the Council, acting under Chapter VII of the Charter, as described in section I of paragraph 7 of [resolution 1542 \(2004\)](#), modified the mandate of MINUSTAH. In the areas of human rights and the protection of civilians, the Council requested MINUSTAH to focus its violence reduction approach not only on displaced persons and those living in violence-affected neighbourhoods, but also on at-risk youth and women, in coordination with the United Nations country team. The Council encouraged the Mission, in coordination with the United Nations country team, to intensify its efforts to provide logistical and technical expertise to the Government of Haiti for capacity-building for rule of law institutions and the Government's resettlement strategy for displaced persons. The Council requested MINUSTAH to facilitate international cooperation and coordination for projects aimed at supporting the institutional capacity of the Haitian National Police.

In [resolution 2119 \(2013\)](#), the Council further modified the mandate of MINUSTAH by encouraging the Mission to assist the Government in effectively tackling gang violence and organized crime, to support the political process under way in Haiti, to deliver and coordinate international electoral assistance to the Government, as appropriate and in cooperation with international stakeholders, and to continue to implement decentralization efforts and build institutional capacity with a view to further enhancing the Government's ability to extend State authority and promote good governance and the rule of law at all levels. In both [resolutions 2070 \(2012\)](#) and [2119 \(2013\)](#), the Council modified the Mission's tasks in the areas of support to police and the rule of law, mainly by calling on MINUSTAH to align skills of United Nations police personnel to support efforts to mentor and train police and corrections personnel, including at intermediate rank levels, and by encouraging MINUSTAH to locate skilled trainers and technical advisers in the most efficient manner, while also recognizing that the capacity-building of the Haitian National Police is a most critical task for the Mission. Table 19 provides an overview of the mandate of MINUSTAH since its establishment. Table 20 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

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<sup>35</sup> Resolution [2119 \(2013\)](#), para. 2.

Table 19  
**MINUSTAH: overview of mandate by category**

Category and mandated task	Resolution											
	1542 (2004)	1608 (2005)	1702 (2006)	1743 (2007)	1780 (2007)	1840 (2008)	1892 (2009)	1927 (2010)	1944 (2010)	2012 (2011)	2070 (2012)	2119 (2013)
<b>Demilitarization and arms management</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>		X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Electoral assistance</b>	X <sup>a</sup>		X <sup>b</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>
<b>Humanitarian support</b>	X <sup>a</sup>							X <sup>b</sup>		X <sup>c</sup>	X <sup>c</sup>	
<b>International cooperation and coordination</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>
<b>Military and police</b>												
Protection of civilians, including refugees and internally displaced persons	X <sup>a</sup>							X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>											
Security monitoring; patrolling; deterrence	X <sup>a</sup>	X <sup>b</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>		X <sup>b</sup>	X <sup>c</sup>		
Support to military	X <sup>a</sup>		X <sup>c</sup>	X <sup>b</sup>								
Support to police	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>
<b>Political process</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>		X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>
<b>Public information</b>		X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>					
<b>Rule of law/judicial matters</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>
<b>Security sector reform</b>	X <sup>a</sup>			X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	
<b>Support to State institutions</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 20  
MINUSTAH: changes to mandate, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2070 (2012) (adopted in part under Chapter VII)</b>		
<b>Human rights; women and peace and security; children and armed conflict</b>		
	Requests the Mission to continue to pursue its community violence reduction approach, in close collaboration with the Government of Haiti, adapting the programme to the changing requirements of the post-earthquake Haitian context with a particular focus on at-risk youth, women, the displaced and those living in violence-affected neighbourhoods, and to ensure that this activity is coordinated with, and supports the work of, the United Nations country team to build local capacity in this area (para. 22)	Additional element
<b>International cooperation and coordination</b>		
	Recognizes the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, welcomes the steps taken by the Mission to provide logistical and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels and to speed up the implementation of the Government's resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian capacity grows, and calls upon the Mission to proceed swiftly with activities in this regard as recommended by the Secretary-General, coordinating as appropriate with the United Nations country team and others active in the stabilization efforts (para. 5)	Additional element
	Requests the Mission to continue its efforts to strengthen the institutional and operational capacities of the Haitian National Police, in particular by renewed efforts to mentor and train police and corrections personnel; calls upon the Mission to align skills of United Nations police personnel to support these objectives; and also requests the Mission to facilitate coordination between bilateral and multilateral efforts and to continue to provide technical guidance to donor-funded projects, as requested, for the rehabilitation and construction of police and correctional facilities as well as for other projects aiming to support the institutional capacity of the National Police, as appropriate (para. 13)	Additional element
	See para. 22 of the resolution, under "Human rights; women and peace and security; children and armed conflict" above	Additional element
<b>Military and police</b>		
Protection of civilians, including refugees and internally displaced persons	See para. 22 of the resolution, under "Human rights; women and peace and security; children and armed conflict" above	Additional element

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
Support to police	Recognizes the capacity-building of the Haitian National Police as a most critical task for the Mission and calls upon Haiti’s international and regional partners to intensify their assistance to the Government of Haiti to that end, in accordance with its priorities, including by providing skilled trainers and technical advisers, while stressing the need for close coordination between donors and the Government to enhance the sustainability of these efforts; and further encourages the Mission to locate these experts in the most efficient manner consistent with their skills and areas of expertise (para. 10)	Additional element
	See para. 13 of the resolution, under “International cooperation and coordination” above	Additional element
<b>Rule of law/judicial matters</b>		
	See para. 13 of the resolution, under “International cooperation and coordination” above	Additional element
<b>Resolution 2119 (2013) (adopted in part under Chapter VII)</b>		
<b>Electoral assistance</b>		
	Welcomes the efforts of the Special Representative of the Secretary-General for Haiti to support the political process under way in Haiti, reaffirms its call upon the Mission to continue to support this process, and calls upon the Mission to deliver and coordinate, as appropriate, international electoral assistance to the Government of Haiti in cooperation with international stakeholders, including the Organization of American States, the Union of South American Nations and the Caribbean Community, as appropriate (para. 7)	Additional element
<b>Military and police</b>		
Support to police	Reiterates that capacity-building of the Haitian National Police remains a most critical task for the Mission, requests the Mission to continue its efforts to strengthen the institutional and operational capacities of the National Police, in particular by renewed efforts to mentor and train police and corrections personnel, including at intermediate rank levels, and calls upon the Mission to align skills of United Nations police personnel to support these objectives and provide skilled trainers and technical advisers (para. 10)	Additional element
<b>Political process</b>		
	See para. 7 of the resolution, under “Electoral assistance” above	Additional element
<b>Rule of law/judicial matters</b>		
	Recognizes the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country’s stabilization, and encourages the Mission to intensify its efforts to provide logistical and technical expertise, within available means and consistent with its mandate, and coordinating as appropriate with the United Nations country team and others active in stabilization efforts, to assist, as requested by the Government of Haiti, in continuing to implement decentralization efforts and build the capacity of its institutions at the national and local levels, with a view to enhancing further the ability of the Government to extend State authority throughout Haiti and promote good governance and the rule of law at all levels (para. 5)	Additional element

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	Encourages the Mission, in cooperation with the appropriate international actors, to assist the Government of Haiti in effectively tackling gang violence, organized crime, drug trafficking and trafficking in persons, especially children (para. 13)	Additional element
<b>Support to State institutions</b>		
	See para. 5 of the resolution, under “Rule of law/judicial matters” above	Additional element

## Asia

### United Nations Military Observer Group in India and Pakistan

The United Nations Military Observer Group in India and Pakistan (UNMOGIP) was established by the Security Council on 21 April 1948 by resolution 47 (1948). The first team of military observers, who eventually formed the nucleus of the Group, were deployed to the mission area in January 1949 to assist the Military Adviser to the United Nations Commission for India and Pakistan, established by resolutions 39 (1948) and 47 (1948). Following the termination of the Commission, the Council decided by resolution 91 (1951)

that UNMOGIP should continue to supervise the ceasefire between India and Pakistan in the State of Jammu and Kashmir. The task of UNMOGIP has been to observe developments pertaining to the strict observance of the ceasefire of 17 December 1971 that followed renewed hostilities in 1971. The mandate of UNMOGIP is open-ended and its authorized strength was set at 44 by the Council in resolution 47 (1948).

In 2012 and 2013, the Council did not discuss UNMOGIP or make changes to its mandate or composition. Table 21 provides an overview of the mandate of UNMOGIP.

Table 21  
**UNMOGIP: overview of mandate by category**

<i>Category and mandated task</i>	<i>Resolution</i>	
	<i>47 (1948)</i>	<i>91 (1951)</i>
Military and police		
Ceasefire monitoring	X <sup>a</sup>	X <sup>b</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

### United Nations Integrated Mission in Timor-Leste

The United Nations Integrated Mission in Timor-Leste (UNMIT) was established by the Security Council on 25 August 2006, by resolution 1704 (2006), as a follow-on mission to the United Nations Office in Timor-

Leste,<sup>36</sup> in the wake of a political, humanitarian and security crisis that erupted in Timor-Leste in April-May 2006. The mandate of UNMIT was to provide electoral assistance; to assist in further strengthening the national capacity for the monitoring, promotion and protection of human rights; to provide support to the national police

<sup>36</sup> For information relating to the mandate of the United Nations Office in Timor-Leste, a special political mission established in May 2005, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F.

and assist in conducting a comprehensive review of the security sector; and to coordinate with United Nations agencies, funds and programmes and all relevant partners. In [resolutions 1912 \(2010\)](#) of 26 February 2010 and [1969 \(2011\)](#) of 24 February 2011, the Council modified the mandate of UNMIT in the area of electoral assistance to support municipal, parliamentary and presidential elections planned for 2012.<sup>37</sup>

<sup>37</sup> Resolutions [1912 \(2010\)](#), para. 3; and [1969 \(2011\)](#), para. 3.

During the period under review, the Council extended the mandate of UNMIT for the last time, until 31 December 2012, and endorsed the plan of its phased drawdown, in accordance with the wishes of the Government of Timor-Leste and conditions on the ground and following the successful completion of the 2012 electoral process.<sup>38</sup> UNMIT completed its mandate on 31 December 2012. Table 22 provides an overview of the mandate of UNMIT from its establishment to the completion of its mandate.

<sup>38</sup> Resolution [2037 \(2012\)](#), para. 1.

Table 22  
UNMIT: overview of mandate by category

Category and mandated task	Resolution						
	1704 (2006)	1745 (2007)	1802 (2008)	1867 (2009)	1912 (2010)	1969 (2011)	2037 (2012)
Electoral assistance	X <sup>a</sup>			X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>
Humanitarian support	X <sup>a</sup>						
International cooperation and coordination	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
Military and police							
Protection of civilians, including refugees and internally displaced persons						X <sup>a</sup>	X <sup>c</sup>
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment	X <sup>a</sup>					X <sup>a</sup>	X <sup>c</sup>
Security monitoring; patrolling; deterrence	X <sup>a</sup>						
Support to police	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>
Political process	X <sup>a</sup>	X <sup>c</sup>		X <sup>c</sup>			
Public information	X <sup>a</sup>						
Rule of law/judicial matters	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
Security sector reform	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
Support to State institutions	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

## Europe

### United Nations Peacekeeping Force in Cyprus

The United Nations Peacekeeping Force in Cyprus (UNFICYP) was established by the Security Council on 4 March 1964, by resolution 186 (1964), to prevent further fighting between the Greek Cypriot and Turkish Cypriot communities. In the absence of a political settlement to the problem, UNFICYP has continued to supervise the ceasefire lines, maintain a buffer zone,

undertake humanitarian activities and support the good offices mission of the Secretary-General.

During the period under review, the Council extended the mandate of UNFICYP three times for periods of six months, the last being until 31 January 2014.<sup>39</sup> There were no changes to the mandate or composition of UNFICYP. Table 23 provides an overview of the mandate of UNFICYP.

<sup>39</sup> Resolutions 2058 (2012), para. 7; 2089 (2013), para. 7; and 2114 (2013), para. 7.

Table 23  
UNFICYP: overview of mandate by category

Category and mandated task	Resolution					
	186 (1964)	355 (1974)	359 (1974)	2058 (2012)	2089 (2013)	2114 (2013)
Humanitarian support			X <sup>a</sup>			
Military and police						
Ceasefire monitoring	X <sup>a</sup>	X <sup>b</sup>				
Support to police	X <sup>a</sup>					
Political processes	X <sup>a</sup>					

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

### United Nations Interim Administration Mission in Kosovo

The United Nations Interim Administration Mission in Kosovo (UNMIK) was established by the Security Council on 10 June 1999 by resolution 1244 (1999). UNMIK was mandated to carry out a range of tasks, including promoting the establishment, pending a final settlement, of substantial autonomy and self-government

in Kosovo; performing basic civilian administrative functions; and organizing and overseeing the development of provisional institutions for democratic and autonomous self-government. The mandate of UNMIK is open-ended.

During the period under review, the Council did not adopt any decisions concerning UNMIK. Table 24 provides an overview of the mandate of UNMIK since its establishment.



Table 24  
UNMIK: overview of mandate by category

Category and mandated task	Resolution
	1244 (1999)
Civilian-military coordination	X <sup>a</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>
Humanitarian support	X <sup>a</sup>
International cooperation and coordination	X <sup>a</sup>
Military and police	
Support to police	X <sup>a</sup>
Political process	X <sup>a</sup>
Support to State institutions	X <sup>a</sup>

<sup>a</sup> Newly mandated task.

## Middle East

### United Nations Truce Supervision Organization

The United Nations Truce Supervision Organization (UNTSO) was established by the Security Council on 29 May 1948, by resolution 50 (1948), to assist the United Nations Mediator and the Truce Commission in supervising the observance of the truce in Palestine following the end of the 1948 Arab-Israeli conflict. UNTSO military observers have since remained in the

Middle East and have continued to assist and cooperate with the United Nations Disengagement Observer Force and the United Nations Interim Force in Lebanon in monitoring ceasefires and supervising armistice agreements. The mandate of UNTSO is open-ended.

During the period under review, the Council did not adopt any decisions concerning UNTSO. Table 25 provides an overview of the mandate of UNTSO pursuant to resolutions 50 (1948) and 73 (1949).

Table 25  
UNTSO: overview of mandate by category

Category and mandated task	Resolution	
	50 (1948)	73 (1949)
Military and police		
Ceasefire monitoring	X <sup>a</sup>	X <sup>b</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

## United Nations Disengagement Observer Force

The United Nations Disengagement Observer Force (UNDOF) was established by the Security Council on 31 May 1974, by resolution 350 (1974), following the Agreement on Disengagement between Israeli and Syrian Forces in the Golan Heights. Since then, UNDOF has remained in the area to maintain the ceasefire between Israel and the Syrian Arab Republic, to supervise the implementation of the Agreement and to supervise the

areas of separation and limitation, as provided for in the Agreement.

During the period under review, the Council extended the mandate of UNDOF several times for periods of six months, the last being until 30 June 2014, without making changes to the mandate or composition.<sup>40</sup> Table 26 provides an overview of the mandate of UNDOF since its establishment.

<sup>40</sup> Resolutions 2052 (2012), para. 6; 2084 (2012), para. 5; 2108 (2013), para. 7; and 2131(2013), para. 6.

Table 26  
UNDOF: overview of mandate by category

Category and mandated task	Resolution				
	350 (1974)	1899 (2009)	1934 2010)	1965 (2010)	1994 (2011)
Military and police					
Ceasefire monitoring	X <sup>a</sup>				

<sup>a</sup> Newly mandated task.

## United Nations Interim Force in Lebanon

The United Nations Interim Force in Lebanon (UNIFIL) was established by the Security Council on 19 March 1978, by resolution 425 (1978), to confirm the withdrawal of Israeli forces from southern Lebanon, restore international peace and security and assist the Government of Lebanon in restoring its effective authority in the area.

During the period under review, the Council extended the mandate of UNIFIL twice for periods of one year, the last being until 31 August 2014.<sup>41</sup> The Council did not authorize any changes to the composition of

UNIFIL during 2012 and 2013. However, in resolution 2064 (2012), the Council modified the mandate of UNIFIL by calling for an acceleration of the pace of the engagement of UNIFIL and the Lebanese Armed Forces in the strategic dialogue, consistent with the recommendations of the strategic review conducted by the Secretary-General in December 2011,<sup>42</sup> including through enhancing the coordination among donors to provide assistance to the Lebanese Armed Forces to enable them to fulfil their mandated tasks under resolution 1701 (2006). Table 27 provides an overview of the mandate of UNIFIL since its establishment. Table 28 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>41</sup> Resolutions 2064 (2012), para. 1; and 2115 (2013), para. 1.

<sup>42</sup> S/2012/151.

Table 27  
UNIFIL: overview of mandate by category

Category and mandated task	Resolution								
	425 (1978)	426 (1978)	1701 (2006)	1832 (2008)	1884 (2009)	1937 (2010)	2004 (2011)	2064 (2012)	2115 (2013)
Authorization of the use of force			X <sup>a</sup>						
Demilitarization and arms management			X <sup>a</sup>						
Humanitarian support			X <sup>a</sup>						
International cooperation and coordination		X <sup>a</sup>						X <sup>b</sup>	
Military and police									
Ceasefire monitoring	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>						
Protection of civilians, including refugees and internally displaced persons			X <sup>a</sup>						
Protection of humanitarian and United Nations personnel and facilities/free movement of personnel and equipment			X <sup>a</sup>						
Security monitoring; patrolling; deterrence	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>				X <sup>b</sup>	X <sup>c</sup>	
Support to military			X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>
Support to State institutions	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>						

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 28

**UNIFIL: changes to mandate, 2012-2013**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2064 (2012)</b>		
<b>International cooperation and coordination</b>		
	Welcomes, in this regard, the engagement of the Force and the Lebanese Armed Forces in the strategic dialogue, which aims at carrying out analysis of ground forces and maritime assets and setting a series of benchmarks reflecting the correlation between the capacities and responsibilities of the Force vis-à-vis those of the Lebanese Armed Forces, with a view to identifying Lebanese Armed Forces requirements for implementing tasks mandated in resolution 1701 (2006), and calls for an acceleration of its pace, consistent with the relevant recommendations of the strategic review of the Force, including through enhancing the coordination among donors to provide assistance to the Lebanese Armed Forces to enable them to fulfil their mandated tasks under resolution 1701 (2006) (para. 3)	Additional element
<b>Military and police</b>		
Support to military	See para. 3 of the resolution, above	Additional element

**United Nations Supervision Mission in the Syrian Arab Republic**

The United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS) was established by the Security Council on 21 April 2012, by [resolution 2043 \(2012\)](#), for an initial period of 90 days, to monitor and support a cessation of armed violence in all its forms by all parties and the full implementation of the six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States to Syria to end the conflict in the Syrian Arab Republic. An initial deployment of up to 300 unarmed military observers as well as an appropriate civilian component was authorized.<sup>43</sup> On

15 June 2012, however, UNSMIS suspended its activities owing to an intensification of armed violence across the country. By [resolution 2059 \(2012\)](#) of 20 July 2012, the Council renewed the mandate of the Mission for 30 days; the Council stated that any further renewal could be possible only in the event that the Secretary-General reported and the Council confirmed the cessation of the use of heavy weapons and a reduction in the level of violence by all sides sufficient to allow the Mission to implement its mandate.<sup>44</sup> As those conditions were not met, the mandate of UNSMIS ended at midnight on 19 August 2012. Table 29 provides an overview of the mandate of UNSMIS since its establishment. Table 30 provides the full text of all paragraphs in Council decisions that relate to the mandate during the period under review.

<sup>43</sup> Prior to the deployment of UNSMIS, by [resolution 2042 \(2012\)](#) of 14 April 2012, the Council authorized an advance team of up to 30 unarmed military observers to liaise with the parties and to begin to report on the implementation of a full cessation of armed violence in all its forms by all parties, in anticipation of the deployment of the Mission.

<sup>44</sup> [Resolution 2059 \(2012\)](#), para. 3.

Table 29  
UNSMIS: overview of mandate by category

Category and mandated task	Resolution		
	2042 (2012)	2043 (2012)	2059 (2012)
Military and police			
Ceasefire monitoring	X <sup>a</sup>	X <sup>a</sup>	
Political process		X <sup>a</sup>	

<sup>a</sup> Newly mandated task.

Table 30  
UNSMIS: establishment of the mandate in 2012

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2042 (2012)</b>		
<b>Military and police</b>		
Ceasefire monitoring	Decides to authorize an advance team of up to 30 unarmed military observers to liaise with the parties and to begin to report on the implementation of a full cessation of armed violence in all its forms by all parties, pending the deployment of the mission referred to in paragraph 5, and calls upon the Government of the Syrian Arab Republic and all other parties to ensure that the advance team is able to carry out its functions according to the terms set forth in paragraph 6 (para. 7)	Newly mandated task
<b>Resolution 2043 (2012)</b>		
<b>Military and police</b>		
Ceasefire monitoring	Decides also that the mandate of the Mission shall be to monitor a cessation of armed violence in all its forms by all parties and to monitor and support the full implementation of the Joint Special Envoy's six-point proposal (para. 6)	Newly mandated task
<b>Political process</b>		
	See para. 6 of the resolution, above	Newly mandated task

## II. Political and peacebuilding missions

### Note

Section II focuses on the decisions of the Security Council concerning the establishment of political and peacebuilding missions and the implementation of, changes to and termination of their mandates during the period under review.<sup>45</sup>

### Overview of political and peacebuilding missions during 2012 and 2013

During the period under review, the Council managed 12 political and peacebuilding missions.<sup>46</sup> In 2013, the Council established the United Nations Assistance Mission in Somalia (UNSAM)<sup>47</sup> to replace the United Nations Political Office for Somalia (UNPOS), which completed its mandate on 3 June 2013.

#### *Mandates of political missions and peacebuilding offices*

During the period under review, the Council expanded the mandates of most political missions and peacebuilding offices. The mandates of two missions, the United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) and the Office of the United Nations Special Coordinator for Lebanon (UNSCOL), were kept largely unchanged. In general, political missions and peacebuilding offices continued to be multidimensional operations, combining political tasks with a broader set of mandated activities in the areas of human rights, sexual violence in conflict and the rule of law.

The Council increasingly required political missions and peacebuilding offices to achieve greater coherence and integration with the wider United Nations system and other relevant actors in the performance of their

mandates, including through inter-mission cooperation. In particular, in addressing cross-border issues such as the threats of transnational organized crime and drug trafficking, the Council mandated regional offices and political missions to promote integrated subregional and cross-border responses. For example, the United Nations Office for West Africa (UNOWA) was mandated to enhance subregional capacities to address cross-border and cross-cutting threats to peace and security, in particular, election-related instability and challenges related to security sector reform, transnational organized crime, illicit trafficking and terrorism. The Council also mandated UNOWA to facilitate systematic and regular linkages in the work of the United Nations within the subregion to promote a coherent and synergetic United Nations approach to addressing the causes of instability and conflict in West Africa.<sup>48</sup> In the context of national capacity development, the Council promoted joint planning and implementation with national counterparts and United Nations country teams.

In 2013, the Council authorized the deployment of guard units to protect United Nations personnel, premises and assets in three political missions operating in non-permissive environments, namely, the United Nations Integrated Peacebuilding Office in the Central African Republic, the United Nations Support Mission in Libya and UNSOM.

In all political and peacebuilding missions, mandated tasks relating to political processes and international cooperation and coordination were the most common. Political and peacebuilding missions in Africa generally had a wider range of mandated tasks than those in other regions. There was also regional variation in the nature of the mandates. For example, eight political and peacebuilding missions in Africa had mandates relating to human rights, the rule of law and support to State institutions, but only two did in other regions. The mandates of two political missions, UNRCCA and UNSCOL, are open-ended. Tables 31 and 32 provide an overview of the mandates of active political and peacebuilding missions during the period under review, grouped under 13 categories.

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<sup>45</sup> For information on the envoys, advisers and representatives of the Secretary-General whose mandates relate to the Council's responsibility for the maintenance of international peace and security, other than those appointed as heads of peacekeeping, political or peacebuilding missions, see part IX, sect. VI.

<sup>46</sup> For discussions on individual political missions and peacebuilding offices, see the respective country-specific studies in part I.

<sup>47</sup> Resolution 2102 (2013), para. 1.

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<sup>48</sup> S/2013/753 and S/2013/759.

Table 31  
Specific mandates of political and peacebuilding missions: Africa

Mandate	UNPOS	UNSOM	UNOWA	UNIPSIL	BINUCA	UNIOGBIS	UNOCA	BNUB	UNSMIL
Chapter VII	X								X
Civilian-military coordination									
Demilitarization and arms management	X	X			X	X			X
Electoral assistance	X	X	X	X	X	X		X	X
Human rights; women and peace and security; children and armed conflict	X	X	X	X	X	X		X	X
Humanitarian support	X		X		X			X	
International cooperation and coordination	X	X	X	X	X	X	X	X	X
Military and police	X	X	X	X		X		X	X
Political process	X	X	X	X	X	X	X	X	X
Public information			X	X					
Rule of law/judicial matters	X	X	X	X	X	X		X	X
Security sector reform	X	X	X	X	X	X		X	X
Support to sanctions regimes		X				X			X

*Abbreviations:* BINUCA, United Nations Integrated Peacebuilding Office in the Central African Republic; BNUB, United Nations Office in Burundi; UNIOGBIS, United Nations Integrated Peacebuilding Office in Guinea-Bissau; UNIPSIL, United Nations Integrated Peacebuilding Office in Sierra Leone; UNOCA, United Nations Regional Office for Central Africa; UNOWA, United Nations Office for West Africa; UNPOS, United Nations Political Office for Somalia; UNSMIL, United Nations Support Mission in Libya; UNSOM, United Nations Assistance Mission in Somalia.

Table 32  
**Specific mandates of political and peacebuilding missions: Asia and Middle East**

<i>Mandate</i>	<i>UNAMA</i>	<i>UNRCCA</i>	<i>UNAMI</i>	<i>UNSCOL</i>
Chapter VII				
Civilian-military coordination	X			
Demilitarization and arms management	X		X	
Electoral assistance	X		X	
Human rights; women and peace and security; children and armed conflict	X		X	
Humanitarian support	X		X	
International cooperation and coordination	X	X	X	X
Military and police				
Political process	X	X	X	X
Public information	X			
Rule of law/judicial matters	X		X	
Security sector reform	X			
Support to sanctions regimes	X			
Support to State institutions	X		X	

*Abbreviations:* UNAMA, United Nations Assistance Mission in Afghanistan; UNAMI, United Nations Assistance Mission for Iraq; UNRCCA, United Nations Regional Centre for Preventive Diplomacy for Central Asia; UNSCOL, Office of the United Nations Special Coordinator for Lebanon.

## Africa

### United Nations Political Office for Somalia

The United Nations Political Office for Somalia (UNPOS) was established by means of a presidential statement of 15 April 1995;<sup>49</sup> it was subsequently mandated to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia through the implementation of the Djibouti Peace Agreement of 9 June 2008. It was also mandated to mobilize resources and support from the international community for the economic development of Somalia. In December 2009, UNPOS was requested to coordinate the efforts of the United Nations and the international community on the ground in the fight against piracy.

<sup>49</sup> S/PRST/1995/15.

By an exchange of letters between the Secretary-General and the President of the Security Council dated 29 and 30 December 2011,<sup>50</sup> the mandate of UNPOS was extended for the last time, until 31 December 2013, with no changes to its mandated tasks. In [resolution 2093 \(2013\)](#) of 6 March 2013, the Council welcomed the strategic review conducted by the Secretary-General from September to December 2012 on the United Nations presence and engagement in Somalia. The Council expressed agreement with the assessment that UNPOS had fulfilled its mandate and should be replaced by a new and expanded special political mission as soon as possible.<sup>51</sup> UNPOS completed its mandate on 3 June 2013 and was replaced by the United Nations Assistance Mission in Somalia. Table 33 provides an overview of the mandated tasks of UNPOS since its establishment.

<sup>50</sup> S/2011/802 and S/2011/803.

<sup>51</sup> Resolution 2093 (2013), para. 18.



Table 33  
**UNPOS: overview of mandate by category**

	S/PRST/ 1995/15	S/2005/729 and S/2005/730	S/2007/762 and S/2007/763	Resolution 1814 (2008)	Resolution 1863 (2009)	Resolution 1872 (2009)	S/2009/664 and S/2009/665	Resolution 1910 (2010)	Resolution 1964 (2010)	Resolution 1976 (2011)	Resolution 2010 (2011)	S/2011/802 and S/2011/803
<b>Demilitarization and arms management</b>						X <sup>a</sup>		X <sup>b</sup>				
<b>Electoral assistance</b>			X <sup>a</sup>	X <sup>b</sup>			X <sup>c</sup>					X <sup>c</sup>
<b>Human rights; women and peace and security; children and armed conflict</b>				X <sup>a</sup>		X <sup>b</sup>		X <sup>b</sup>	X <sup>b</sup>		X <sup>a</sup>	
<b>Humanitarian support</b>			X <sup>a</sup>				X <sup>c</sup>					
<b>International cooperation and coordination</b>		X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>			X <sup>c</sup>
<b>Military and police</b>												
Maritime security							X <sup>a</sup>			X <sup>b</sup>		
Support to police								X <sup>a</sup>		X <sup>b</sup>		X <sup>c</sup>
<b>Political process</b>	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>			X <sup>c</sup>
<b>Rule of law/judicial matters</b>				X <sup>a</sup>				X <sup>b</sup>		X <sup>b</sup>		X <sup>c</sup>
<b>Security sector reform</b>						X <sup>a</sup>		X <sup>b</sup>				X <sup>c</sup>
<b>Support to State institutions</b>		X <sup>a</sup>	X <sup>b</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>		X <sup>c</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

## United Nations Assistance Mission in Somalia

By [resolution 2102 \(2013\)](#) of 2 May 2013, the Security Council established the United Nations Assistance Mission in Somalia (UNSOM) for a period of one year. The Mission was mandated to provide “good offices” functions, supporting the Federal Government of Somalia’s peace and reconciliation process, and strategic policy advice in support of the Federal Government, and the African Union Mission in Somalia as appropriate, on peacebuilding and State-building. UNSOM was also mandated to assist the Federal Government in coordinating international donor support, in particular on security sector assistance and maritime security, and to help to build the capacity of the Federal Government in the areas of protection of human rights and the rule of

law. The Council underlined the importance of UNSOM cooperating with the Monitoring Group on Somalia and Eritrea.

On 24 December 2013, through an exchange of letters between the Secretary-General and the President of the Security Council,<sup>52</sup> the Council authorized the deployment of a guard unit of 410 personnel, supported by an adequately composed logistics company, to strengthen security at UNSOM compounds. Table 34 provides an overview of the mandated tasks of UNSOM since its establishment. Table 35 provides the full text of all paragraphs in Council decisions that relate to the mandate of UNSOM adopted during the period under review.

<sup>52</sup> [S/2013/764](#) and [S/2013/765](#).

Table 34  
UNSOM: overview of mandate by category

<i>Category and mandated task</i>	<i>Resolution</i>
	<a href="#">2102 (2013)</a>
Demilitarization and arms management	X <sup>a</sup>
Electoral assistance	X <sup>a</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>
International cooperation and coordination	X <sup>a</sup>
Military and police	
Maritime security	X <sup>a</sup>
Political process	X <sup>a</sup>
Rule of law/judicial matters	X <sup>a</sup>
Security sector reform	X <sup>a</sup>
Support to sanctions regimes	X <sup>a</sup>
Support to State institutions	X <sup>a</sup>

<sup>a</sup> Newly mandated task.

Table 35  
UNSOM: establishment of the mandate in 2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2102 (2013)</b>		
<b>Demilitarization and arms management</b>		
	<p>Also decides that the mandate of the Assistance Mission shall be as follows:</p> <p>... (b) To support the Federal Government of Somalia, and the African Union Mission in Somalia as appropriate, by providing strategic policy advice on peacebuilding and State-building, including on:</p> <p>... (ii) Security sector reform, the rule of law (including police, justice and corrections within the framework of the United Nations Global Focal Point), disengagement of combatants, disarmament, demobilization and reintegration, maritime security and mine action (para. 2)</p>	Newly mandated task
<b>Electoral assistance</b>		
	<p>... (b) To support the Federal Government of Somalia, and the African Union Mission in Somalia as appropriate, by providing strategic policy advice on peacebuilding and State-building, including on:</p> <p>... (iii) The development of a federal system, the constitutional review process and subsequent referendum on the constitution, and preparations for elections in 2016 (para. 2)</p>	Newly mandated task
<b>Human rights; women and peace and security; children and armed conflict</b>		
	<p>... (d) To help to build the capacity of the Federal Government of Somalia:</p> <p>(i) To promote respect for human rights and women's empowerment, including through the provision of gender advisers and human rights advisers;</p> <p>(ii) To promote child protection and to implement the relevant action plans on children and armed conflict signed by the Federal Government of Somalia, including through the provision of child protection advisers;</p> <p>(iii) To prevent conflict-related sexual and gender-based violence, including through the provision of women's protection advisers;</p> <p>(iv) To strengthen Somalia's justice institutions and help to ensure accountability, in particular with respect to crimes against women and children;</p> <p>(e) To monitor, help to investigate and report to the Security Council on, and help to prevent:</p> <p>(i) Any abuses or violations of human rights or violations of international humanitarian law committed in Somalia, including through the deployment of human rights observers;</p> <p>(ii) Any violations or abuses committed against children in Somalia;</p> <p>(iii) Any violations or abuses committed against women, including all forms of sexual and gender-based violence in armed conflict (para. 2)</p>	Newly mandated tasks

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>International cooperation and coordination</b>		
	See para. 2 (b) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	...(c) To assist the Federal Government of Somalia in coordinating international donor support, in particular on security sector assistance and maritime security, working with bilateral and multilateral partners, and in full respect of the sovereignty of Somalia (para. 2)	Newly mandated task
	Underlines the importance of Somali ownership in the context of United Nations support, and in this regard requests the Special Representative to align closely United Nations country team activities in Somalia with the priorities of the Assistance Mission and to coordinate United Nations activities with the Federal Government of Somalia, as well as the African Union (including the African Union Mission), the Intergovernmental Authority on Development, the European Union and other regional, bilateral and multilateral partners in Somalia (para. 3)	Newly mandated task
<b>Military and police</b>		
Maritime security	See para. 2 (b) (ii) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See para. 2 (c) of the resolution, under “International cooperation and coordination” above	Newly mandated task
<b>Political process</b>		
	...(a) To provide United Nations “good offices” functions, supporting the Federal Government of Somalia’s peace and reconciliation process (para. 2)	Newly mandated task
<b>Rule of law/judicial matters</b>		
	...(b) To support the Federal Government of Somalia, and the African Union Mission in Somalia as appropriate, by providing strategic policy advice on peacebuilding and State-building, including on: (i) Governance (para. 2)	Newly mandated task
	See para. 2 (b) (ii) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See para. 2 (b) (iii) of the resolution, under “Electoral assistance” above	Newly mandated task
	See para. 2 (d) (iv) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
<b>Security sector reform</b>		
	See para. 2 (b) (ii) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See para. 2 (c) of the resolution, under “International cooperation and coordination” above	Newly mandated task

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Support to sanctions regimes</b>		
	Underlines the importance of the Assistance Mission cooperating with the Monitoring Group on Somalia and Eritrea in the relevant areas of their respective mandates (para. 12)	Newly mandated task
<b>Support to State institutions</b>		
	See para. 2 (b) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See para. 2 (b) (iii) of the resolution, under “Electoral assistance” above	Newly mandated task
	See para. 2 (d) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task

### **United Nations Office for West Africa**

The United Nations Office for West Africa (UNOWA) was established through an exchange of letters between the Secretary-General and the President of the Security Council dated 26 and 29 November 2001.<sup>53</sup>

During the period under review, the Council, by [resolution 2097 \(2013\)](#) of 26 March 2013, requested UNOWA to make available its good offices and support the new peace and development adviser in Sierra Leone. Through an exchange of letters between the Secretary-General and the President of the Security Council dated 19 and 23 December 2013, the Council extended the mandate of UNOWA for a period of three years, until 31 December 2016, and mandated UNOWA to implement three objectives in close collaboration with the Economic Community of West African States, the Mano River

Union and other regional and subregional partners. These objectives were (a) to monitor political developments in West Africa, carry out good offices roles and special assignments on behalf of the Secretary-General and enhance subregional capacities for conflict prevention and mediation in countries of the subregion; (b) to enhance subregional capacities to address cross-border and cross-cutting threats to peace and security, in particular, election-related instability and challenges related to security sector reform, transnational organized crime, illicit trafficking and terrorism; and (c) to promote good governance and respect for the rule of law, human rights and the mainstreaming of gender in conflict prevention and conflict management initiatives in West Africa. Table 36 provides an overview of the mandate of UNOWA since its establishment. Table 37 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>53</sup> [S/2001/1128](#) and [S/2001/1129](#).

Table 36  
 UNOWA: overview of mandate by category

	<i>S/2001/1128 and S/2001/1129</i>	<i>S/2005/16 and S/2005/17</i>	<i>S/2007/753 and S/2007/754</i>	<i>S/PRST/2009/6</i>	<i>S/PRST/2009/20</i>	<i>S/2010/660 and S/2010/661</i>	<i>Resolution 2097 (2013)</i>	<i>S/2013/753 and S/2013/759</i>
<b>Electoral assistance</b>			X <sup>a</sup>			X <sup>a</sup>		X <sup>a</sup>
<b>Human rights; women and peace and security; children and armed conflict</b>			X <sup>a</sup>			X <sup>a</sup>		X <sup>a</sup>
<b>Humanitarian support</b>			X <sup>a</sup>					
<b>International cooperation and coordination</b>	X <sup>a</sup>	X <sup>c</sup>	X <sup>a</sup>			X <sup>a</sup>		X <sup>a</sup>
<b>Military and police</b>								
Maritime security								X <sup>a</sup>
<b>Political process</b>	X <sup>a</sup>	X <sup>c</sup>	X <sup>a</sup>			X <sup>a</sup>	X <sup>b</sup>	X <sup>a</sup>
<b>Public information</b>			X <sup>a</sup>			X <sup>a</sup>		X <sup>a</sup>
<b>Rule of law/judicial matters</b>		X <sup>a</sup>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>		X <sup>a</sup>
<b>Security sector reform</b>			X <sup>a</sup>			X <sup>a</sup>		X <sup>a</sup>
<b>Support to State institutions</b>			X <sup>a</sup>			X <sup>a</sup>		X <sup>a</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 37  
UNOWA: changes to mandate, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2097 (2013)</b>		
<b>Political process</b>		
	Requests the Secretary-General to provide a peace and development adviser to support the Resident Coordinator, and requests the United Nations Office for West Africa to make available its good offices to support the Government of Sierra Leone and the future Resident Coordinator, as necessary (para. 8)	Additional element
<b>S/2013/753 and S/2013/759</b>		
<b>Electoral assistance</b>		
	Enhance subregional capacities to address cross-border and cross-cutting threats to peace and security, in particular, election-related instability and challenges related to security sector reform, transnational organized crime, illicit trafficking and terrorism (S/2013/753, objective 2)	Newly mandated task
	Facilitate the exchange of information and the sharing of best practices among national Governments, regional organizations, civil society and other entities for the promotion of good governance, respect for the rule of law and the improvement of electoral processes (S/2013/753, function 3.1)	Newly mandated task
<b>Human rights; women and peace and security; children and armed conflict</b>		
	Promote good governance and respect for the rule of law, human rights and the mainstreaming of gender in conflict prevention and conflict management initiatives in West Africa (S/2013/753, objective 3)	Newly mandated task
	Provide support for the enactment of resolutions and frameworks of action pertaining to the respect for human rights and the mainstreaming of gender in conflict prevention and conflict management initiatives in West Africa (S/2013/753, function 3.2)	Newly mandated task
<b>International cooperation and coordination</b>		
	Monitor political developments in West Africa, carry out good offices roles and special assignments on behalf of the Secretary-General and enhance subregional capacities for conflict prevention and mediation in countries of the subregion (S/2013/753, objective 1)	Newly mandated task
	Monitor and analyse the situation in West Africa, in particular emerging threats to peace, and provide the Secretary-General, the Security Council, regional and subregional organizations and national Governments with early warning and recommendations for preventive action (S/2013/753, function 1.1)	Newly mandated task
	Enhance subregional capacities for conflict prevention, conflict management, mediation and good offices, including providing support to existing subregional mechanisms, in particular the ECOWAS Conflict Prevention Framework and the ECOWAS Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Regional Security (S/2013/753, function 1.3)	Newly mandated task
	See objective 2, under “Electoral assistance” above	Newly mandated task

## Repertoire of the Practice of the Security Council, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	Raise awareness and promote integrated subregional and cross-border responses to potential problems and emerging threats to peace, human security and stability in the subregion (S/2013/753, function 2.1)	Newly mandated task
	Support the development of networks of practitioners and subregional frameworks and mechanisms to address challenges related to security sector reform, transnational organized crime, illicit trafficking and terrorism (S/2013/753, function 2.2)	Newly mandated task
	Facilitate systematic and regular linkages in the work of the United Nations within the subregion to promote a coherent and synergetic United Nations approach to addressing the causes of instability and conflict in West Africa (S/2013/753, function 2.3)	Newly mandated task
	See function 3.1, under “Electoral assistance” above	Newly mandated task
<b>Military and police</b>		
Maritime security	Facilitate the implementation of the International Court of Justice ruling of 10 October 2002 on the land and maritime boundary dispute between Cameroon and Nigeria (S/2013/753, function 1.4)	Newly mandated task
<b>Political process</b>		
	See objective 1 and function 1.1, under “International cooperation and coordination” above	Newly mandated tasks
	Perform good offices roles in countries of the subregion to prevent conflict and to consolidate peacebuilding efforts and political stability (S/2013/753, function 1.2)	Newly mandated task
	See function 1.3, under “International cooperation and coordination” above	Newly mandated task
<b>Public information</b>		
	See function 2.1, under “International cooperation and coordination” above	Newly mandated task
<b>Rule of law/judicial matters</b>		
	See function 1.4, under “Military and police” above	Newly mandated task
	See objective 2, under “Electoral assistance” above	Newly mandated task
	See function 2.2, under “International cooperation and coordination” above	Newly mandated task
	See objective 3, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
	See function 3.1, under “Electoral assistance” above	Newly mandated task



<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	See function 3.2, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
<b>Security sector reform</b>		
	See objective 2, under “Electoral assistance” above	Newly mandated task
	See function 2.2, under “International cooperation and coordination” above	Newly mandated task
<b>Support to State institutions</b>		
	See function 1.4, under “Military and police” above	Newly mandated task
	See objective 2, under “Electoral assistance” above	Newly mandated task

### **United Nations Integrated Peacebuilding Office in Sierra Leone**

The United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) was established by the Security Council on 4 August 2008, by [resolution 1829 \(2008\)](#), to succeed the United Nations Integrated Office in Sierra Leone<sup>54</sup> on 1 October 2008.

During the period under review, the Council extended the mandate of UNIPSIL twice, for periods of six-and-a-half months and one year, the last being until 31 March 2014.<sup>55</sup> In [resolution 2065 \(2012\)](#) of 12 September 2012, the Council modified the mandate of UNIPSIL with regard to providing assistance to conflict prevention and mitigation efforts by requesting UNIPSIL to promote the role of women in conflict prevention and

to support genuine and inclusive dialogue among political parties, the Government of Sierra Leone and all relevant stakeholders. The Council requested UNIPSIL to continue to engage constructively with the Sierra Leone national authorities in the formulation of the Agenda for Prosperity and in coordinating an integrated international response to it. The Council also requested UNIPSIL to collaborate with the United Nations country team, the Government and bilateral and international partners in continuing preparations for the transition of UNIPSIL into a country team. In [resolution 2097 \(2013\)](#) of 26 March 2013, the Council requested UNIPSIL to focus its remaining activities on facilitating political dialogue, including supporting the Government with regard to the planned constitutional review, security sector support and the strengthening of human rights institutions and their long-term sustainability.

Table 38 provides an overview of the mandate of UNIPSIL since its establishment. Table 39 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>54</sup> For information relating to the mandate of the United Nations Integrated Office in Sierra Leone, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>55</sup> Resolutions [2065 \(2012\)](#), para. 1; and [2097 \(2013\)](#), para. 1.

Table 38  
 UNIPSIL: overview of mandate by category

Category and mandated task	Resolution					
	1829 (2008)	1886 (2009)	1941 (2010)	2005 (2011)	2065 (2012)	2097 (2013)
<b>Electoral assistance</b>		X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>
<b>International cooperation and coordination</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>a</sup>	
<b>Military and police</b>						
Support to police		X <sup>a</sup>				
<b>Political process</b>	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>
<b>Public information</b>					X <sup>b</sup>	
<b>Rule of law/judicial matters</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>b</sup>
<b>Security sector reform</b>						X <sup>a</sup>
<b>Support to State institutions</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

 Table 39  
 UNIPSIL: changes to mandate, 2012-2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2065 (2012)</b>		
<b>Electoral assistance</b>	Requests the United Nations Integrated Peacebuilding Office in Sierra Leone, in conjunction with the United Nations country team and the international community, to continue to provide assistance to the Government of Sierra Leone and its electoral, democratic and security institutions, as requested, in the preparation and conduct of the elections and to continue to provide advice and assistance to all relevant stakeholders, including civil society and the media, to ensure that they are able to make a positive contribution to the electoral process, further requests the Office to provide assistance to conflict prevention and mitigation efforts, including through promoting the role of women in conflict prevention and supporting genuine and inclusive dialogue among political parties, the Government and all relevant stakeholders, and finally requests the Secretary-General to provide a briefing to the Security Council on the conduct and outcome of the elections shortly after their completion (para. 6)	Additional element

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Human rights; women and peace and security; children and armed conflict</b>		
	See para. 6 of the resolution, above	Additional element
<b>International cooperation and coordination</b>		
	Also requests the United Nations Integrated Peacebuilding Office in Sierra Leone, in conjunction with the United Nations country team and bilateral and international partners, to continue to engage constructively with the Sierra Leone national authorities in the formulation of the Agenda for Prosperity and in coordinating an integrated international response to it, to ensure that the efforts by the United Nations and bilateral and international partners on the ground continue to be coherent and effectively coordinated (para. 12)	Additional element
	Requests the United Nations Integrated Peacebuilding Office in Sierra Leone, in collaboration with the United Nations country team, the Government of Sierra Leone and bilateral and international partners, to continue preparations for the transition of the Office, and in this regard requests the Secretary-General to deploy an inter-agency technical assessment mission to Sierra Leone to conduct a review of progress made in the implementation of the mandate of the Office and to provide a report, for the consideration of the Council, containing detailed proposals and a recommended timeline for the transition, drawdown and exit strategy of the Office by no later than 15 February 2013 (para. 14)	Newly mandated task
<b>Public information</b>		
	See para. 6 of the resolution, under “Electoral assistance” above	Additional element
<b>Support to State institutions</b>		
	See para. 6 of the resolution, under “Electoral assistance” above	Additional element
	See para. 12 of the resolution, under “International cooperation and coordination” above	Additional element
<b>Resolution 2097 (2013)</b>		
<b>Human rights; women and peace and security; children and armed conflict</b>		
	Requests the United Nations Integrated Peacebuilding Office in Sierra Leone to focus its remaining activities during this mandate period on facilitating political dialogue, including support to the Government of Sierra Leone, particularly related to the planned constitutional review, security sector support and the strengthening of human rights institutions and their long-term sustainability (para. 6)	Additional element
<b>Political process</b>		
	See para. 6 of the resolution, above	Additional element

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Rule of law/judicial matters</b>	See para. 6 of the resolution, above	Additional element
<b>Security sector reform</b>	See para. 6 of the resolution, above	Newly mandated task

### **United Nations Integrated Peacebuilding Office in the Central African Republic**

The United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) was established by a presidential statement of 7 April 2009<sup>56</sup> to succeed the United Nations Peacebuilding Support Office in the Central African Republic.<sup>57</sup>

During the period under review, the Council, by [resolution 2088 \(2013\)](#) of 24 January 2013, extended the mandate of BINUCA for a period of 12 months, until 31 January 2014.<sup>58</sup> In the same resolution, the Council requested BINUCA to support the efforts of the Economic Community of Central African States (ECCAS) with regard to peacebuilding, disarmament, demobilization and reintegration and security sector reform processes and to use its good offices to work with all parties to facilitate the implementation of agreements signed in Libreville on 11 January 2013.

In [resolution 2121 \(2013\)](#) of 10 October 2013, the Council updated and reinforced the overall mandate of BINUCA in the light of the coup that took place on 24 March 2013. The Council requested BINUCA to provide support for the stabilization of the security situation by advising on security sector reform, the rule of law, disarmament, demobilization and reintegration and disarmament, demobilization, repatriation, resettlement

and reintegration. The Council also requested BINUCA to provide support for conflict prevention and the delivery of humanitarian assistance, as well as for the monitoring, promotion and protection of human rights, with an emphasis on efforts to prevent abuses against women and children. The Council requested the Secretary-General, through his Special Representative for the Central African Republic, to support the implementation of the Libreville Agreements and the N'Djamena road map, which would provide the basis for a peaceful political resolution, and requested BINUCA to provide support for the implementation of the transition process, including support for the electoral process. The Council also requested BINUCA to coordinate international actors involved in the implementation of the tasks described in the resolution. Lastly, the Council requested BINUCA to coordinate with ECCAS and the African Union in order to facilitate the transition from the Mission for the Consolidation of Peace in the Central African Republic to the African Union-led International Support Mission in the Central African Republic.

Through an exchange of letters between the Secretary-General and the President of the Security Council dated 22 and 29 October 2013,<sup>59</sup> the Council authorized the deployment of a guard unit, initially composed of 250 military personnel, to guard BINUCA personnel in Bangui by providing perimeter security and access control. Table 40 provides an overview of the mandate of BINUCA since its establishment. Table 41 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>56</sup> [S/PRST/2009/5](#).

<sup>57</sup> For information relating to the mandate of the United Nations Peacebuilding Support Office in the Central African Republic, see *Repertoire, Supplement 2000–2003*, chap. V, part I.E; *Supplement 2004–2007*, chap. V, part I.F; and *Supplement 2008–2009*, part X, sect. II.

<sup>58</sup> Resolution [2088 \(2013\)](#), para. 1.

<sup>59</sup> [S/2013/636](#) and [S/2013/637](#).

Table 40  
BINUCA: overview of mandate by category

	S/PRST/2009/5	S/PRST/2010/26	Resolution 2031 (2011)	Resolution 2088 (2013)	Resolution 2121 (2013)
<b>Demilitarization and arms management</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>
<b>Electoral assistance</b>	X <sup>a</sup>				X <sup>a</sup>
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>
<b>Humanitarian support</b>					X <sup>a</sup>
<b>International cooperation and coordination</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>
<b>Political process</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>a</sup>
<b>Rule of law/judicial matters</b>	X <sup>a</sup>		X <sup>b</sup>		X <sup>a</sup>
<b>Security sector reform</b>	X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>
<b>Support to State institutions</b>	X <sup>a</sup>				

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 41  
BINUCA: changes to mandate, 2012-2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2088 (2013)</b>		
<b>Political process</b>		
	Requests that the United Nations Integrated Peacebuilding Office in the Central African Republic continue to support the peacebuilding processes in the Central African Republic, as provided for in its current mandate, including the disarmament, demobilization and reintegration and security sector reform processes, support the efforts of the Economic Community of Central African States in this regard and use its good offices to work with all parties to facilitate the full implementation of agreements signed in Libreville on 11 January 2013, and calls upon the international community to provide further support to peacebuilding processes in the Central African Republic (para. 6)	Additional element
<b>Resolution 2121 (2013)</b>		
<b>Demilitarization and arms management</b>		
	Decides that the mandate of the Integrated Peacebuilding Office shall be reinforced and updated as follows: <i>... (c) Support for the stabilization of the security situation:</i> – To support the stabilization of the security situation by advising on security sector governance and reform, the rule of law (including police, justice and corrections), disarmament, demobilization and reintegration or disarmament, demobilization, repatriation, resettlement and reintegration of combatants, including of all children associated with armed forces and groups, and mine action, including clearance of explosive remnants of war (para. 10)	Newly mandated task
<b>Electoral assistance</b>		
	<i>...(a) Support for the implementation of the transition process:</i> – To help to restore the constitutional order by supporting the ongoing political process, transitional institutions and implementation mechanisms, and to help to support the implementation of the Libreville Agreements and the N’Djamena road map; – To assist in the implementation of the electoral process, with a view to holding elections, as referred to in paragraph 3 (para. 10)	Newly mandated task
<b>Human rights; women and peace and security; children and armed conflict</b>		
	See para. 10 (c) of the resolution, under “Demilitarization and arms management” above <i>...(d) Promotion and protection of human rights:</i> – To monitor, help to investigate and report to the Security Council on abuses or violations of human rights or violations of international humanitarian law committed throughout the Central African Republic, including by the Lord’s Resistance Army, and to contribute to efforts to prevent such violations and abuses; – To monitor, help to investigate and report to the Council, specifically on violations and abuses committed against children as well as violations committed against women, including all forms of sexual violence in armed conflict, including through the deployment of women’s protection advisers and child protection advisers;	Newly mandated task

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	– To help to strengthen the capacities of the judicial system, including transitional justice mechanisms, and of the national human rights institutions and assist with national reconciliation efforts (para. 10)	Newly mandated task
<b>Humanitarian support</b>		
	<p><i>... (b) Support for conflict prevention and humanitarian assistance:</i></p> <p>– To exercise good offices, confidence-building and facilitation in order to anticipate, prevent, mitigate and resolve conflict and facilitate the safe, civilian-led delivery of humanitarian assistance, in accordance with United Nations guiding principles of humanitarian assistance (para. 10)</p>	Newly mandated task
<b>International cooperation and coordination</b>		
	Requests the Secretary-General to provide support to the ongoing mediation efforts of the Economic Community of Central African States, including through the good offices of his Special Representative for the Central African Republic, to support the implementation of the Libreville Agreements and the N’Djamena road map (para. 4)	Newly mandated task
	<p><i>...(e) Coordination of international actors:</i></p> <p>– To coordinate international actors involved in the implementation of the tasks described above (para. 10)</p>	Newly mandated task
	Encourages countries in the region and other African countries to participate in the establishment of the International Support Mission, further encourages Member States to provide timely and effective support to the International Support Mission and also encourages the African Union and the Economic Community of Central African States, building on their previous consultations, to expedite their efforts towards the effective transition from the Mission for the Consolidation of Peace in the Central African Republic to the International Support Mission, and requests in this regard the Secretary-General and the Integrated Peacebuilding Office to establish appropriate cooperation mechanisms with the Economic Community and the African Union in order to facilitate this process (para. 20)	Newly mandated task
<b>Political process</b>		
	See para. 4 of the resolution, under “International cooperation and coordination” above	Newly mandated task
	See para. 10 (a) of the resolution, under “Electoral assistance” above	Newly mandated task
	See para. 10 (b) of the resolution, under “Humanitarian support” above	Newly mandated task
	See para. 10 (d) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
<b>Rule of law/judicial matters</b>		
	See para. 10 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See para. 10 (d) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task

Category and mandated task	Text of mandate	Change to mandate
<b>Security sector reform</b>	See para. 10 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task

### United Nations Integrated Peacebuilding Office in Guinea-Bissau

The United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) was established by the Security Council on 26 June 2009, by [resolution 1876 \(2009\)](#), to succeed the United Nations Peacebuilding Support Office in Guinea-Bissau<sup>60</sup> effective 1 January 2010. During the period under review, the Council extended the mandate of UNIOGBIS twice, for periods of 3 and 12 months, the last being until 31 May 2014.<sup>61</sup>

The mandate of UNIOGBIS was modified by the Council in [resolution 2103 \(2013\)](#) of 22 May 2013, following the military coup of 12 April 2012, mainly in the areas of security sector reform, the rule of law and support for the ongoing political dialogue. With regard to security sector reform and the rule of law, the Council requested UNIOGBIS to provide advice and support to national authorities and relevant stakeholders in implementing the national security sector reform and rule of law strategies, and in that regard to contribute to the mobilization, harmonization and coordination of international assistance, while enhancing cooperation with the African Union, the Economic Community of West African States (ECOWAS), the Community of Portuguese-speaking Countries, the European Union and

other partners. It also requested UNIOGBIS to provide advice and support for the establishment of effective and efficient law enforcement and criminal justice and penitentiary systems. With regard to combating drug trafficking and transnational crime, the Council requested UNIOGBIS to cooperate closely with the United Nations Office on Drugs and Crime and to coordinate further with the relevant United Nations system entities in Guinea-Bissau. The Council invited the Special Representative of the Secretary-General for Guinea-Bissau to share relevant information with the Committee established pursuant to [resolution 2048 \(2012\)](#). The Council also requested UNIOGBIS to continue to work, in coordination with other partners, including ECOWAS and the Community of Portuguese-speaking Countries, on the ongoing dialogue process to facilitate the restoration of constitutional order, the formation of an inclusive Government, the adoption of a transitional road map, including for elections in 2013, and the adoption of a newly drafted “regime pact”. In this context, the Council requested UNIOGBIS to provide electoral assistance. In a statement by the President of the Security Council dated 9 December 2013, the Council requested UNIOGBIS to assist the newly established coordinating committee for the electoral process and financial support for the general election of 2013-2014.<sup>62</sup>

Table 42 provides an overview of the mandate of UNIOGBIS since its establishment. Table 43 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>60</sup> For information relating to the mandate of the United Nations Peacebuilding Support Office in Guinea-Bissau, see *Repertoire, Supplement 1996-1999*, chap. V, part I.E; *Supplement 2000-2003*, chap. V, part I.E; *Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>61</sup> Resolutions [2092 \(2013\)](#), para. 1; and [2103 \(2013\)](#), para. 1.

<sup>62</sup> [S/PRST/2013/19](#), eighth paragraph.



Table 42  
UNIOGBIS: overview of mandate by category

Category and mandated task	Resolution					
	Resolution 1876 (2009)	Resolution 1949 (2010)	Resolution 2030 (2011)	Resolution 2092 (2013)	Resolution 2103 (2013)	S/PRST/2013/19
Demilitarization and arms management	X <sup>a</sup>					
Electoral assistance				X <sup>c</sup>	X <sup>a</sup>	X <sup>b</sup>
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>		X <sup>c</sup>	
International cooperation and coordination	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>a</sup>	
Military and police						
Support to police	X <sup>a</sup>					
Political process	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>a</sup>	
Rule of law/judicial matters	X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>		X <sup>a</sup>	
Security sector reform	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>		X <sup>a</sup>	
Support to sanctions regimes					X <sup>a</sup>	
Support to State institutions	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>		X <sup>a</sup>	

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 43  
UNIOGBIS: changes to mandate, 2012-2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2103 (2013)</b>		
<b>Electoral assistance</b>		
	Decides to extend the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau for a period of 12 months beginning on 1 June 2013 until 31 May 2014, and to readjust it as recommended by the Secretary-General to perform the following tasks: ... (b) Assisting in creating an environment conducive to the holding of free, fair and transparent elections (para. 1)	Newly mandated task
	Underlines the importance of free, fair and transparent elections to ensure the restoration of constitutional order by the end of 2013, and requests the Secretary-General, through his Special Representative for Guinea-Bissau and the United Nations Integrated Peacebuilding Office in Guinea-Bissau and the United Nations as a whole, to provide electoral assistance to that end (para. 4)	Newly mandated task

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	Requests the Secretary-General to continue to work through the United Nations Integrated Peacebuilding Office in Guinea-Bissau, in coordination with other partners, including the Economic Community of West African States and the Community of Portuguese-speaking Countries, on the ongoing dialogue process among political parties, to facilitate the achievement of the objectives referred to in paragraph 3 in view of the restoration of constitutional order (para. 8)	Newly mandated task
<b>International cooperation and coordination</b>		
	...(e) Providing strategic and technical advice and support to national authorities and relevant stakeholders, including in coordination with the Economic Community of West African States/Economic Community of West African States Mission in Guinea-Bissau, in implementing the national security sector reform and rule of law strategies as well as developing civilian and military justice systems that are compliant with international standards (para. 1)	Newly mandated task
	...(f) Assisting national authorities to combat drug trafficking and transnational organized crime, in close cooperation with the United Nations Office on Drugs and Crime (para. 1)	Additional element
	...(j) Contributing to the mobilization, harmonization and coordination of international assistance, including for the implementation of the national security sector reform and rule of law strategies, and enhancing cooperation with the African Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries, the European Union and other partners in support of the restoration and maintenance of constitutional order and the stabilization of Guinea-Bissau (para. 1)	Newly mandated task
	See para. 8 of the resolution, under “Electoral assistance” above	Newly mandated task
	Requests the Special Representative of the Secretary-General for Guinea-Bissau to increase efforts to achieve greater coherence, coordination and efficiency among relevant United Nations agencies, funds and programmes in Guinea-Bissau to maximize their collective effectiveness towards combating drug trafficking, in particular through provision by these agencies, funds and programmes of relevant information to the Special Representative on individuals, groups, undertakings and entities associated with drug trafficking that contribute to creating a threat to the peace, stability and security of Guinea-Bissau and the subregion (para. 12)	Newly mandated task
<b>Political process</b>		
	...(a) Supporting an inclusive political dialogue and national reconciliation process to facilitate the return to constitutional order (para. 1)	Additional element
	...(i) Working with the Peacebuilding Commission in support of Guinea-Bissau’s peacebuilding priorities (para. 1)	Newly mandated task
	See para. 8 of the resolution, under “Electoral assistance” above	Newly mandated task

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Rule of law/judicial matters</b>		
	... (d) Providing strategic and technical advice and support for the establishment of effective and efficient law enforcement and criminal justice and penitentiary systems, capable of maintaining public security and combating impunity while respecting human rights and fundamental freedoms (para. 1)	Newly mandated task
	See paras. 1 (e), 1 (j) and 12 of the resolution, under “International cooperation and coordination” above	Newly mandated tasks
	See para. 1 (f) of the resolution, under “International cooperation and coordination” above	Additional element
<b>Security sector reform</b>		
	See paras. 1 (e) and 1 (j) of the resolution, under “International cooperation and coordination” above	Newly mandated tasks
<b>Support to sanctions regimes</b>		
	Invites the Special Representative of the Secretary-General for Guinea-Bissau to share all relevant information with the Committee established pursuant to its resolution <a href="#">2048 (2012)</a> , particularly names of individuals who meet the criteria set forth in paragraph 6 and elaborated by paragraph 7 of resolution <a href="#">2048 (2012)</a> (para. 13)	Newly mandated task
<b>Support to State institutions</b>		
	... (c) Assisting in strengthening democratic institutions and enhancing the capacity of State organs to function effectively and constitutionally (para. 1)	Newly mandated task
<a href="#">S/PRST/2013/19</a>		
<b>Electoral assistance</b>		
	The Council takes note of the establishment of the coordinating committee for the electoral process and financial support for the general election of 2013-2014, which aims to ensure coordination among the partners, and requests the United Nations Integrated Peacebuilding Office in Guinea-Bissau to provide, in accordance with its mandate, the relevant assistance to the aforementioned coordinating committee (eighth paragraph)	Additional element

### **United Nations Regional Office for Central Africa**

The United Nations Regional Office for Central Africa (UNOCA) was established through an exchange of letters between the Secretary-General and the President of the Security Council dated 11 December 2009 and 31 August 2010.<sup>63</sup> It was inaugurated on 2 March 2011 in Libreville for an initial period of two years, with a review of its mandate after 18 months. The establishment of

UNOCA, modelled on the United Nations Office for West Africa, had been requested by the Economic Community of Central African States (ECCAS). The core functions of UNOCA were, inter alia, to cooperate with ECCAS and other regional and subregional organizations and other key partners and assist them in their promotion of peace and stability in the broader Central African subregion. UNOCA was also tasked with carrying out good offices roles and special assignments in countries of the subregion on behalf of the Secretary-General, including in the areas of conflict prevention and peacebuilding efforts. UNOCA was also mandated to strengthen the

<sup>63</sup> [S/2009/697](#) and [S/2010/457](#).

capacity of the Department of Political Affairs to advise the Secretary-General on matters relating to peace and security in the region and to report to Headquarters on developments of subregional significance.

Through an exchange of letters between the Secretary-General and the President of the Security Council dated 13 and 21 August 2012, the Council

extended the mandate of UNOCA for an additional 18 months, until 28 February 2014.<sup>64</sup> During the period under review, there were no changes to the mandate of UNOCA. Table 44 provides an overview of the mandate of UNOCA since its establishment.

<sup>64</sup> S/2012/656 and S/2012/657.

Table 44  
UNOCA: overview of mandate by category

Category and mandated task	S/2009/697 and S/2010/457	S/PRST/ 2011/21	S/2012/656 and S/2012/657	S/PRST/2012/28	S/PRST/2013/18
<b>International cooperation and coordination</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Political process</b>	X <sup>a</sup>		X <sup>c</sup>		

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

### United Nations Office in Burundi

On 16 December 2010, the Security Council, by [resolution 1959 \(2010\)](#), requested the Secretary-General to establish the United Nations Office in Burundi (BNUB) as a “significantly scaled-down” successor office to the United Nations Integrated Office in Burundi<sup>65</sup> to maintain international support for peace consolidation and long-term development in Burundi. The Office was established for an initial period of 12 months beginning on 1 January 2011.<sup>66</sup> On 20 December 2011, the Council extended the mandate of BNUB for another two years until 15 February 2013.<sup>67</sup>

During the period under review, in [resolution 2090 \(2013\)](#) of 13 February 2013, the Council extended the

mandate of BNUB until 15 February 2014.<sup>68</sup> The Council requested BNUB to focus its support on the efforts of the Government and the international community in the area of socioeconomic development of women, youth, repatriated refugees and internally displaced persons as well as the country’s deepening regional integration, with a view to consolidating peace, improving governance and relaunching sustainable development in the framework of the poverty reduction strategy paper, second generation. The Council also requested BNUB to promote and facilitate dialogue between national actors and support mechanisms for broad-based participation in political life, towards ensuring a conducive, free and open environment for the run-up to the 2015 elections. Table 45 provides an overview of the mandate of BNUB since its establishment. Table 46 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>65</sup> For information relating to the mandate of the United Nations Integrated Office in Burundi, see *Repertoire, Supplement 2010-2011*, part X, sect. II.

<sup>66</sup> Resolution [1959 \(2010\)](#), para. 1.

<sup>67</sup> Resolution [2027 \(2011\)](#), para. 1.

<sup>68</sup> Resolution [2090 \(2013\)](#), para. 1.

Table 45  
BNUB: overview of mandate of by category

Category and mandated task	Resolution		
	1959 (2010)	2027 (2011)	2090 (2013)
<b>Electoral assistance</b>			X <sup>a</sup>
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>
<b>Humanitarian support</b>			X <sup>a</sup>
<b>International cooperation and coordination</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>
<b>Military and police</b>			
Support to police	X <sup>a</sup>		
<b>Political process</b>	X <sup>a</sup>		X <sup>c</sup>
<b>Rule of law/judicial matters</b>	X <sup>a</sup>		X <sup>c</sup>
<b>Security sector reform</b>	X <sup>a</sup>		
<b>Support to State institutions</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 46  
BNUB: changes to mandate, 2012-2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2090 (2013)</b>		
<b>Electoral assistance</b>	Decides to extend until 15 February 2014 the mandate of the United Nations Office in Burundi, requesting it, consistent with paragraphs 3 (a) to (d) of resolution 1959 (2010) and 2 (a) and (b) of resolution 2027 (2011), to focus on and support the Government of Burundi in the following areas:  (a) Promoting and facilitating dialogue between national actors and supporting mechanisms for broad-based participation in political life, including for the implementation of development strategies and programmes in Burundi and towards ensuring a conducive, free and open environment for the run-up to the 2015 elections (para. 1)	Newly mandated task
<b>Humanitarian support</b>	...(e) Supporting the efforts of the Government and the international community to focus on the socioeconomic development of women and youth and the socioeconomic reintegration of conflict-affected populations, including recently repatriated refugees and internally displaced persons, and advocating for resource mobilization for Burundi, with a view to consolidating peace, improving governance and relaunching sustainable development in the framework of the new poverty reduction strategy paper, second generation (para. 1)	Newly mandated task

## United Nations Support Mission in Libya

By [resolution 2009 \(2011\)](#) of 16 September 2011, the Security Council, acting under Chapter VII of the Charter, established the United Nations Support Mission in Libya (UNSMIL).

During the period under review, the Council extended the mandate of UNSMIL twice for periods of one year, the last being until 14 March 2014.<sup>69</sup> In [resolution 2040 \(2012\)](#) of 12 March 2012, the Council modified the mandate of UNSMIL in the context of restoring public security. It requested UNSMIL to provide support to the Libyan Government in developing capable and accountable institutions, including police and security institutions, and in implementing a coherent national approach to the integration of ex-combatants into Libyan national security forces or their demobilization and reintegration into civilian life, including any children remaining associated with revolutionary brigades. The Council also requested UNSMIL to counter the illicit proliferation of all arms and related materiel in coordination with the relevant United Nations agencies, the Organization for the Prohibition of Chemical Weapons and international and regional partners. The Council mandated the Mission to manage the process of democratic transition, including through technical advice

and assistance to the Libyan electoral process and the process of preparing and establishing a new constitution, and to improve institutional capacity and inclusivity with regard to the political participation of Libyan civil society. The Council further requested UNSMIL to coordinate international assistance and build government capacity across all relevant sectors set out in paragraphs 6 (a) to (d) of the resolution. Lastly, the Council urged UNSMIL to cooperate with the Committee established pursuant to [resolution 1970 \(2011\)](#) and the Panel of Experts on Libya in the implementation of the measures decided in [resolutions 1970 \(2011\)](#) and [1973 \(2011\)](#) and modified in [resolution 2009 \(2011\)](#). In [resolution 2095 \(2013\)](#) of 14 March 2013, the Council reiterated the elements of the mandate of UNSMIL contained in [resolution 2040 \(2012\)](#).

Through an exchange of letters between the Secretary-General and the President of the Security Council dated 21 and 27 November 2013,<sup>70</sup> the Council authorized the deployment of a United Nations guard unit of up to 235 military personnel to enhance the security arrangements in place for UNSMIL. Table 47 provides an overview of the mandate of UNSMIL since its establishment. Table 48 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>69</sup> Resolutions [2040 \(2012\)](#), para. 6; and [2095 \(2013\)](#), para. 7.

<sup>70</sup> [S/2013/704](#) and [S/2013/705](#).

Table 47  
UNSMIL: overview of mandate by category

Category and mandated task	Resolution				
	Resolution 2009 (2011)	Resolution 2022 (2011)	Resolution 2040 (2012)	Resolution 2095 (2013)	S/PRST/2013/21
<b>Demilitarization and arms management</b>		X <sup>a</sup>	X <sup>a</sup>	X <sup>a</sup>	X <sup>c</sup>
<b>Electoral assistance</b>	X <sup>a</sup>		X <sup>a</sup>	X <sup>a</sup>	
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>		X <sup>a</sup>	X <sup>a</sup>	
<b>International cooperation and coordination</b>	X <sup>a</sup>		X <sup>a</sup>	X <sup>a</sup>	
<b>Military and police</b>					
Security monitoring; patrolling; deterrence			X <sup>a</sup>	X <sup>a</sup>	
Support to police	X <sup>a</sup>		X <sup>b</sup>	X <sup>a</sup>	
<b>Political process</b>	X <sup>a</sup>		X <sup>a</sup>	X <sup>a</sup>	
<b>Rule of law/judicial matters</b>	X <sup>a</sup>		X <sup>a</sup>	X <sup>a</sup>	

<i>Category and mandated task</i>	<i>Resolution</i>				<i>S/PRST/2013/21</i>
	<i>Resolution 2009 (2011)</i>	<i>Resolution 2022 (2011)</i>	<i>Resolution 2040 (2012)</i>	<i>Resolution 2095 (2013)</i>	
<b>Security sector reform</b>			X <sup>a</sup>	X <sup>a</sup>	
<b>Support to sanctions regimes</b>			X <sup>a</sup>	X <sup>a</sup>	
<b>Support to State institutions</b>	X <sup>a</sup>		X <sup>a</sup>	X <sup>a</sup>	

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 48  
**UNSMIL: changes to mandate, 2012-2013**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2040 (2012) (adopted under Chapter VII)</b>		
<b>Demilitarization and arms management</b>		
	Decides to extend the mandate of the United Nations Support Mission in Libya for a further period of twelve months, subject to review within six months, under the leadership of a Special Representative of the Secretary-General for Libya, and decides further that the modified mandate of the Mission, in full accordance with the principles of national ownership, shall be to assist the Libyan authorities to define national needs and priorities throughout Libya and to match these with offers of strategic and technical advice where appropriate, and support Libyan efforts:	Additional element
	... (b) To promote the rule of law and monitor and protect human rights, in accordance with Libya's international legal obligations, particularly those of women and people belonging to vulnerable groups, such as children, minorities and migrants, including by assisting the Libyan authorities to reform and build transparent and accountable justice and correctional systems, supporting the development and implementation of a comprehensive transitional justice strategy, and providing assistance towards national reconciliation and support to ensure the proper treatment of detainees and the demobilization of any children remaining associated with revolutionary brigades;	
	(c) To restore public security, including through the provision of appropriate strategic and technical advice and assistance to the Libyan Government to develop capable institutions and implement a coherent national approach to the integration of ex-combatants into Libyan national security forces or their demobilization and reintegration into civilian life, including education and employment opportunities, and to develop police and security institutions that are capable, accountable, respectful of human rights and accessible and responsive to women and vulnerable groups (para. 6)	Additional element
	... (d) To counter the illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, clear explosive remnants of war, conduct demining programmes, secure and manage Libya's borders and implement international conventions on chemical, biological and nuclear weapons and materials, in coordination with the relevant United Nations agencies, the Organization for the Prohibition of Chemical Weapons and international and regional partners (para. 6)	Newly mandated task

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<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Electoral assistance</b>		
	...(a) To manage the process of democratic transition, including through technical advice and assistance to the Libyan electoral process and the process of preparing and establishing a new Libyan constitution, as set out in the National Transitional Council's constitutional road map, and assistance that improves institutional capacity, transparency and accountability, promotes the empowerment and political participation of women and minorities and supports the further development of Libyan civil society (para. 6)	Newly mandated task
<b>Human rights; women and peace and security; children and armed conflict</b>		
	See para. 6 (a) of the resolution, under "Electoral assistance" above	Newly mandated task
	See paras. 6 (b) and (c) of the resolution, under "Demilitarization and arms management" above	Additional elements
<b>International cooperation and coordination</b>		
	See para. 6 (d) of the resolution, under "Demilitarization and arms management" above	Newly mandated task
	... (e) To coordinate international assistance and build government capacity across all relevant sectors set out in relation to paragraphs 6 (a) to (d), including by supporting the coordination mechanism within the Libyan Government announced on 31 January 2012, advising the Government to help to identify priority needs for international support, engaging international partners in the process wherever appropriate, facilitating international assistance to the Government and establishing a clear division of labour and regular and frequent communication between all those providing assistance to Libya (para. 6)	Newly mandated task
<b>Military and police</b>		
Security monitoring; patrolling; deterrence	See para. 6 (d) of the resolution, under "Demilitarization and arms management" above	Newly mandated task
Support to police	See para. 6 (c) of the resolution, under "Demilitarization and arms management" above	Additional element
<b>Political process</b>		
	See para. 6 (a) of the resolution, under "Electoral assistance" above	Newly mandated task
	See para. 6 (b) of the resolution, under "Demilitarization and arms management" above	Additional element
<b>Rule of law/judicial matters</b>		
	See para. 6 (a) of the resolution, under "Electoral assistance" above	Newly mandated task
	See para. 6 (b) of the resolution, under "Demilitarization and arms management" above	Additional element



**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Security sector reform</b>		
	See para. 6 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
<b>Support to sanctions regimes</b>		
	Urges all States, relevant United Nations bodies, including the Mission, and other interested parties to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1970 (2011) and 1973 (2011) and modified in resolution 2009 (2011), in particular incidents of non-compliance (para. 11)	Newly mandated task
	Encourages the Panel, while mindful of the responsibility of the Mission for assisting the Libyan authorities to counter the illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, and to secure and manage Libya’s borders, to continue its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya and the assets of individuals subject to the asset freeze established in resolutions 1970 (2011) and 1973 (2011) and modified in resolution 2009 (2011), and encourages the Mission and the Libyan authorities to support the investigatory work of the Panel inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate (para. 12)	Newly mandated task
<b>Support to State institutions</b>		
	See para. 6 (a) of the resolution, under “Electoral assistance” above	Newly mandated task
	See para. 6 (c) of the resolution, under “Demilitarization and arms management” above	Additional element
	See para. 6 (e) of the resolution, under “International cooperation and coordination” above	Newly mandated task

**Resolution 2095 (2013) (adopted under Chapter VII)**

**Demilitarization and arms management**

Decides to extend the mandate of the United Nations Support Mission in Libya for a further period of 12 months under the leadership of a Special Representative of the Secretary-General for Libya, and decides further that the mandate of the Mission as an integrated special political mission, in full accordance with the principles of national ownership, shall be to assist the Libyan Government to define national needs and priorities throughout Libya and to match these with offers of strategic and technical advice where appropriate, and to support Libyan efforts:	Newly mandated task
...(c) To restore public security, including through the provision of appropriate strategic and technical advice and assistance to the Libyan Government to develop capable institutions and effective national security coordination, and implement a coherent national policy for the integration of ex-combatants into Libyan national security forces or their demobilization and reintegration into civilian life, including education and employment opportunities, and to develop defence, police and security institutions that are capable, accountable, respectful of human rights and accessible and responsive to women and vulnerable groups;	

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
	(d) To counter the illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles, including through the development of a coordinated strategy in this regard, to clear explosive remnants of war, conduct demining programmes and conventional munitions disposal, secure and manage Libya's borders and implement international conventions on chemical, biological and nuclear weapons and materials, in coordination with the relevant United Nations agencies, the Organization for the Prohibition of Chemical Weapons and international and regional partners (para. 7)	Newly mandated task
<b>Electoral assistance</b>		
	...(a) To manage the process of democratic transition, including through technical advice and assistance to Libyan electoral processes and the process of preparing, drafting and adopting a new Libyan constitution and assistance that improves institutional capacity, transparency and accountability, promotes the empowerment and political participation of all parts of Libyan society, in particular women and minorities, including in the constitutional drafting process, and supports the further development of Libyan civil society (para. 7)	Newly mandated task
	Encourages the Mission to continue to support efforts to promote national reconciliation, inclusive political dialogue and political processes aimed at promoting free, fair and credible elections, transitional justice and respect for human rights throughout Libya (para. 8)	Newly mandated task
<b>Human rights; women and peace and security; children and armed conflict</b>		
	See paras. 7 (a) and 8 of the resolution, under "Electoral assistance" above	Newly mandated tasks
	...(b) To promote the rule of law and monitor and protect human rights, in accordance with Libya's international legal obligations, particularly those of women and people belonging to vulnerable groups, such as children, minorities and migrants, including by assisting the Libyan Government to ensure the humane treatment of and due process for detainees and to reform and build transparent and accountable justice and correctional systems, supporting the development and implementation of a comprehensive transitional justice strategy, and providing assistance towards national reconciliation as well as support to ensure the continued identification, separation and reintegration of children affected by armed conflict (para. 7)	Newly mandated task
	See para. 7 (c) of the resolution, under "Demilitarization and arms management" above	Newly mandated task
<b>International cooperation and coordination</b>		
	See para. 7 (d) of the resolution, under "Demilitarization and arms management" above	Newly mandated task
	... (e) To coordinate international assistance and build government capacity across all relevant sectors set out in relation to paragraphs 7 (a) to (d) of the present resolution, including by supporting the appropriate coordination mechanism within the Libyan Government, advising the Government to help to identify priority needs for international support, engaging international partners in the process wherever appropriate, facilitating international assistance to the Government and establishing a clear division of labour and regular and frequent communication between all those providing assistance to Libya (para. 7)	Newly mandated task

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Military and police</b>		
Security monitoring; patrolling; deterrence	See para. 7 (d) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
Support to police	See para. 7 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
<b>Political process</b>		
	See paras. 7 (a) and 8 of the resolution, under “Electoral assistance” above	Newly mandated tasks
	See para. 7 (b) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
<b>Rule of law/judicial matters</b>		
	See paras. 7 (a) and 8 of the resolution, under “Electoral assistance” above	Newly mandated tasks
	See para. 7 (b) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above	Newly mandated task
<b>Security sector reform</b>		
	See para. 7 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
<b>Support to sanctions regimes</b>		
	Urges all States, relevant United Nations bodies, including the Mission, and other interested parties, to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions <a href="#">1970 (2011)</a> and <a href="#">1973 (2011)</a> and modified in resolutions <a href="#">2009 (2011)</a> , <a href="#">2040 (2012)</a> and in the present resolution, in particular incidents of non-compliance (para. 15)	Newly mandated task
	Encourages the Panel, while mindful of the responsibility of the Mission for assisting the Libyan Government to counter the illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles, and to secure and manage Libya’s borders, to continue and expedite its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya and the assets of individuals subject to the asset freeze established in resolutions <a href="#">1970 (2011)</a> and <a href="#">1973 (2011)</a> and modified in resolutions <a href="#">2009 (2011)</a> , <a href="#">2040 (2012)</a> and the present resolution, and encourages the Mission and the Government to support the investigatory work of the Panel inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate (para. 16)	Newly mandated task

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Support to State institutions</b>		
	See para. 7 (a) of the resolution, under “Electoral assistance” above	Newly mandated task
	See para. 7 (c) of the resolution, under “Demilitarization and arms management” above	Newly mandated task
	See para. 7 (e) of the resolution, under “International cooperation and coordination” above	Newly mandated task

## Asia

### United Nations Assistance Mission in Afghanistan

The United Nations Assistance Mission in Afghanistan (UNAMA) was established by the Security Council on 28 March 2002 by [resolution 1401 \(2002\)](#).

During the period under review, the Council extended the mandate of UNAMA twice for periods of one year, the last being until 19 March 2014.<sup>71</sup> The Council generally maintained the mandate of UNAMA as defined in its resolutions [1662 \(2006\)](#), [1746 \(2007\)](#), [1806 \(2008\)](#), [1868 \(2009\)](#), [1917 \(2010\)](#) and [1974 \(2011\)](#), while modifying tasks in the areas of support to State institutions and international cooperation and coordination.

In [resolution 2041 \(2012\)](#) of 22 March 2012, the Council requested UNAMA and the Special Representative of the Secretary-General for Afghanistan to continue to lead international civilian efforts to strengthen the role of Afghan institutions to perform their responsibilities in the priority areas of the implementation

of the Kabul Process throughout the country; improving governance and the rule of law; building the capacity of the Afghan Independent Human Rights Commission and monitoring and protecting human rights; and humanitarian support. In [resolution 2096 \(2013\)](#) of 19 March 2013, the Council requested UNAMA to increase its efforts to achieve greater coherence, coordination and efficiency among relevant United Nations agencies, funds and programmes in Afghanistan to maximize their effectiveness in alignment with the national priority programmes identified by the Government of Afghanistan. The Council also requested UNAMA to continue its cooperation with the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization in support of the transition to full Afghan leadership and ownership and an Afghan-led development and stabilization process, as agreed to at the Kabul and London Conferences and the summits held in Lisbon and in Chicago, United States of America. Table 49 provides an overview of the mandate of UNAMA since its establishment. Table 50 provides the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review.

<sup>71</sup> Resolutions [2041 \(2012\)](#), para. 3; and [2096 \(2013\)](#), para. 3.

Table 49  
**UNAMA: overview of mandate by category**

Category and mandated task	Resolution											
	1401 (2002)	1471 (2003)	1536 (2004)	1589 (2005)	1662 (2006)	1746 (2007)	1806 (2008)	1868 (2009)	1917 (2010)	1974 (2011)	2041 (2012)	2096 (2013)
<b>Civilian-military coordination</b>							X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Demilitarization and arms management</b>					X <sup>a</sup>				X <sup>b</sup>	X <sup>b</sup>		
<b>Electoral assistance</b>		X <sup>a</sup>		X <sup>b</sup>	X <sup>a</sup>		X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Human rights; women and peace and security; children and armed conflict</b>	X <sup>a</sup>	X <sup>b</sup>	X <sup>b</sup>		X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Humanitarian support</b>	X <sup>a</sup>				X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>International cooperation and coordination</b>					X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>
<b>Political process</b>	X <sup>a</sup>				X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Public information</b>							X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Rule of law/judicial matters</b>	X <sup>a</sup>	X <sup>b</sup>		X <sup>b</sup>	X <sup>a</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Security sector reform</b>										X <sup>a</sup>	X <sup>c</sup>	X <sup>c</sup>
<b>Support to sanctions regimes</b>						X <sup>a</sup>	X <sup>b</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	X <sup>c</sup>	
<b>Support to State institutions</b>	X <sup>a</sup>				X <sup>a</sup>		X <sup>b</sup>	X <sup>c</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>	X <sup>b</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 50  
UNAMA: changes to mandate, 2012-2013

Category and mandated task	Text of mandate	Change to mandate
<b>Resolution 2041 (2012)</b>		
<b>International cooperation and coordination</b>		
	Reaffirms that the Mission and the Special Representative, leveraging the competencies of the United Nations country team and taking into account the transition process, will continue to lead international civilian efforts with an emphasis on enabling and strengthening the role of Afghan institutions to perform their responsibilities in the following priority areas (para. 7)	Additional element
<b>Support to State institutions</b>		
	See para. 7 of the resolution, above	Additional element
<b>Resolution 2096 (2013)</b>		
<b>International cooperation and coordination</b>		
	Reaffirms that the United Nations Assistance Mission in Afghanistan and the Special Representative will increase efforts to achieve greater coherence, coordination and efficiency among relevant United Nations agencies, funds and programmes in Afghanistan to maximize their collective effectiveness in full alignment with the national priority programmes identified by the Government of Afghanistan and continue to lead international civilian efforts with an emphasis on enabling and strengthening the role of Afghan institutions to perform their responsibilities in the following priority areas (para. 7)	Additional element
<b>Support to State institutions</b>		
	See para. 7 of the resolution, above	Additional element

### United Nations Regional Centre for Preventive Diplomacy for Central Asia

The United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) was authorized through an exchange of letters between the Secretary-General and the President of the Security Council dated 7 and 15 May 2007<sup>72</sup> at the initiative of the Governments of the region, in parallel with the closure of the United Nations Tajikistan Office of Peacebuilding.<sup>73</sup> The Centre

was mandated to strengthen the United Nations capacity for conflict prevention in Central Asia through the implementation of a range of tasks, including liaising with the Governments of the region on issues relevant to preventive diplomacy; monitoring and analysing the situation on the ground; and maintaining contact with regional organizations such as the Organization for Security and Cooperation in Europe and the Shanghai Cooperation Organization. UNRCCA was established with an open-ended mandate. During the period under review, there were no changes to the mandate. Table 51 provides an overview of the mandate of UNRCCA since its establishment.

<sup>72</sup> S/2007/279 and S/2007/280.

<sup>73</sup> For information relating to the mandate of the United Nations Tajikistan Office of Peacebuilding, see *Repertoire, Supplement 2000-2003*, chap. V, part I.E; and *Supplement 2004-2007*, chap. V, part I.F.

Table 51  
UNRCCA: overview of mandate by category

Category and mandated task	S/2007/279 and S/2007/280
International cooperation and coordination	X <sup>a</sup>
Political process	X <sup>a</sup>

<sup>a</sup> Newly mandated task.

## Middle East

### United Nations Assistance Mission for Iraq

The United Nations Assistance Mission for Iraq (UNAMI) was established by the Security Council on 14 August 2003 by [resolution 1500 \(2003\)](#).

During the period under review, the Council extended the mandate of UNAMI twice for periods of one year, the last being until 31 July 2014.<sup>74</sup> By [resolution](#)

<sup>74</sup> Resolutions [2061 \(2012\)](#), para. 1; and [2110 \(2013\)](#), para. 1.

[2107 \(2013\)](#) of 27 June 2013, the Council modified the mandate of UNAMI by requesting the Special Representative of the Secretary-General for Iraq and Head of UNAMI to promote, support and facilitate efforts regarding the repatriation or return of all Kuwaiti and third-country nationals or their remains, and the return of Kuwaiti property, including the national archives, seized by Iraq. Table 52 provides an overview of the mandate of UNAMI since the adoption of [resolution 1770 \(2007\)](#). Table 53 provides the full text of the paragraph in the Council decision that relates to changes to the mandate adopted during the period under review.

Table 52  
UNAMI: overview of mandate by category

Category and mandated task	Resolution		
	Resolution 1770 (2007)	S/PRST/2010/27	Resolution 2107 (2013)
Demilitarization and arms management	X <sup>a</sup>		
Electoral assistance	X <sup>a</sup>		
Human rights; women and peace and security; children and armed conflict	X <sup>a</sup>		
Humanitarian support	X <sup>a</sup>	X <sup>b</sup>	
International cooperation and coordination	X <sup>a</sup>		X <sup>b</sup>
Political process	X <sup>a</sup>		
Rule of law/judicial matters	X <sup>a</sup>		
Support to State institutions	X <sup>a</sup>		

<sup>a</sup> Newly mandated task.

<sup>b</sup> Reiteration.

Table 53  
UNAMI: changes to mandate, 2012-2013

<i>Category and mandated task</i>	<i>Text of mandate</i>	<i>Change to mandate</i>
<b>Resolution 2107 (2013)</b>		
<b>International cooperation and coordination</b>		
	Requests that the Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq promote, support and facilitate efforts regarding the repatriation or return of all Kuwaiti and third-country nationals or their remains, and the return of Kuwaiti property, including the national archives, seized by Iraq, requests the Secretary-General to report separately to the Security Council on these matters in his reports on the progress made towards the fulfilment of all responsibilities of the Mission, and also requests that the Secretary-General consider designating the Deputy Special Representative at the Mission covering political affairs with the responsibility for overseeing these issues and ensuring appropriate resources for this purpose (para. 4)	Additional element

### Office of the United Nations Special Coordinator for Lebanon

The Office of the United Nations Special Coordinator for Lebanon (UNSCOL) was established with an open-ended mandate through an exchange of letters between the Secretary-General and the President of the Security Council dated 13 February 2007.<sup>75</sup> It replaced the Office of the Personal Representative of the Secretary-General for Southern Lebanon, established in August 2000 by the Secretary-General. UNSCOL was

mandated to represent the Secretary-General in all political aspects of the Organization's work in Lebanon, to coordinate the work of the United Nations in the country and ensure that the activities of the United Nations country team were well coordinated with those of the Government of Lebanon, donors and international financial institutions.<sup>76</sup> During the period under review, there were no changes to the mandate. Table 54 provides an overview of the mandate of UNSCOL since its establishment.

<sup>75</sup> S/2007/85 and S/2007/86.

<sup>76</sup> Ibid.

Table 54  
UNSCOL: overview of mandate by category

<i>Category and mandated task</i>	<i>S/2007/85 and S/2007/86</i>	<i>S/2008/516 and S/2008/517</i>
International cooperation and coordination	X <sup>a</sup>	X <sup>b</sup>
Political process	X <sup>a</sup>	X <sup>b</sup>

<sup>a</sup> Newly mandated task.

<sup>b</sup> Reiteration.



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