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Part IV

Relations with other United Nations organs

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Introductory note

Part IV of the present supplement covers the practice of the Security Council with regard to Articles 4-6, 10-12, 15 (1), 20, 23, 24 (3), 65, 93, 94, 96 and 97 of the Charter of the United Nations concerning the relations of the Council with other principal organs of the United Nations, namely, the General Assembly, the Economic and Social Council and the International Court of Justice. Material relating to the relations of the 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 pursuant to rules 21 to 26 of its provisional rules of procedure. The Trusteeship Council continued to be inactive during the period under review.¹

During the period under review, the General Assembly continued to address recommendations to the Council regarding the general principles of cooperation in the maintenance of international peace and security. The Council and the Assembly, in parallel and within the limitations imposed by the Charter, considered the situation of human rights in the Democratic People's Republic of Korea and in the Syrian Arab Republic. In 2021, the General Assembly continued to encourage the Council to immediately resume discussion on the situation in the Democratic People's Republic of Korea, including the country's human rights situation. In addition, the two organs collaborated in the election of judges to fill a vacancy in the International Court of Justice and two vacancies in the roster of the International Residual Mechanism for Criminal Tribunals consistent with the applicable provisions of the statute of the Mechanism, the provisional rules of procedure of the Council and the rules of procedure of the Assembly.

In 2021, the President of the Security Council participated and delivered statements in sessions and events of the General Assembly. On 5 May, the President of the Council for the month (China) participated in an interactive dialogue to commemorate the International Day of Multilateralism and Diplomacy for Peace. On 11 June, the President of the Council for the month (Estonia) participated in the plenary meeting of the General Assembly to introduce the annual report of the Security Council. On 18 June,

¹ The Trusteeship Council completed its mandate under the Charter in 1994 and suspended its operations on 1 November 1994. For more information see *Repertoire, Supplement 1993-1995*, chap. VI, part III.

the President also participated in the plenary meeting of the Assembly to report on the work undertaken by the Council on the appointment of the Secretary-General. The General Assembly adopted a number of resolutions referring to its relationship with the Council, and the Council, for its part, continued to refer to various General Assembly resolutions in its decisions.

In 2021, Council members continued to discuss the relations between the Council and the subsidiary organs of the General Assembly, in particular the Human Rights Council and the Special Committee on Peacekeeping Operations. During the period under review, Council members discussed enhancing coordination with the Human Rights Council and its investigative mechanisms, and reaffirmed the importance of the Special Committee on Peacekeeping Operations particularly in improving the safety and security of peacekeeping personnel.

As described in greater detail in part II of the present supplement, in 2021, Council members continued to hold videoconferences while resuming in-person meetings. Part IV of this supplement features relevant discussions held in the context of both meetings and videoconferences.

The President of the General Assembly at its seventy-fifth session briefed the Council at a videoconference held on 7 May in connection with the item “Maintenance of international peace and security” and focused on upholding multilateralism and the United Nations-centred international system. The President of the International Court of Justice also briefed the Council at a private meeting held on 2 November.

In addition, during the review period, Council members deliberated on the importance of developing synergies between the Security Council, the General Assembly and the Economic and Social Council, as well as with the other entities of the United Nations system. Those discussions took place primarily at an open debate of the Council held on 16 November under the item entitled “Maintenance of international peace and security”, and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations” which included briefings from the Secretary-General and the Presidents of the General Assembly, the Economic and Social Council, and the International Court of Justice.

In 2021, the Council did not address any requests for information or assistance to the Economic and Social Council, nor did it make recommendations or decide on measures with regard to the judgments rendered by the International Court of Justice or request the Court to give an advisory opinion on any legal question.

I. Relations with the General Assembly

Note

Section I is focused on various aspects of the relationship between the Council and the General Assembly in accordance with Articles 4-6, 10-12, 15 (1), 20, 23, 24 (3), 93 and 94, 96 and 97 of the Charter, rules 40² and 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.

Section I 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 of the Charter. Subsections B and C concern the functions and powers of the Assembly vis-à-vis Articles 10 to 12, with a particular focus on the practice and authority of the Assembly to make recommendations to the Council. Subsection D considers instances in which a decision by the Council must be taken prior to that of the Assembly under Articles 4 to 6, 93 and 97, such as the admission of new Members or the appointment of the Secretary-General and of judges to the International Residual Mechanism for Criminal Tribunals. Subsection E examines the practices for the election of members of the International Court of Justice, requiring concurrent action by the Council and the Assembly. Subsection F covers the annual and special reports of the Council to the Assembly, in accordance with Articles 15 and 24 (3) of the Charter. Subsection G concerns Council relations with the subsidiary organs established by the Assembly that have played a part in the work of the Council during 2021. Subsection H features other Council practice bearing on relations with the Assembly.

² Rule 40 of the provisional rules of procedure is also covered in part II, sect. IX.

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, at its seventy-fifth regular session, the General Assembly elected five non-permanent members to the Council, in accordance with Article 23 of the Charter, to replace those whose terms of office were to expire on 31 December 2021 (see table 1).

Table 1

Election by the General Assembly of non-permanent members of the Security Council

<i>Term</i>	<i>General Assembly decision</i>	<i>Plenary meeting and date of election</i>	<i>Members elected for the term</i>
2022-2023	75/421 (see A/75/49 (Vol. III) , p.307)	A/75/PV.78 11 June 2021	Albania, Brazil, Gabon, Ghana and United Arab Emirates

B. Recommendations made by the General Assembly to the Security Council 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 period under review, the General Assembly addressed recommendations to the Council regarding the general principles of cooperation in the maintenance of international peace and security. Several of these recommendations concerned the powers and functions of the Council under Articles 10 and 11 (1) of the Charter. The relevant provisions of the resolutions of the General Assembly are set out in

table 2. In addition, in Assembly resolution [76/57](#) adopted under the item entitled “United Nations Regional Centre for Peace and Disarmament in Africa”, Member States explicitly continued to recall the provisions of Article 11, paragraph 1, in which it is stipulated that a function of the Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation.³

In connection with Article 11 (2) of the Charter, the General Assembly made recommendations to the Security Council with regard to specific questions relating to the maintenance of international peace and security or requesting action by the Council concerning those questions. In its recommendations, in reference to items already on the Council’s agenda, the Assembly continued to call on the Council to ensure accountability, including through the consideration of a referral of the situation in the Democratic People’s Republic of Korea to the International Criminal Court and to consider the further development of sanctions in order to target effectively those who appeared to be most responsible for human rights violations. The Assembly further encouraged the Security Council to immediately resume discussion on the situation in the Democratic People’s Republic of Korea, including on the country’s human rights situation. Concerning the humanitarian situation in the Syrian Arab Republic, the General Assembly urged the Security Council to reauthorize the use of the border crossings of Bab al-Salam and Ya‘rubiyah for the delivery of humanitarian assistance to the country and to continue to consider additional crossing points. The Assembly also continued to call on the Council to ensure accountability of those responsible for violations and abuses of international humanitarian law or human rights law in the Syrian Arab Republic. The relevant provisions of the resolutions of the Assembly are set out in table 3.

In 2021, the General Assembly did not draw the attention of the Security Council to any situations likely to endanger international peace and security pursuant to Article 11 (3) of the Charter.⁴

Table 2

³ General Assembly resolution [76/57](#), first preambular paragraph.

⁴ For information on other referrals to the Security Council, see part VI, sect. I.

Recommendations to the Security Council in resolutions of the General Assembly regarding the general principles of cooperation in the maintenance of international peace and security

<i>General Assembly resolution and date</i>	<i>Provisions</i>
Comprehensive review of special political missions	
76/83 9 December 2021	Encouraging enhanced exchanges of information, in an appropriate manner, among the General Assembly, the Security Council and the Secretariat, making use of the advisory role of the Peacebuilding Commission, when relevant, on overall policy matters pertaining to special political missions (ninth preambular paragraph) Acknowledges the importance of strong coordination, coherence and cooperation of the Security Council and the General Assembly with the Peacebuilding Commission, and in this regard encourages the Security Council to continue to regularly request, deliberate and draw upon the specific, strategic and targeted advice of the Commission, including to assist with the longer-term perspective required for sustaining peace being reflected in the formation, review and drawdown of peacekeeping operations and special political missions mandates, in line with General Assembly resolution 70/262 and Security Council resolution 2282 (2016) (para. 4)
Report of the International Criminal Court	
76/5 11 November 2021	Encourages further dialogue between the United Nations and the International Criminal Court, and welcomes in this regard the increased interaction of the Security Council with the Court under various formats, including the holding of open debates on peace and justice and working methods, with a special focus on the role of the Court (para. 20)
Terrorism and human rights	
76/169 16 December 2021	Encourages the Security Council, the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate to strengthen, within their mandates, the links, cooperation and dialogue with relevant human rights 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. 35)

Table 3

Recommendations to the Security Council in resolutions of the General Assembly with regard to specific questions relating to the maintenance of international peace and security

<i>General Assembly resolution and date</i>	<i>Provisions</i>
Situation of human rights in the Democratic People's Republic of Korea	
76/177 16 December 2021	Encourages the Security Council to continue its consideration of the relevant conclusions and recommendations of the commission of inquiry and take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and consideration of further sanctions in order to target effectively those who appear to be most responsible for human rights violations that the commission has said may constitute crimes against humanity; (para. 12) Also encourages the Security Council to immediately resume discussion on the situation in the Democratic People's Republic of Korea and invite the Office of the United Nations High Commissioner for Human Rights to give a briefing to the Council, including on the country's human rights situation, in the light of the serious concerns expressed in the present resolution, and looks forward to its continued and more active engagement on this matter (para. 13)
Situation of human rights in the Syrian Arab Republic	

<i>General Assembly resolution and date</i>	<i>Provisions</i>
76/228 24 December 2021	<p>Deplores the continued closure of the Bab al-Salam and Ya'rubiyah border crossings for the purpose of cross-border humanitarian aid, and urges the Security Council to reauthorize the use of these border crossings and to continue to consider additional crossing points to meet humanitarian needs, considering that humanitarian needs have risen 38 per cent in north-east Syrian Arab Republic since the closing of the Ya'rubiyah border crossing alone, according to the United Nations, emphasizes that more than 6.9 million people live in areas not under the control of the Syrian regime and 5.3 million require humanitarian assistance in the north-east and north-west, and also considers the multiplier effect of the COVID-19 pandemic and that the cross-border mechanism remains an indispensable tool to address the humanitarian needs of the population, including to deliver vaccines and supplies to combat the COVID-19 pandemic, which cannot be adequately reached through existing operations within the Syrian Arab Republic, in the light of the limitations of cross-line assistance (para. 20)</p> <p>Emphasizes the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, stresses the need to pursue practical steps towards this goal, and for that reason encourages the Security Council to take appropriate action to ensure accountability, noting the important role that the International Criminal Court can play in this regard in accordance with complementarity (para. 43)</p>

Concerning the deliberations in the Council, during the period under review, Article 10 of the Charter was explicitly referred to twice, and Article 11 was explicitly referred to three times. All the explicit references to Articles 10 and 11 were made at an open debate held under the item entitled “Maintenance of international peace and security”, which focused on “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”.⁵ At the open debate, the representative of Kenya stated that a preventive diplomatic strategy required the Security Council to work in coherence with the General Assembly, as underlined in Article 11 of the Charter.⁶ At the same meeting, the representative of Malta also emphasized that the Charter clearly identified ways in which the various United Nations organs could contribute to preventive diplomacy, including Articles 10 and 11. The representative of Argentina highlighted that, in accordance with Articles 10 and 11 of the Charter, the General Assembly had broad authority to consider conflict prevention in all its aspects, develop recommendations and bring to the attention of the Council situations that may endanger international peace and security, adding that the Assembly played a central role in the preventive diplomacy architecture.⁷

⁵ For more information on the meeting, see case 2.

⁶ See [S/PV.8906](#).

⁷ See [S/PV.8906 \(Resumption 1\)](#).

Council members and non-Council members alike continued to address issues that may be considered of relevance for the application and interpretation of Articles 10 and 11 of the Charter in the context of Council's meetings and open videoconferences. In that regard, at an open videoconference held on 6 January in connection with the item entitled "Maintenance of international peace and security" focused on challenges of maintaining peace and security in fragile contexts, the Prime Minister and Minister for Foreign Affairs of Saint Vincent and the Grenadines highlighted that the Security Council had to continue to play a leading role as it worked more closely with the other main organs of the United Nations system, namely the General Assembly and the Economic and Social Council, to foster developmental solutions to the challenges of peace and security.⁸ Furthermore, the representative of China underscored that the Security Council, the General Assembly, the Economic and Social Council, the Peacebuilding Commission and the relevant regional organizations should carry out their respective functions, strengthen collaboration and forge synergies. In a similar vein, the representative of Slovakia expressed support for further strengthening of the ties between those bodies, as well as with civil society organizations and communities on the ground.

On 23 February, at an open videoconference held in connection with the item entitled "Maintenance of international peace and security" and focused on climate and security, the Prime Minister and Minister for Foreign Affairs of Saint Vincent and the Grenadines indicated that the Council must engage with the General Assembly to effectively address climate and security risks across the joinder of issues touching and concerning humanitarian support, sustainable development, health pandemics, peace and security.⁹ The representative of El Salvador also emphasized that greater coordination and consistency among the efforts of the General Assembly, the Economic and Social Council and the Security Council were imperative to tackle climate-related security risks.

On 19 May, at a videoconference held in connection with the item entitled "Peace and security in Africa" focused on addressing root causes of conflict while promoting post-pandemic recovery in Africa, the representative of Brazil emphasized the importance of a stronger collaboration among the Security Council, the General

⁸ See [S/2021/24](#).

⁹ See [S/2021/198](#).

Assembly, the Economic and Social Council and the Peacebuilding Commission in the face of multifaceted challenges.¹⁰ At the same videoconference, the Chair of the Peacebuilding Commission underscored that peacebuilding and sustaining peace required coherence, sustained engagement and coordination among the principal United Nations organs, consistent with their mandates set forth in the Charter. In a similar vein, at a meeting held on 12 October, under the item entitled “Peacebuilding and sustaining peace” and the sub-item entitled “Diversity, State-building and the search for peace”, the representative of Mexico reiterated that the Council had to strengthen dialogue with the other main bodies of the United Nations including the General Assembly, specifically to prevent development challenges and human rights violations from becoming a threat to international peace and security.¹¹ The representative of Chile indicated that the international security prevention road map had to include cooperation of regional organizations and the principal bodies of the United Nations system involved in peacebuilding, including the General Assembly and the Security Council.¹²

With respect to modalities of coordination between the General Assembly and the Security Council, on 16 June at the annual open debate on working methods held under the item entitled “Implementation of the note by the President ([S/2017/507](#))”, the representative of China stated that the Council should improve communication and coordination with the General Assembly and other organs to avoid broadening its scope of consideration, when it came to cross-cutting issues.¹³

Furthermore, Council members and participants also discussed the role of the Security Council and the complementarity of the General Assembly concerning certain thematic or cross-cutting issues in connection with different items on its agenda. On 29 June, at a videoconference held in connection with the item entitled “Maintenance of international peace and security” focused on cybersecurity, the representative of Brazil stated that the Council should be guided first and foremost by the objective of promoting adherence to past and future recommendations adopted by the General Assembly on the issue of cybersecurity.¹⁴ The representative of Indonesia also indicated that the Council

¹⁰ See [S/2021/490](#).

¹¹ See [S/PV.8877](#).

¹² See [S/2021/868](#).

¹³ See [S/PV.8798](#).

¹⁴ See [S/2021/621](#).

had to be guided by the norms and rules being deliberated upon and developed by the General Assembly in this regard. The representative of Senegal highlighted that in holding the videoconference, the Council had demonstrated its awareness regarding the threat to international peace and security stemming from the proliferation of malicious acts in cyberspace, adding that the Council was part of the ongoing and unfailing efforts on cybersecurity for over a decade by the General Assembly.

On 8 September, at a meeting held under the item entitled “United Nations peacekeeping operations” and the sub-item entitled “United Nations transitions”, the representative of Saint Vincent and the Grenadines called for greater coordination, coherence and complementarity across all peace and security, development, human rights and humanitarian activities undertaken through the institutional nexus involving the Security Council, the General Assembly and the Economic and Social Council, with the Peacebuilding Commission playing a bridging, convening and advisory role.¹⁵ In the written statement submitted in connection with the meeting, the representative of Colombia also emphasized that effective development, monitoring and periodic adjustment of peacekeeping mandates should take place through dialogue between the receiving State, the Secretary-General, the Security Council, the General Assembly and regional organizations, in addition to troop- and police-contributing countries.¹⁶

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.

¹⁵ See [S/PV.8851](#).

¹⁶ See [S/2021/783](#). While briefers and Council members participated in-person at the meeting, non-Council members submitted written statements. This was agreed in light of the extraordinary circumstances caused by the COVID-19 pandemic. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II.

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.

Subsection C covers the practice of the Council in relation to Article 12 of the Charter. Article 12 (1) limits the authority of the General Assembly with regard to any dispute or situation in respect of which the Security Council is exercising its functions under the Charter.

During the period under review, no reference was made to Article 12 (1) in decisions of the Council nor did the Council request the General Assembly to make a recommendation with regard to any dispute or situation. This notwithstanding, Article 12 was explicitly referred to once during the deliberations of the Council. At an open debate held on 16 November under the item entitled “Maintenance of international peace and security” and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”, the representative of Morocco called for strengthening the consistency of action among different United Nations bodies, for rationalizing mandates and initiatives on cross-cutting issues and for appropriately prioritizing attention and resources, focusing on pragmatic high-impact solutions, while scrupulously respecting the mandates and prerogatives of each body in line with the Charter, in particular Article 12, paragraph 1.¹⁷

During Council meetings and videoconferences, speakers expressed views regarding the scope of the action of the General Assembly and the Security Council. On 16 May, at an open videoconference held in connection with the item entitled “The situation in the Middle East, including the Palestinian question”, the chargé d’affaires of Indonesia, echoed a statement made by the Organization of Islamic Cooperation, voicing its determination to pursue the actions and decisions of the General Assembly if the Security Council failed to live up to its responsibility.¹⁸ Similarly, the representative of the Islamic Republic of Iran stressed that the Assembly should take the necessary

¹⁷ See [S/PV.8906 \(Resumption 1\)](#). For more information, see case 2.

¹⁸ See [S/2021/480](#).

measures if the Council continued to be prevented from playing its role in the settlement of the question of Palestine. The representative of South Africa also concluded that if the Council was unable or unwilling to act, then the matter had to be referred to the General Assembly for consideration.

In addition, and consistent with past practice, Council members and other Member States continued to address the prerogatives of the General Assembly and the Council at meetings and open videoconferences held in connection with a variety of thematic agenda items.¹⁹

In 2021, two explicit references to Article 12 were found in letters dated 26 April and 5 May from the Permanent Representative of the Syrian Arab Republic addressed to the President of the Security Council. In the first letter, the Syrian Arab Republic indicated that the General Assembly was encroaching on the powers of the Security Council and had violated Article 12 of the Charter when the Assembly established the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.²⁰ In the second letter, the Syrian Arab Republic also noted that the jurisdiction of the Assembly to consider matters relating to the situation in Syria was never meant to extend to cross-border delivery of humanitarian assistance, which fell within the purview of the Security Council. Therefore, the President of the seventy-fifth session of the Assembly had violated Article 12 of the Charter, since he had infringed on what was properly the exclusive mandate of the Security Council.²¹

Under Article 12 (2) the Secretary-General is required to notify the General Assembly of the matters relating to the maintenance of international peace and security being dealt with by the Security Council or with which the Council has ceased to deal.

¹⁹ See for example, under the item entitled “Implementation of the note by the President of the Security Council (S/2017/507)”, S/PV.8798 (Russian Federation); in connection with the item entitled “Maintenance of international peace and security”, S/2021/198 (Russian Federation), S/PV.8900 (Russian Federation and Iran (Islamic Republic of)), S/PV.8923 (Russian Federation and Belarus); in connection with the item entitled “Peacebuilding and sustaining peace”, S/2021/868 (Brazil); under the item entitled “Small arms”, S/PV.8874 (Russian Federation) and S/PV.8909 (Ireland and Russian Federation); and under the item entitled “Women and peace and security”, S/PV.8886 (Russian Federation). For further information on the mandate of the Council, see part V, sect. I.

²⁰ See S/2021/406.

²¹ See S/2021/439.

During the period under review, Council members held meetings and open videoconferences throughout the year to discuss matters on its agenda. As described in further detail in part II, despite there being an official record of open videoconferences in the form of a document of the Council in which all statements, whether delivered orally or submitted in writing, were compiled, those videoconferences were not considered formal meetings of the Council for all relevant purposes, including for their inclusion in the summary statement of the Secretary-General on items of which the Council is seized and the stage reached in their consideration circulated weekly to Council members in accordance with rule 11 of the provisional rules of procedure.²² Accordingly, although the Secretary-General continued to notify the Assembly of the matters relating to the maintenance of international peace and security that were being dealt with by the Security Council in the context of meetings,²³ he did not do so when those matters were discussed in the context of open videoconferences, as the notification was prepared on the basis of those weekly statements. The consent of the Council, required by Article 12 (2), is obtained through the circulation of the draft notification by the Secretary-General to the members of the Council. Following receipt of the notification, the General Assembly formally takes note of it.²⁴

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.

²² See [S/2020/273](#), para. 19. For more information on the procedures and working methods developed since the onset of the COVID-19 pandemic, see *Repertoire*, previous Supplement covering the period 2020, part II. For information specific to matters of which the Council was seized, see part II, sect. III.B.

²³ See [A/76/300](#).

²⁴ See General Assembly decision 75/567 (see [A/75/49 \(Vol. III\)](#), p. 321) of 11 June 2021, in which the Assembly took note of the notification by the Secretary-General under Article 12 (2) dated 1 September 2020 ([A/75/300](#)); see also *Repertoire, Supplement 2020*, part IV, sect. I.C. As at 31 December 2021, the General Assembly had not taken note of the notification by the Secretary-General under Article 12 (2) dated 1 September 2021 ([A/76/300](#))).

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...

The Charter provides for joint decision-making by the Security Council and the General Assembly in relation to a number of matters but requires a decision by 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)).²⁵ In addition, 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.²⁶

During the period under review, no questions arose concerning the conditions of accession to the Statute of the International Court of Justice. There was no reference to Articles 4, 5 or 6, no activity with regard to the admission of new members or suspension or expulsion of any Member State. During the review period, the Security Council and the General Assembly significantly increased their collaboration at the occasion of the appointment of the Secretary-General, as described below. Concerning the International Residual Mechanism for Criminal Tribunals, the Council and the General Assembly collaborated in the election of judges to fill vacancies in the roster of the Mechanism.

²⁵ Articles 4 (3) and 69 of 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.

²⁶ See article 10 of the statute attached as annex 1 to resolution [1966 \(2010\)](#).

1. *Membership in the United Nations: references to Articles 4 and 6*

The admission of a State to membership in the United Nations and the suspension or expulsion of a Member State from the Organization are effected by the General Assembly upon the recommendation of the Council (Articles 4 (2), 5 and 6 of the Charter). In accordance with rule 60 of its provisional rules of procedure, the Council submits to the Assembly, within specified time limits, its recommendations concerning each application for membership together with a record of its discussions in relation to the application.

During the period under review, the Council did not recommend the admission of any State for membership in the United Nations. It made no negative recommendations, which would have required the submission of a special report to the General Assembly. In addition, the Council did not recommend the suspension or expulsion of any Member State. Nonetheless, consistent with previous years, at meetings and open videoconferences in connection with the item entitled “The situation in the Middle East, including the Palestinian question”, participants expressed support for the admission of Palestine as a full Member of the Organization.²⁷ Furthermore, at the videoconference in connection with the item entitled “Security Council resolutions [1160 \(1998\)](#), [1199 \(1998\)](#), [1203 \(1998\)](#), [1239 \(1999\)](#) and [1244 \(1999\)](#)” held on 13 April 2021, the Foreign Minister and Deputy Prime Minister of Kosovo reiterated that Kosovo was also looking to become a Member of the United Nations at a certain point in future.²⁸

2. *Procedure for the selection and appointment of the Secretary-General*

Article 97 of the Charter provides that the Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. In accordance with rule 48 of the provisional rules of procedure of the Council, the meetings to consider the question of the recommendation for the appointment of the Secretary-General are held in private, and the Council votes by secret ballot. At the end of each meeting, in accordance with rule 55, a communiqué is circulated which indicates the stage reached in the consideration of the question.

²⁷ See, for example, [S/2021/91](#) (Saint Vincent and the Grenadines, Cuba, Syrian Arab Republic and United Arab Emirates (also on behalf of the Group of Arab States)); [S/2021/404](#) (Cuba); and [S/2021/685](#) (Cuba).

²⁸ See [S/2021/370](#).

On 5 February, in line with General Assembly resolution [69/321](#) and subsequent related Assembly resolutions, the President of the General Assembly and the President of the Security Council presented a joint letter addressed to all Permanent Representatives and Permanent Observers to the United Nations, which served to set in motion the process of selecting and appointing the Secretary-General in accordance with the provisions of Article 97 of the Charter and guided by the principles of transparency and inclusivity.²⁹ By the same letter, the Presidents of the Assembly and the Council noted that the term of the incumbent Secretary-General Mr. António Guterres would conclude on 31 December 2021 and informed that the Secretary-General had conveyed his availability to serve a second term in a letter circulated to Member States dated 11 January.³⁰ The Presidents of the Assembly and the Council called Member States presenting candidates to do so in a letter addressed to the Presidents of the Assembly and of the Council, and indicated that both Presidents were to circulate to all Member States the names of individuals that had been submitted for consideration when received, and would offer all candidates opportunities for informal dialogues or meetings with members of their respective bodies. Furthermore, informal dialogues with candidates in the General Assembly would take place before the Council began its selection by May or June 2021 and could continue, if necessary, throughout the process of selection.³¹

With reference to their joint letter dated 5 February, the Presidents of the Assembly and the Council circulated the letter dated 24 February from the Permanent Representative of Portugal transmitting a letter from the Prime Minister of Portugal which presented the candidature of Mr. Guterres for a second term as Secretary-General.³²

On 7 May, the General Assembly held an informal dialogue with Mr. Guterres for the position of the Secretary-General for the period 2022-2026, which was followed, on 18 May, by an informal dialogue with Council members.³³ During the dialogue with

²⁹ See [S/2021/179](#). For further information on the immediately prior process regarding the selection and appointment of the Secretary-General, see *Repertoire*, previous Supplements covering the period 2015-2020.

³⁰ See [S/2021/179](#) and [S/2021/27](#).

³¹ See [S/2021/179](#).

³² See [S/2021/180](#).

³³ See [S/2021/683](#).

Council members, Mr. Guterres presented his vision statement on challenges and opportunities facing the United Nations before Council members asked questions. On 3 June, the Council discussed the procedure on the selection of the Secretary-General under “Other matters”.³⁴

At its 8789th meeting, held in private on 8 June 2021, the Council considered the question of the recommendation for the appointment of the Secretary-General of the United Nations. The Council adopted by acclamation resolution [2580 \(2021\)](#), recommending to the General Assembly that Mr. António Guterres be appointed Secretary-General for a second term of office, from 1 January 2022 to 31 December 2026. By a letter dated 8 June addressed to the President of the General Assembly, the President of the Security Council informed the Assembly of the adoption of the resolution.³⁵ Acting in accordance with the Council’s recommendation, on 18 June 2021, the General Assembly, by resolution [75/286](#), appointed Mr. Guterres for a second term of office. By the same resolution, the General Assembly welcomed the process for the appointment of the Secretary-General and its timely conclusion guided by the principles of transparency and inclusivity, including the organization of an informal dialogue with the incumbent as candidate for the position.

On 18 June, the President of the Council participated in the 82nd plenary meeting of the Assembly to report on the work undertaken by the Council on the appointment of the Secretary-General.³⁶

On 10 September, by General Assembly resolution [75/325](#), the Assembly recommended that the Presidents of the General Assembly and the Security Council, in future joint letters on the selection and appointment process of the Secretary-General, encourage Member States to publicize the call for nominations, including with civil society and other stakeholders with the aim of identifying potential candidates.³⁷ Furthermore, the Assembly decided that, in order to be circulated in a joint letter by the Presidents of the General Assembly and the Security Council pursuant to the process established in resolution [69/321](#), nominations of candidates had to be submitted by at

³⁴ See [S/2021/1032](#).

³⁵ See [A/75/912](#).

³⁶ See [A/75/PV.82](#).

³⁷ General Assembly resolution [75/325](#), paras. 55-57.

least one Member State, in accordance with the ongoing practice. The Assembly also decided to further assess during its seventy-seventh session the selection and appointment process of the Secretary-General, to explore possible steps to improve future processes, including the collaboration between the Assembly and the Security Council, consistent with Article 97 of the Charter.

3. *Appointment of judges to the International Residual Mechanism for Criminal Tribunals*

By its resolution [1966 \(2010\)](#) of 22 December 2010, the Security Council established the International Residual Mechanism for Criminal Tribunals to carry out residual functions 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 and 31 December 1994.³⁸ According to Article 10 of the statute of the Mechanism, the judges of the Mechanism are elected by the General Assembly from a list submitted by the Council. In the event of a vacancy in the roster of judges of the Mechanism, the Secretary-General appoints judges after consultation with the Presidents of the Council and of the Assembly, for the remainder of the term of office concerned.³⁹

During the period under review, following the passing of one of the judges of the Mechanism and the resignation of another, and pursuant to article 10 (2) of the Statute of the Mechanism, the Council took note of the intention of the Secretary-General to appoint the judges nominated to fill the vacancies for the remainder of the respective terms of office.⁴⁰ The General Assembly subsequently concurred with the intention of the Secretary-General to appoint the two judges.⁴¹

³⁸ Resolution [1966 \(2010\)](#), para. 1.

³⁹ See article 10 of the Statute of the International Residual Mechanism for Criminal Tribunals attached as annex 1 to resolution [1966 \(2010\)](#).

⁴⁰ See [S/2021/675](#) and [S/2021/1065](#).

⁴¹ See [S/2021/726](#) and [S/2021/1083](#).

For further details on the actions taken by the Secretary-General, the Council and the General Assembly, see table 4 below.⁴²

Table 4

Action taken by the Security Council and the General Assembly concerning judges of the International Residual Mechanism for Criminal Tribunals in 2021

<i>Letter from the Secretary-General</i>	<i>Letter from the President of the Security Council</i>	<i>Security Council resolution and date</i>	<i>Transmittal to the General Assembly</i>	<i>General Assembly decision or resolution and date</i>
S/2021/674 , transmitting the nomination of a judge to fill one vacancy in the roster of judges of the Mechanism	S/2021/675 , taking note of the intention of the Secretary-General to appoint the judge nominated to fill the vacancy			
S/2021/726 , transmitting letter from the President of the General Assembly concurring with the appointment of the nominated judge				
S/2021/1064 , transmitting the nomination of a judge to fill one vacancy in the roster of judges of the Mechanism	S/2021/1065 , taking note of the intention of the Secretary-General to appoint the judge nominated to fill the vacancy			
S/2021/1083 , transmitting letter from the President of the General Assembly concurring with the appointment of the nominated judge				

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.

⁴² For more information, see part I, sect. 24.

The election of members of the International Court of Justice requires action by the Council in conjunction with the General Assembly, with the two organs proceeding independently of one another. The procedure for the election is set out in rules 40⁴³ 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;⁴⁴ and rules 150 and 151 of the rules of procedure of the Assembly.⁴⁵

During the period under review, the Council held an election to fill a seat that became vacant resulting from the passing of one of the judges of the Court.⁴⁶ At its 8808th meeting, held on 29 June, the Council met under the item entitled “Date of election to fill a vacancy in the International Court of Justice”.⁴⁷ At the meeting, the Council adopted without a vote resolution [2583 \(2021\)](#), by which it decided, in accordance with Article 14 of the Statute of the Court, that the election to fill the vacancy would take place on 5 November 2021, at a meeting of the Council and at a meeting of the General Assembly at its seventy-sixth session.⁴⁸ By a memorandum submitted to the Assembly and the Council, the Secretary-General outlined the composition of the Court and the voting procedure in the two organs and indicated that national groups had been invited to undertake the nomination of persons in a position to accept the duties of a member of the Court, and nominations were to be received no later than 15 September 2021.⁴⁹ The names and curricula vitae of the candidates nominated by the national groups

⁴³ Rule 40 of the provisional rules of procedure is also covered in part II, sect. IX.

⁴⁴ Articles 4, 8, 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 the 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 elected judges filling out a vacancy. Article 8 provides that the two organs shall proceed independently.

⁴⁵ Rules 150 and 151 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.

⁴⁶ See [S/2021/586](#).

⁴⁷ See [S/PV.8808](#).

⁴⁸ See resolution [2583 \(2021\)](#).

⁴⁹ See [A/76/337-S/2021/821](#).

were transmitted in separate notes by the Secretary-General as documents of the Assembly and the two bodies.⁵⁰

On 5 November, the General Assembly and the Security Council proceeded with the concurrent votes.⁵¹ On the first ballot, at the 8897th meeting of the Council and the 27th plenary meeting of the General Assembly, Ms. Hillary Charlesworth, the candidate from Australia, obtained the requisite absolute majority of votes in both bodies and was, therefore, elected as a member of the Court for a term of office beginning on 5 November 2021 until 5 February 2024, in accordance with Articles 2 to 4, 7 to 12, 14 and 15 of the Statute of the Court, rules 150 and 151 of the rules of procedure of the Assembly and rules 40 and 61 of the provisional rules of procedure of the Council.⁵²

For details of the procedure of the election of the new member of the Court, see table 5.

Table 5

Concurrent election of member of the International Court of Justice to fill expiring vacancy

<i>Notes by the Secretary-General</i>	<i>Council meeting setting the date of the election and date</i>	<i>Council resolution deciding the election date</i>	<i>Council meeting for the election</i>	<i>General Assembly plenary meeting for the election</i>
S/2021/586 A/76/337-S/2021/821 A/76/338-S/2021/822 A/76/339-S/2021/823	S/PV.8808	Resolution 2583 (2021)	S/PV.8897	A/76/PV.27

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

⁵⁰ See [A/76/338-S/2021/822](#) and [A/76/339-S/2021/823](#).

⁵¹ See [S/PV.8897](#) and [A/76/PV.27](#).

⁵² General Assembly decision 76/403 (see [A/76/49 \(Vol. II\)](#)).

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 2021, the Security Council maintained its practice of submitting annual reports to the General Assembly pursuant to Article 24 (3) of the Charter. The annual report was submitted to the Assembly covering the period from 1 January to 31 December 2020.⁵³ The note by the President of 30 August 2017 specifies that the report consists of an introduction, containing an agreed concise summary prepared on behalf of the Council under the coordination of the President of the Council for the month of July.⁵⁴ In accordance with the same note, in the case of the member holding the presidency for the month of July ending its tenure on the Council that year, that task devolves on the member of the Council next in English alphabetical order and who will not be leaving the Council at the end of that calendar year. In 2021, the introduction of the annual report for the year 2020 was therefore prepared by the delegation of Niger, as the member of the Council next in English alphabetical order after Germany and Indonesia, which had held the presidency of the Council for the months of July and August 2020, respectively, as both had left the Council at the end of 2020. In accordance with the note by the President of 27 December 2019, the report was adopted before 30 May 2021.⁵⁵ The procedure and content of the annual report were discussed in connection with the annual open debate on working methods held under the item entitled,

⁵³ [A/75/2](#).

⁵⁴ See [S/2017/507](#), para. 127.

⁵⁵ See [S/2019/997](#), para. (c).

“Implementation of the note by the President of the Security Council ([S/2017/507](#))” (see case 1).⁵⁶

In a letter dated 8 February 2021 addressed to the President of the Council,⁵⁷ the permanent representatives of New Zealand and Switzerland, on behalf of the Accountability, Coherence and Transparency Group, invited the Security Council to a wider reflection on working methods, including on how to embed relevant improvements made under the COVID-19 pandemic so that those continued during normal times. In that context, the Group called for institutionalizing the practice of analysing and discussing the comments and observations made by Member States during the general debate on the annual report of the Security Council to the General Assembly, considering that the discussion of such a report by the Assembly was an open issue in its agenda, pursuant to resolution [51/241](#) of 22 August 1997.

The Council considered and adopted its draft annual report, without a vote, at its 8781st meeting held on 27 May 2021.⁵⁸ During the meeting, the representative of Niger stated that the draft provided a summary of the activities and decisions of the Council for 2020, and that the report was the outcome of collective efforts of the Council. He also expressed hope that the document would provide the Member States and other interested organizations with useful information that they might have needed in the course of their activities.⁵⁹

The General Assembly considered the annual report of the Council at the 78th and 79th plenary meetings of its seventy-fifth session under the item “Report of the Security Council”, both held on 11 June 2021.⁶⁰ The President of the Council for the month (Estonia) participated in the 78th plenary meeting of the General Assembly to introduce the report.⁶¹ During the discussions in the Assembly, many Member States acknowledged or expressed appreciation for the improved timeline regarding the adoption and

⁵⁶ See [S/PV/8798](#). See also [S/2021/572](#) containing the statements submitted by interested non-members of the Council. While briefers and Council members participated in-person at the meeting, non-Council members submitted written statements. This was agreed in light of the extraordinary circumstances caused by the COVID-19 pandemic. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II.

⁵⁷ [S/2021/121](#).

⁵⁸ See [S/PV.8781](#). See also [S/2021/500](#).

⁵⁹ See [S/PV.8781](#).

⁶⁰ See [A/75/PV.78](#) and [A/75/PV.79](#).

⁶¹ See [A/75/PV.78](#). For the Report of the Security Council for 2020, see [A/75/2](#).

submission of the annual report of the Security Council in accordance with the note by the President of 27 December 2019,⁶² which allowed Member States time for a more careful consideration and discussion of the work of the Council for the year under review.⁶³ Numerous Member States also called for future annual reports of the Council to be more analytical.⁶⁴ At its 79th plenary meeting held on 11 June 2021, the General Assembly took note of the report of the Security Council.⁶⁵ In addition, as in previous years, the Assembly, in resolution [75/325](#), adopted under the item entitled “Revitalization of the work of the General Assembly”, recognized the timely submission of the report of the Security Council to the Assembly in accordance with Article 24, paragraph 3 of the Charter and requested the President of the Assembly to continue scheduling the plenary meeting of the Assembly on the report of the Security Council, in close coordination with the President of the Council, so that discussions of the report were not conducted in a perfunctory manner.⁶⁶ No special reports were submitted by the Council to the General Assembly during the reporting period.

Case 1

Implementation of the note by the President of the Security Council ([S/2017/507](#))

On 16 June, at the initiative of Estonia, which held the presidency of the Council for the month, and Saint Vincent and the Grenadines, whose Permanent Representative was Chair of the Informal Working Group on Documentation and other Procedural Questions,⁶⁷ the Council held its annual open debate on its working methods under the item entitled “Implementation of the note by the President of the Security Council

⁶² [S/2019/997](#).

⁶³ See [A/75/PV.78](#) (Portugal (also on behalf of the Accountability, Coherence and Transparency Group), Costa Rica, Singapore, Iran (Islamic Republic of), Mexico, Pakistan, Georgia, South Africa, Austria, Canada, Chile and New Zealand); and [A/75/PV.79](#) (El Salvador, Cyprus, Qatar, Indonesia, Italy, Bangladesh, Egypt and India).

⁶⁴ See [A/75/PV.78](#) (Portugal (also on behalf of the Accountability, Coherence and Transparency Group), Ecuador, Costa Rica, Malaysia, Liechtenstein, Iran (Islamic Republic of), Pakistan, Georgia, South Africa, Austria, Canada and Chile); and [A/75/PV.79](#) (El Salvador, Ukraine, Qatar, Argentina, Brazil, Italy, Cuba, Bangladesh, Ghana, Egypt and India).

⁶⁵ General Assembly decision 75/568 (see [A/75/49 \(Vol. III\)](#)). See also [A/75/PV.79](#).

⁶⁶ General Assembly resolution [75/325](#), paras. 22 and 23.

⁶⁷ A concept note was circulated by a letter dated 2 June 2021 ([S/2021/527](#)).

([S/2017/507](#))” .⁶⁸ During the meeting, Council members heard briefings by the Chair of the Informal Working Group, by Ms. Loraine Sievers, co-author of the fourth edition of “The Procedure of the UN Security Council”, and by the Executive Director of Security Council Report. The representatives of 28 non-Council member States submitted their statements in writing.⁶⁹

In the written statements submitted in connection with the meeting, Member States discussed the consideration of the annual report of the Council by the General Assembly in the context of the relationship between the two bodies. The representative of Argentina stated that the submission of the annual report to the Assembly was one of the many interactions between the two bodies, and emphasized that the report had to be sent in a timely manner so that it could be given serious consideration by the Assembly.⁷⁰ The representative of the Islamic Republic of Iran indicated that the Council was responsible to the Member States, on behalf of which it acted and to which it had to therefore remain accountable, which was the *raison d’être* of Article 24(3) of the Charter, pursuant to which the Council was obliged to submit annual and special reports to the Assembly, where all Member States were represented.

Some participants emphasized the need for the Council to submit a more analytical annual report. The representatives of Argentina and Cuba expressed regret that the content of the annual report continued to be a factual description of the meetings, activities and decisions of the Council, lacking analytical content that would allow the wider membership to conduct an assessment of its activities. The representatives of Kuwait and New Zealand, with the latter speaking also on behalf of 35 countries from all regional groups that had served, as elected members, on the Security Council over the past decade, appreciated the efforts made by the Council in the timely submission of the annual report to the Assembly, but emphasized, nonetheless, that the substance of the report could be more analytical and detailed. The representative of Colombia noted that a more analytical, integrated and contextualized annual report had to go beyond by

⁶⁸ See [S/PV.8798](#).

⁶⁹ The following countries submitted written statements: Argentina, Austria, Bahrain, Brazil, Chile, Colombia, Cuba, Cyprus, Ecuador, Egypt, El Salvador, Guatemala, Iran (Islamic Republic of), Italy, Japan, Kuwait, Latvia, Liechtenstein, Malta, New Zealand, Pakistan, Republic of Korea, Singapore, Slovakia, Sweden, Switzerland, Ukraine and the United Arab Emirates. See [S/2021/572](#).

⁷⁰ See [S/2021/572](#).

incorporating the main challenges to international peace and security, as well as contributions to address them. In a similar vein, prefacing that the consideration of the reports of the Security Council to the General Assembly remained one of the most visible aspects of interaction between the two bodies, the representative of Ukraine underscored the need for the Council to enhance the analytical perspective of reports as well as their forward-looking approach. The representative of Brazil also agreed that the Council's annual report had to be more analytical and forward-looking.

In addition, participants made concrete suggestions on the content of the annual report. The delegation of El Salvador, recognizing the progress made by the Council in the elaboration and submission of its report to the Assembly on its work for the year 2020, encouraged the members of the Council to submit future reports that contained a full, substantive and analytical account of its work and to hold open consultations before and during its drafting to take into consideration the concerns and views of the wider membership. The delegation added that the report should include an analysis on the decision-making process within the Council, including elements to clarify the use of the veto by its permanent members. Welcoming the adoption of the annual report, the representative of Latvia suggested that contingency planning considerations be included in the Council's annual report. The representative of Switzerland, on behalf of the Accountability, Coherence and Transparency group, reiterated its call on the Council to give due consideration in its annual report to the impact of the pandemic on international peace and security and the Council's work and tools, possibly through a dedicated section with an overall and cross-cutting analysis of the matter.

G. Relations with subsidiary organs established by the General Assembly

During the period under review, the Council continued to develop its relations with various subsidiary organs established by the General Assembly, namely, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Human Rights Council and the Special Committee on Peacekeeping Operations.

Committee on the Exercise of the Inalienable Rights of the Palestinian People

During 2021, the Committee on the Exercise of the Inalienable Rights of the Palestinian People participated in the work of the Council. The Committee submitted written statements for two open videoconferences and two meetings concerning the situation in the Middle East, including the Palestinian question.⁷¹ On the occasion of the International Day of Solidarity with the Palestinian People, the President of the Security Council participated in a meeting of the Committee.⁷²

Human Rights Council

One decision adopted by the Security Council contained a reference to the Human Rights Council. By its resolution [2612 \(2021\)](#), of 20 December, the Council welcomed the cooperation of the Government of the Democratic Republic of the Congo with the team of international experts on the situation in the Kasai regions mandated by the Human Rights Council in its resolution [45/34](#).⁷³

The relations between the Security Council and the Human Rights Council were also addressed in meetings and open videoconferences. In the statement submitted for the open videoconference held on 6 January in connection with the item entitled “Maintenance of international peace and security” and focused on the challenges of maintaining peace and security in fragile contexts, the delegation of Switzerland encouraged the Security Council to integrate human rights instruments in all of its activities, from joint analysis to decision-making and accountability, and specified that those instruments included the Human Rights Council.⁷⁴ The representative of Denmark, speaking on behalf of the Nordic countries, emphasized that closer and more systematic cooperation between the Security Council and the Peacebuilding Commission as well as with the Human Rights Council and the Economic and Social Council, including in briefing and advisory capacity had to be ensured.⁷⁵ The representative of Slovakia also

⁷¹ See [S/2021/91](#), [S/2021/404](#), [S/2021/685](#) (in relation to [S/PV.8826](#)) and [S/2021/884](#) (in relation to [S/PV.8883](#)). With regard to the last two meetings, while briefers and Council members participated in-person at the meeting, non-Council members submitted written statements. This was agreed in light of the extraordinary circumstances caused by the COVID-19 pandemic. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II.

⁷² 404th meeting held on 29 November 2021 ([A/AC.183/PV.404](#)).

⁷³ Resolution [2612 \(2021\)](#), para. 7.

⁷⁴ See [S/2021/24](#).

⁷⁵ For further information on the relationship between the Security Council and the Economic and Social Council, see section II.

expressed support for further strengthening the ties between the Security Council and other bodies, including the Human Rights Council, as well as with civil society organizations and communities on the ground.⁷⁶

At the open videoconference convened on 15 March, in connection with the item entitled “The situation in the Middle East”, the representative of Estonia expressed full support for the work of investigative mechanisms such as the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, of the General Assembly, and the Independent International Commission of Inquiry on the Syrian Arab Republic, of the Human Rights Council.⁷⁷ In that regard, he expressed hope that the Security Council would work more closely with those mechanisms and incorporate the matter into its agenda.

At an open videoconference held on 7 May 2021, in connection with the item entitled “Maintenance of international peace and security”, focused on upholding multilateralism and the United Nations-centered international system, the Minister for Foreign Affairs of Estonia expressed support for improved information exchange between the Security Council, the Human Rights Council and its special procedures, and the Office of the United Nations High Commissioner for Human Rights.⁷⁸ She further stated that it was crucial that the Security Council took into account and considered the valuable work of the High Commissioner and the Human Rights Council in its deliberations.

In the statement submitted for the open videoconference held on 19 May, in connection with the item entitled “Peace and security in Africa” and focused on addressing root causes of conflict while promoting post-pandemic recovery in Africa, the delegation of Denmark, on behalf of the Nordic countries, called for closer cooperation between the Security Council and the Peacebuilding Commission, as well as the Human Rights Council and the Economic and Social Council respectively.⁷⁹

⁷⁶ See [S/2021/24](#).

⁷⁷ See [S/2021/265](#).

⁷⁸ See [S/2021/456](#).

⁷⁹ See [S/2021/490](#).

In the statement submitted for a meeting held on 16 June, under the item entitled “Implementation of the note by the President of the Security Council ([S/2017/507](#))” which focused on working methods, the representative of Slovakia asserted that the further development of more active and meaningful relationships with the Peacebuilding Commission and the Human Rights Council and other relevant bodies could increase the effectiveness of the Security Council’s response to conflicts and strengthen its role in conflict prevention and sustaining peace.⁸⁰

In connection with a meeting held on 8 September under the item entitled “United Nations peacekeeping operations” and the sub-item entitled “United Nations transitions”,⁸¹ the representative of Liechtenstein submitted a statement where he underscored that, in order to more effectively address human rights violations as part of its peace and security mandate, the Security Council also had to better coordinate with the human rights machinery of the United Nations, in particular the Human Rights Council, relevant special procedures mandate holders and the Office of the United Nations High Commissioner for Human Rights.⁸²

On 6 August, at a meeting held under the item entitled “The situation in Afghanistan”, the representative of Afghanistan asked the Council and called on the international community to take preventive measures, including the convening of a special session of the Security Council and the Human Rights Council, to avert a catastrophic situation of human rights violations and the large-scale displacement of the civilian population in Afghanistan.⁸³

At a meeting held on 12 October, under the item entitled “Peacebuilding and sustaining peace”, and under the sub-item entitled “Diversity, State-building and the search for peace”, the representative of Mexico emphasized that the Security Council had to strengthen dialogue with the other main bodies of the United Nations as well as with the Human Rights Council and the Peacebuilding Commission, specifically to prevent development challenges and human rights violations from becoming a threat to international peace and security.⁸⁴

⁸⁰ See [S/2021/572](#).

⁸¹ See [S/PV.8851](#).

⁸² See [S/2021/783](#).

⁸³ See [S/PV.8831](#).

⁸⁴ See [S/PV.8877](#).

On 9 November, at a meeting held under the item entitled “Maintenance of international peace and security”, and the sub-item entitled “Exclusion, inequality and conflict”, the representative of Ireland stated that the Security Council had to work better with other parts of the United Nations system, notably the Peacebuilding Commission, the General Assembly and the Human Rights Council, in order to remain credible and to meet its responsibilities.⁸⁵

At a meeting held on 16 November, under the item entitled “Maintenance of international peace and security” and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”, the representative of Mexico expressed belief that coordination among the principal organs should be incorporated in their subsidiary bodies, especially the Human Rights Council, whose work was fundamental to preventive diplomacy and to sustainable peace and development.⁸⁶ At the same meeting, the representative of Ireland, highlighting that bodies and entities such as the Human Rights Council played an important role in the maintenance of international peace and security, underlined that the entirety of the human rights architecture was inextricably linked to the work of the Security Council. Furthermore, the representative of Norway stressed that greater interaction among the Security Council, the United Nations High Commissioner for Human Rights and the Human Rights Council was needed to facilitate early engagement and prevent conflict. The representative of Finland encouraged closer cooperation between the Security Council and other bodies including the Human Rights Council, and emphasized that interaction and cooperation with the Human Rights Council and the wider human rights architecture were also crucial, as human rights violations were often the first sign of an emerging conflict.

In its communications of 2021, the Council also addressed its relations with the Human Rights Council. In a letter dated 2 September, addressed to the President of the Security Council, the representatives of Ireland, Mexico and the United Kingdom transmitted the summary of the meeting of the Informal Expert Group on Women and Peace and Security of the Security Council on the situation in Afghanistan, held on 19

⁸⁵ See [S/PV.8900](#).

⁸⁶ See [S/PV.8906](#).

August.⁸⁷ In the summary, the co-Chairs noted that the briefers for the meeting had emphasized the importance of women’s participation in human rights monitoring, and had encouraged Council members to advocate for the use of Human Rights Council mechanisms to monitor human rights violations, including the impact of the Taliban’s rule on women’s rights.

Special Committee on Peacekeeping Operations

In 2021, the Security Council did not refer to the Special Committee on Peacekeeping Operations in any of its decisions. During meetings and open videoconferences, Council members and other participants recognized, however, the importance of the Special Committee on Peacekeeping Operations, particularly in improving the safety and security of peacekeeping personnel. At an open videoconference held on 24 May, in connection with the item entitled “United Nations peacekeeping operations”, the representative of Mexico stated that, in considering the issues which had to be taken into account when the Council reviewed and adjusted the mandates of peace operations, the Council should make full use of the review carried out by the Special Committee on Peacekeeping Operations, since it provided relevant information on the main challenges in ensuring the safety and security of personnel.⁸⁸ The representative of the Russian Federation also noted that the question of the safety and security of peacekeepers always remained a focus of the Security Council, its Working Group on Peacekeeping Operations, the General Assembly’s Special Committee on Peacekeeping Operations and field missions, adding that the number of injuries and casualties among the Blue Helmets had dropped significantly in recent years, thanks to coordinated efforts and consultations in those formats, as well as the close interaction between Member States and the United Nations Secretariat.

In a statement submitted for an open videoconference held on 25 May, in connection with the item entitled “Protection of civilians in armed conflict”, the delegation of Canada underscored that protection mandates needed to be effectively matched with sufficient resources and progressive policies, including by better aligning

⁸⁷ See [S/2021/770](#).

⁸⁸ See [S/2021/501](#).

the Council, the Special Committee on Peacekeeping Operations and the Fifth Committee.⁸⁹

In connection with a meeting of the Council held on 18 August under the item entitled “United Nations peacekeeping operations”, and the sub-item entitled “Protecting the protectors: technology and peacekeeping”, the representative of Mexico reiterated that the lessons learned from the pandemic showed that remote information-sharing could also benefit from the involvement of other actors and representatives including United Nations entities, and that those aspects had to be considered in adjusting the mandates of peace operations while taking into account the recommendations of the Special Committee on Peacekeeping Operations and of troop- and personnel-contributing countries.⁹⁰ At another meeting held on 10 November under the same item, and focused on police commissioners, the representative of the Russian Federation expressed conviction that the police component of peacekeeping warranted greater attention from States Members of the United Nations, both in the Security Council, when it came to individual country situations, and in the General Assembly. She added that the best forums for discussing general police matters were the Security Council Working Group on Peacekeeping Operations and the General Assembly Special Committee on Peacekeeping Operations.⁹¹

H. Other Security Council practice bearing on relations with the General Assembly

Special and other sessions of the General Assembly

In 2021, there were no special sessions of the General Assembly convoked by the Secretary-General at the request of the Council pursuant to Article 20 of the Charter. Nonetheless, the President of the Security Council for the month of May (China) participated in an interactive dialogue organized by the President of the General Assembly held on 5 May, to commemorate the International Day of Multilateralism and Diplomacy for Peace at which he delivered a statement.⁹²

⁸⁹ See [S/2021/505](#).

⁹⁰ See [S/PV.8838](#).

⁹¹ See [S/PV.8901](#).

⁹² See <https://media.un.org/en/asset/k1u/k1uz5py2e3>.

At the closing of the seventy-fifth session of the General Assembly, the President of the General Assembly highlighted that he had held monthly coordination meetings, with combined bimonthly trilateral meetings with the President of the Security Council and the Secretary-General, in a bid to streamline the work of the United Nations principal organs and ensure mutually reinforcing efforts.⁹³ He further reiterated that cooperation between the General Assembly and the Security Council had to be strengthened. He also emphasized that there were synergies between the two bodies that were not being exploited, for example in regard to the work of the General Assembly on Myanmar, Syria and Palestine, which supported that of the Security Council.

General Assembly decisions concerning relations with the Security Council

The General Assembly also made reference to its relations with the Security Council in several other decisions. By its decision 75/569 adopted on 22 June 2021 under the item entitled “Question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council”, the General Assembly decided to reaffirm its central role concerning the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council.⁹⁴ The Assembly further decided to continue intergovernmental negotiations on Council reform in informal plenary meetings of the Assembly at its seventy-sixth session, building on the informal meetings held during its seventy-fifth session, as reflected in the letter dated 12 May 2021 from the Co-Chairs, and on the document entitled “Co-Chairs’ Elements Paper on Convergences and Divergences on the question of equitable representation on and increase in the membership of the Security Council and related matters”, circulated on 29 April 2021.

On 10 September 2021, by resolution [75/325](#) adopted under the item entitled “Revitalization of the work of the General Assembly”, the Assembly encouraged regular interaction and continued coordination between the Presidents of the General Assembly, the Security Council and the Economic and Social Council.⁹⁵

⁹³ See [A/75/PV.105](#).

⁹⁴ General Assembly decision 75/569 (see [A/75/49 \(Vol. III\)](#)).

⁹⁵ General Assembly resolution [75/325](#), para. 12.

With regard to the United Nations Global Counter-Terrorism Strategy, on 30 June, the Assembly adopted resolution [75/291](#) on the seventh review of the Strategy, by which it noted with appreciation the continued contribution of the United Nations entities, including the subsidiary bodies of the Security Council, to the work of the Global Counter-Terrorism Coordination Compact entities in support of the implementation of the Strategy by Member States, and noted in that regard the establishment of the Global Counter-Terrorism Coordination Platform.⁹⁶

On the situation of human rights of Rohingya Muslims and other minorities in Myanmar, the General Assembly adopted resolution [76/180](#) on 16 December, reiterating the urgent need to ensure that all those responsible for crimes related to violations and abuses of international law throughout Myanmar, including international human rights law, international humanitarian law and international criminal law, were held to account through credible and independent national, regional or international justice mechanisms, while recalling the authority of the Security Council in this regard.⁹⁷

With respect to the situation of human rights in the Syrian Arab Republic, the General Assembly adopted resolution [76/228](#) on 24 December, by which it expressed continued support for the work carried out by the Independent International Commission of Inquiry on the Syrian Arab Republic, welcomed its reports, and reiterated its decision to transmit those reports to the Security Council.⁹⁸

Security Council decisions concerning relations with the General Assembly

A number of resolutions and presidential statements adopted by the Council during 2021 contained specific references to the General Assembly in connection with policy and implementation issues other than those covered in subsections A, D, E and G above, as featured in tables 6 and 7 below.

Table 6

Security Council decisions containing specific references to the General Assembly in connection with policy and implementation issues other than those covered in subsections A, D, E and G (thematic items)

⁹⁶ General Assembly resolution [75/291](#), thirteenth paragraph.

⁹⁷ General Assembly resolution [76/180](#), twenty-eighth paragraph.

⁹⁸ General Assembly resolution [76/228](#), nineteenth paragraph.

<i>Decision and date</i>	<i>Provision</i>
Maintenance of international peace and security	
Resolution 2565 (2021) 26 February 2021	Recalling its resolutions 2286 (2016) and 2532 (2020) and General Assembly resolutions 74/270 and 74/274 (first preambular paragraph)
S/PRST/2021/22 9 November 2021	The Security Council reaffirms that sustaining peace requires coherence, sustained engagement, and coordination between the General Assembly, the Security Council, and the Economic and Social Council, consistent with their mandates as set out in the Charter of the United Nations (sixth paragraph)
S/PRST/2021/23 16 November 2021	The Security Council expresses its continued commitment to foster interaction on a regular basis with the General Assembly, the Economic and Social Council, the International Court of Justice, and the Secretariat in accordance with their respective mandates under the Charter of the United Nations, in particular on matters relating to preventive diplomacy tools and mechanisms (eighth paragraph)
Threats to international peace and security caused by terrorist acts	
Resolution 2610 (2021) 17 December 2021	Reiterates the need to enhance ongoing cooperation among the Committee and United Nations counter-terrorism bodies, including the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004) and the UN Office of Counter-Terrorism (UNOCT) established pursuant to UN General Assembly resolution 71/291 , 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 these bodies (para. 94)
Resolution 2617 (2021) 30 December 2021	Underscoring the central role of the United Nations in the global fight against terrorism and welcoming the seventh review of the United Nations Global Counterterrorism Strategy (GCTS) (document A/RES/75/291) of 2 July 2021, which affirmed the importance of integrated and balanced implementation of all four pillars of the GCTS, and expressing support for the activities of the United Nations Office of Counterterrorism (UNOCT), in accordance with General Assembly resolution 71/291 of 15 June 2017, and its central role in promoting the balanced implementation of the GCTS (twelfth preambular paragraph) Stresses that the heads of CTED and UNOCT should meet regularly to discuss areas of mutual interest and the incorporation of CTED recommendations and analysis into UNOCT's work, particularly in implementation of technical assistance and capacity building, and directs UNOCT and CTED to draft jointly a report by 30 March 2022 setting out practical steps to be taken by both bodies to ensure the incorporation of CTED recommendations and analysis into UNOCT's work, to be considered by the CTC, as well as the General Assembly in the context of the GCTS review (para. 24)
United Nations peacekeeping operations	
Resolution 2594 (2021) 9 September 2021	Reiterating the primary responsibility of States to protect the population throughout their territories, recognising that reconfigurations of missions may entail increased risks for civilians, in particular for women, youth, children, persons with disabilities, and, where relevant, the need to enhance States' capacity to protect their own civilians, emphasising the importance of security sector reform, poverty reduction measures, gender equality, human rights monitoring and reporting, the promotion of rule of law and good governance, and the extension of legitimate State authority in ensuring the protection of civilians over the longer term and in the consolidation of peace and stability, taking note of interlinkages between transitional justice, inclusive disarmament, demobilisation and reintegration processes, functional child protection services, national small arms and light weapons management, and organised crime and anti-corruption measures, for enhancing stability, reaffirming that development, peace and security, and human rights are interlinked and mutually reinforcing, and recalling further the General Assembly resolution, A/RES/70/1 , entitled Transforming our world: the 2030 Agenda for Sustainable Development' (sixth preambular paragraph)

<i>Decision and date</i>	<i>Provision</i>
	Recognises that peacebuilding financing remains a critical challenge, takes note of the General Assembly decision to convene a high-level meeting in the seventy-sixth session to advance, explore and consider options for ensuring adequate, predictable and sustainable financing for peacebuilding, and reiterates the importance of adequately resourcing United Nations peace operations including during mission transitions to support the long-term stability and continuity of peacebuilding activities (para. 13)

Table 7

Security Council decisions containing specific references to the General Assembly in connection with policy and implementation issues other than those covered in subsections A, D, E and G (country and region-specific items)

<i>Decision and date</i>	<i>Provision</i>
The situation in the Central African Republic	
Resolution 2605 (2021) 12 November 2021	Requests MINUSCA to consider the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations (para. 44)
The situation concerning the Democratic Republic of the Congo	
Resolution 2612 (2021) 20 December 2021	Requests MONUSCO to consider the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations (para. 45)
The situation in Mali	
Resolution 2584 (2021) 29 June 2021	Requests MINUSMA to consider the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations (para. 58)
The situation in Somalia	
Resolution 2607 (2021) 15 November 2021	Reaffirms that without prejudice to humanitarian assistance programmes conducted elsewhere, the measures imposed by paragraph 3 of its resolution 1844 (2008) shall 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, by the United Nations, its specialised agencies or programmes, humanitarian organisations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plan for Somalia (para. 37)

Security Council discussions concerning relations with the General Assembly

In 2021, Council members and other participants in meetings and open videoconferences continued to address the Council's coordination and interaction with the General Assembly. On 16 November, at a meeting held under the item entitled

“Maintenance of international peace and security”, and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”, and in the written statements submitted for the meeting, Council members and other participants made both explicit and implicit references to Articles 10, 11 and 12 of the Charter, aside from those covered in the subsections B, C and G above. During the meeting, speakers also discussed the relationship between the Council and the Assembly (see case 2).

Case 2

Maintenance of international peace and security

On 16 November, at the initiative of Mexico which held the presidency for the month,⁹⁹ the Council held an open debate under the item entitled “Maintenance of international peace and security” and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”. During the open debate, Council members heard briefings by the Secretary-General, the President of the General Assembly, the President of the Economic and Social Council and the President of the International Court of Justice.¹⁰⁰ Representatives of Council members and other participants delivered their statements during the meeting. The representatives of some non-Council member States submitted their statements in writing.¹⁰¹

The Secretary-General stated that the United Nations system had given the world a home for dialogue and tools and mechanisms for the peaceful settlement of disputes, including the twin resolutions adopted by the General Assembly and the Security Council in 2016,¹⁰² which had reminded once again that prevention had to be at the heart of the

⁹⁹ A concept note was circulated by a letter dated 19 October 2021 ([S/2021/888](#)). The meeting is also the subject of case 3 on the relationship between the Security Council and the Economic and Social Council, and case 4 on the relationship between the Council and the International Court of Justice.

¹⁰⁰ See [S/PV.8906](#) and [S/PV.8906 \(Resumption 1\)](#).

¹⁰¹ The following countries submitted written statements: Australia, Guatemala, Italy and the Republic of Korea. See [S/2021/952](#). While briefers, Council members and some Member States participated in-person at the meeting, other non-Council members submitted written statements. This was agreed in light of the extraordinary circumstances caused by the COVID-19 pandemic. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II.

¹⁰² See Council resolution [2282 \(2016\)](#) and General Assembly resolution [70/262](#).

collective goals of building and sustaining peace.¹⁰³ The President of the General Assembly acknowledged that the membership of the United Nations had been increasingly calling for a more representative Security Council that worked in tandem with other United Nations organs to deliver comprehensive solutions to current and emerging security issues. He also pointed out that work done by the General Assembly and the Economic and Social Council to build resilient and prosperous communities facilitated the work of the Security Council. He called upon Member States to work together to implement General Assembly resolution [75/325](#), which encouraged regular interaction and continued coordination among the Presidents of the General Assembly, the Security Council and the Economic and Social Council. He further noted that regular coordination meetings among the General Assembly, the Security Council and the Economic and Social Council helped bridge differences and improve the efficiency of the work of the United Nations.

During the discussion that ensued, several speakers highlighted the importance of coordination among the principal organs of the United Nations, including the Security Council and the General Assembly, as well as the need for enhanced cooperation and coordination to create synergies within the United Nations system.¹⁰⁴ In that regard, the representative of Ecuador, while expressing support for the continuation of monthly meetings between the heads of the principal organs and calling for the results of those meetings to be circulated for the information of all delegations, also emphasized that the synergy between the principal organs was not limited to the close relationship between their Presidents, but instead implied an ongoing and constructive relationship on the part of all its members, including Member States of the Organization.¹⁰⁵ The representative of Malaysia also underscored the importance of greater coordination and transparency between the Security Council and the General Assembly, including with the latter's subsidiary organs such as the Disarmament Commission, the Peacebuilding Commission and the Human Rights Council. The representative of Bangladesh emphasized that carrying out structural preventive measures required the coherent and coordinated performance of all organs of the United Nations in an integrated manner, and expressed

¹⁰³ See [S/PV.8906](#).

¹⁰⁴ See [S/PV.8906](#) (China and Malta); and [S/PV.8906 \(Resumption 1\)](#) (Ecuador, Egypt and South Africa).

¹⁰⁵ See [S/PV.8906 \(Resumption 1\)](#).

continued support for the United Nations focus on prevention for ending and resolving conflicts, including by bolstering the authority of the General Assembly. He added that operationalizing the concept of One United Nations required coherence, coordination and complementarity among the principal organs, and that close and seamless communication in a horizontal manner among the key organs was essential. Speaking on behalf of the Movement of Non-Aligned Countries, the representative of Azerbaijan recalled that the Heads of State and Government of the Movement, at its eighteenth summit, had called on the Presidents of the General Assembly, the Economic and Social Council and the Security Council to conduct regular discussions and coordination among themselves on the agenda and programme of work of the respective principal organs, in order to establish increased coherence and complementarity among those organs in a mutually reinforcing manner, being respectful of each other's mandates, and with a view to generating a mutual understanding among them. The representative of South Africa also underscored that the General Assembly, the Economic and Social Council and the International Court of Justice all had the potential to play a greater role in supporting the Security Council in preventing conflict. She further emphasized the need for regular interaction, coordination and collaboration between the Security Council and other primary organs of the United Nations in fulfilling the Council's mandate.

With respect to specific modalities of enhanced coordination among the principal organs of the United Nations, including the General Assembly and the Security Council, the representative of Brazil encouraged the continued practice of holding regular dialogues between the Presidents of the General Assembly and the Security Council, aimed at streamlining and coordinating the agendas of the two organs. The representative of Malta suggested holding annual or biannual interactive dialogues among the President of the Security Council, the President of the General Assembly, the President of the Economic and Social Council and the Chair of the Peacebuilding Commission, along with representatives of civil society. The representative of Egypt stressed the importance of concerted efforts and coordination of the principal organs of the United Nations to ensure that they worked in harmony and complementarity to prevent outbreaks of conflict, in accordance with their respective mandates.¹⁰⁶ He added, in that regard, that

¹⁰⁶ See [S/PV.8906 \(Resumption 1\)](#).

holding an annual meeting collectively among all the principal organs and the Peacebuilding Commission with a view to strengthening coordination was an idea worth considering. Emphasizing that maintaining regular communication and transparency between the Council and the wider membership was vital, the representative of the United Arab Emirates stated that such communication could not be limited to an annual report submitted to the General Assembly. She further expressed support for regular engagement on shared priorities with the incoming President of the Council and the President of the General Assembly. In a statement submitted for the meeting, the delegation of Italy stated that the Security Council should further strengthen its relationship with the General Assembly, and suggested that the Assembly be more involved in preventive diplomacy, instituting regular meetings of the Security Council to review conflict-prone situations.¹⁰⁷

Several speakers invoked specific Council decisions concerning coordination and collaboration between the two principal organs. The representative of the United Kingdom referred to the pair of ground-breaking resolutions on peacebuilding and sustaining peace, Council resolution [2282 \(2016\)](#) and General Assembly resolution [70/262](#).¹⁰⁸ In that context, she emphasized that the resolutions explicitly acknowledged for the first time that conflict prevention was the responsibility of the entire United Nations system and envisioned a more integrated and coherent United Nations approach to preventing conflict, building on the collective recognition that development, peace and security and human rights were interlinked and mutually reinforcing. The representative of Chile also encouraged the further development of the joint work of the two bodies as established in resolution [2282 \(2016\)](#), and recalled the text of the resolution stating that sustaining peace required coherence, sustained engagement, and coordination between the General Assembly, the Security Council, and the Economic and Social Council, consistent with their mandates as set out in the Charter of the United Nations. The representative of Ecuador voiced his country's endorsement of the sixth paragraph of the presidential statement adopted on 9 November,¹⁰⁹ in which the Council had reaffirmed that sustaining peace required coherence, sustained engagement, and coordination

¹⁰⁷ See [S/2021/952](#).

¹⁰⁸ See [S/PV.8906](#).

¹⁰⁹ See [S/PRST/2021/22](#).

between the General Assembly, the Security Council, and the Economic and Social Council, consistent with their mandates as set out in the Charter of the United Nations.¹¹⁰

Council members and other participants also focused on the importance of an integrated approach to preventive diplomacy, highlighting in that regard the roles and the relationship between the two organs as stated in the relevant Articles of the Charter. The representative of Tunisia recalled that, if the Charter conferred the primary responsibility for the maintenance of international peace and security to the Security Council, the Charter also attributed to the General Assembly several prerogatives in that area, including those of discussing all matters linked to international peace and security and drawing the attention of the Council to situations that might endanger international peace and security.¹¹¹ The representative of Kenya stated that a preventive diplomatic strategy required the Council to work in coherence with the General Assembly, as underlined in Article 11 of the Charter. The representative of France also stated that the Council's action in the area of preventive diplomacy had to be coordinated with that of other bodies and organizations, adding that the respective missions entrusted by the Charter to the Security Council, the General Assembly and the Economic and Social Council complemented and reinforced each other. The representative of Saint Vincent and the Grenadines emphasized that the agenda-setting powers of the General Assembly should be leveraged more often. The representative of Nepal stated that the General Assembly should provide a normative framework and adequate resources for preventive diplomacy and hold meaningful interactions with the Security Council with a view to coordinating sustainable preventive and peacebuilding strategies.¹¹² The representative of Malta emphasized that the Charter clearly identified ways in which the various United Nations organs could contribute to preventive diplomacy, and referred to Articles 10 and 11 of the Charter.¹¹³ In addition, she drew attention to Article 14 of the Charter, which stated that the General Assembly may recommend measures for the peaceful adjustment of any situation, and noted that those important powers could yield even better results, if triggered in a timely manner and if synergies between the General Assembly and the

¹¹⁰ See [S/PV.8906 \(Resumption 1\)](#).

¹¹¹ See [S/PV.8906](#).

¹¹² See [S/PV.8906 \(Resumption 1\)](#).

¹¹³ See [S/PV.8906](#). For further information on the explicit references to Article 10 and 11 of the Charter, see Subsection B.

Security Council were strengthened further. Referring explicitly to Articles 10 and 11 of the Charter, the representative of Argentina also confirmed the broad authority of the General Assembly to consider conflict prevention in all its aspects, develop recommendations and bring to the attention of the Council situations that may endanger international peace and security.¹¹⁴ She added that the Assembly thereby also played a central role in the preventive diplomacy architecture. The representative of Poland, emphasizing the urgent and clear need for more coherent and sustained cooperation among the principal United Nations bodies, called for the Security Council's engagement in advancing proactive, integrated and forward-looking preventive diplomacy in collaboration with other bodies such as the General Assembly.

Some participants also expressed views on the complementarity between the work of the Security Council and that of the General Assembly, particularly in the context of conflict prevention. The representative of Brazil emphasized that the Council should engage more regularly with the General Assembly, not only to enhance its effectiveness but also to avoid encroachment on the mandate of the Assembly and unnecessary duplication of work.¹¹⁵ The representative of Morocco highlighted the importance of greater coherence between the work of the different bodies, to better anticipate conflicts and crises and overcome difficulties in adapting to the evolving nature of conflicts, so as to reinforce the capacity of the United Nations in preventing them.¹¹⁶ In this connection, he stressed the need to strengthen consistency of action among different United Nations bodies, rationalize mandates and initiatives on cross-cutting issues and appropriately prioritize attention and resources, focusing on pragmatic high-impact solutions, while scrupulously respecting the mandates and prerogatives of each body and in line with the Charter in particular Article 12, paragraph 1.¹¹⁷ Other participants focused specifically on the role of the General Assembly in instances when the Council failed to fulfill its responsibility for the maintenance of international peace and security. The representative of Croatia emphasized that the Assembly should utilize its own powers to prevent conflicts and atrocity crimes more effectively and respond to them when they occurred,

¹¹⁴ See [S/PV.8906 \(Resumption 1\)](#).

¹¹⁵ See [S/PV.8906](#).

¹¹⁶ See [S/PV.8906 \(Resumption 1\)](#).

¹¹⁷ For further information on the explicit reference on the Article 12 (1) of the Charter, see sect. I.C.

especially when the Security Council failed to do so.¹¹⁸ Similarly, the representative of Turkey recalled that the General Assembly served as a critical backstop for the maintenance of peace and security when the Council failed to fulfil its responsibility. She stressed that the relationship between the two organs was an important element of preventive diplomacy. In that context, she expected the Council to work closely with the Assembly to advance peace and security without encroaching on their respective mandates, adding that such coordination would enhance the accountability and transparency of the Council and promote greater cohesion throughout the system. The representative of Liechtenstein expressed support for a strong and active role by the General Assembly as the central deliberative and decision-making organ of the United Nations and the guardian of international law. In that regard, he emphasized that the Assembly had demonstrated in a number of instances, most notably in connection with the situations in Myanmar and the Syrian Arab Republic, that it was indeed capable of stepping in where the Council could not fulfil its role. In addition, the representative stated that Liechtenstein would continue to pursue initiatives aimed at underscoring the General Assembly's role in upholding peace and security, including the possibility of mandating a debate every time a veto was cast in the Security Council, without prejudice to the outcome of such a debate.

¹¹⁸ See [S/PV.8906 \(Resumption 1\)](#).

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, with a particular focus on the practice of the Security Council in relation to Article 65 of the Charter. Subsection A features decisions of the Council concerning relations with the Economic and Social Council. Subsection B covers the deliberations of the Council concerning its relations with the Economic and Social Council, including the participation of the President of the Economic and Social Council in a meeting of the Security Council held on 16 November 2021.¹¹⁹ Subsection C concerns communications of the Council containing references to its relations with the Economic and Social Council.

A. Decisions of the Security Council concerning the relations with the Economic and Social Council

During the period under review, the Security Council did not formally address any requests to the Economic and Social Council for information or assistance. However, the Council adopted two presidential statements that made explicit references to the Economic and Social Council, one of which also contained an explicit reference to Article 65 of the Charter.

In a presidential statement adopted on 9 November in connection with the item entitled “Maintenance of international peace and security”, the Council reaffirmed that sustaining peace required coherence, sustained engagement, and coordination between the General Assembly, the Security Council, and the Economic and Social Council

¹¹⁹ See [S/PV.8906](#), under the item entitled “Maintenance of international peace and security”.

consistent with their mandates as set out in the Charter of the United Nations.¹²⁰

Furthermore, the Council highlighted the contribution that the Economic and Social Council could make in addressing economic, social, cultural and humanitarian issues and underlined the importance of close cooperation in accordance with Article 65 of the Charter.¹²¹

In a presidential statement adopted on 16 November in connection with the same item, the Council expressed its continued commitment to foster interaction on a regular basis with the principal organs of the United Nations including the Economic and Social Council, with their respective mandates under the Charter, in particular on matters relating to preventive diplomacy tools and mechanisms.¹²²

B. Discussion concerning the relations with the Economic and Social Council

During the period under review, there were several references to the relations between the Security Council and the Economic and Social Council in the deliberations of the Security Council, including five explicit references to Article 65.¹²³ The key discussions in this regard took place during a thematic debate under the item entitled “Maintenance of international peace and security” (see case 3).

In addition, Council members discussed the interaction between the Security Council and the Economic and Social Council in the context of both region-specific and thematic items on its agenda.

Discussions in relation to country or region- specific items

In the statement submitted for a videoconference held on 19 May, in connection with the item entitled “Peace and security in Africa” which focused on addressing root causes of conflict while promoting post-pandemic recovery in Africa, the delegation of Brazil affirmed the importance of stronger collaboration among the Security Council, the General Assembly, the Economic and Social Council and the Peacebuilding Commission,

¹²⁰ [S/PRST/2021/22](#), sixth paragraph.

¹²¹ *Ibid.*, last paragraph.

¹²² [S/PRST/2021/23](#), eighth paragraph.

¹²³ See [S/PV.8906](#) (President of the Economic and Social Council and Kenya); and [S/PV.8906 \(Resumption 1\)](#) (Malaysia).

in the face of multifaceted challenges.¹²⁴ The Chair of the Peacebuilding Commission reiterated that peacebuilding and sustaining peace required coherence, sustained engagement and coordination among the General Assembly, the Security Council and the Economic and Social Council, consistent with their mandates set forth in the Charter.

Discussion in relation to thematic items

At an open videoconference held on 6 January 2021, in connection with the item entitled “Maintenance of international peace and security” which focused on challenges of maintaining peace and security in fragile contexts, the representative of Saint Vincent and the Grenadines emphasized that the Security Council must continue to play a leading role as it worked more closely with the other main organs of the United Nations system, namely, the General Assembly and the Economic and Social Council, to foster developmental solutions to the challenges of peace and security.¹²⁵ The representative of China stated that the Security Council, the General Assembly, the Economic and Social Council, the Peacebuilding Commission and the relevant regional organizations should carry out their respective functions, strengthen collaboration and forge synergies, given the various complex security risks and challenges. In the written statement submitted on behalf of the Nordic countries, the representative of Denmark underscored the importance of ensuring closer and more systematic cooperation between the Security Council and the Peacebuilding Commission as well as with the Human Rights Council and the Economic and Social Council, including in briefing and advisory capacity. The representative of Slovakia, in a statement submitted for the videoconference, also expressed support for further strengthening the ties between the Security Council and the General Assembly, the Economic and Social Council, the Peacebuilding Commission and the Human Rights Council, as well as with civil society organizations and communities on the ground.

At an open videoconference held on 11 March, in connection with the item “Maintenance of international peace and security” which focused on conflict and food security, the Minister of Agriculture, Forestry, Fisheries, Rural Transformation, Industry and Labour of Saint Vincent and the Grenadines underscored that the Security Council must also work more closely with the General Assembly and the Economic and Social

¹²⁴ See [S/2021/490](#)

¹²⁵ See [S/2021/24](#).

Council to foster developmental solutions that met the basic needs of people in conflict settings.¹²⁶ In its statement submitted for the videoconference, the delegation of Brazil stressed that strategies aimed purely at security by themselves would not be able to adequately deal with the overwhelming majority of the situations on the agenda of the Security Council, including its food security dimension. In this connection, the delegation of Brazil argued that increased cooperation with the Economic and Social Council was clearly needed, as was greater interaction between this body and the Peacebuilding Commission.

During an open debate held on 12 October, under the item entitled “Peacebuilding and sustaining peace” and under the sub-item entitled “Diversity, State-building and the search for peace”, the representative of Mexico emphasized that the Council had to strengthen dialogue with other main bodies of the United Nations including the Economic and Social Council, specifically to prevent development challenges and human rights violations from becoming a threat to international peace and security.¹²⁷ In a written statement submitted in relation to the meeting, the delegation of Chile emphasized that the international security prevention road map required a framework rooted in international law, and to include the cooperation of regional organizations and of the principal bodies of the United Nations system involved in peacebuilding, including the Economic and Social Council and the Security Council.¹²⁸ The representative of South Africa stated that coordination between bodies such as the Peacebuilding Commission and the Security Council as well as the Economic and Social Council remained critical for peace, security, and development issues.

At an open debate held on 9 November, under the item entitled “Maintenance of international peace and security” and under the sub-item entitled “Exclusion, inequality and conflict”, the representative of Viet Nam underscored that a coordinated approach required the Security Council to work together with other entities in the United Nations system, including the Economic and Social Council, the United Nations country teams and other development partners, in accordance with their respective mandates.¹²⁹ The

¹²⁶ See [S/2021/250](#).

¹²⁷ See [S/PV.8877](#).

¹²⁸ See [S/2021/868](#).

¹²⁹ See [S/PV.8900](#).

representative of the Islamic Republic of Iran also stressed that the constructive contribution of the United Nations to preventing conflicts required coherence, sustained engagement and coordination among the General Assembly, the Security Council and the Economic and Social Council, consistent with their mandates as set out in the Charter. In its written statement submitted in relation to the meeting, the delegation of Brazil indicated that as the Council began considering a broader set of issues in order to better fulfill its mandate on peace and security, it became imperative that the cooperation between the Council and other United Nations bodies primarily responsible for the issue at hand became more regular and effective.¹³⁰ In that connection, the delegation asserted that increased cooperation of the Council with the Economic and Social Council was clearly needed.

Case 3

Maintenance of international peace and security

On 16 November, at the initiative of Mexico which held the presidency of the Security Council for the month,¹³¹ the Council held an open debate under the item entitled “Maintenance of international peace and security” and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”. During the open debate, Council members heard briefings by the Secretary-General, the President of the General Assembly, the President of the Economic and Social Council and the President of the International Court of Justice.¹³² Representatives of Council members and other participants delivered their statements during the meeting. The representatives of some non-Council member States submitted their statements in writing.¹³³

¹³⁰ See [S/2021/935](#).

¹³¹ A concept note was circulated by a letter dated 19 October 2021 ([S/2021/888](#)). The meeting is also the subject of case 2 on the relationship between the Security Council and the General Assembly, and case 4 on the relationship between the Council and the International Court of Justice.

¹³² See [S/PV.8906](#) and [S/PV.8906 \(Resumption 1\)](#).

¹³³ The following countries submitted written statements: Australia, Guatemala, Italy and the Republic of Korea. See [S/2021/952](#). While briefers, Council members and some Member States participated in-person at the meeting, other non-Council members submitted written statements. This was agreed in light of the extraordinary circumstances caused by the COVID-19 pandemic. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II.

The Secretary-General stated that prevention was the very reason for the existence of the United Nations and highlighted the role played by its principal organs in conflict prevention and the peaceful settlement of disputes, including the work of the Economic and Social Council in addressing conflict by advancing sustainable development.¹³⁴ The President of the General Assembly stated that work done by the General Assembly and the Economic and Social Council to build resilient and prosperous communities facilitated the work of the Security Council. He called upon Member States to work together to implement General Assembly resolution [75/325](#), which encouraged regular interaction and continued coordination among the Presidents of the General Assembly, the Security Council and the Economic and Social Council. The President of the Economic and Social Council underscored that the work of the Economic and Social Council in conflict settings and on humanitarian action was highly relevant to the maintenance of peace and security. He noted that to date, interactions between the Council and the Economic and Social Council had remained sporadic and ad hoc, and emphasized that the complex challenges of the day required more institutionalized collaboration. In that connection, he cited that both entities had the legal basis for inter-council collaboration and coordination under Article 65 of the Charter, which provided that the Economic and Social Council may furnish information to the Security Council and shall assist it upon its request.

The President of the Economic and Social Council further referred to the rules of procedure of the Economic and Social Council, noting that the Security Council could request special sessions of the Economic and Social Council or proposed items for its agenda for consideration, and indicated that the Sahel, South Sudan and Haiti were on the agenda of both Councils and could benefit from joint and complementary approaches. He shared a series of practical options for strengthening inter-Council coordination, including: to further the collaboration between the Council and the Economic and Social Council building on their previous collaboration in the early 2000s, in reference to the regular participation, at the time, by the Chair of the Security Council Ad Hoc Working Group on Conflict Prevention and Resolution in Africa in the work of Ad Hoc Advisory Groups on African Countries Emerging from Conflict of the Economic and Social

¹³⁴ See [S/PV.8906](#).

Council; to hold regular meetings among the heads of the principal organs under the Charter and the Chair of the Peacebuilding Commission drawing on the experience of the existing regular interactions among the General Assembly, the Economic and Social Council and the Peacebuilding Commission; and to extend to the entire membership of the Council, the Economic and Social Council and the Peacebuilding Commission the participation in joint meetings on common themes. In closing, the President of the Economic and Social Council indicated that recovery from the COVID-19 pandemic, including equitable vaccine access, was another area where the Economic and Social Council and the Security Council could work together in coordination with the General Assembly in a complementary manner, in accordance with their respective mandates.

Following the briefings, Council members and participants discussed the relationship between the two organs in the context of conflict prevention. Some speakers called for strengthened coordination and increased cooperation among principal organs of the United Nations, including among the Security Council and the Economic and Social Council, in preventive diplomacy,¹³⁵ and in the service of sustainable development.¹³⁶ The representative of France further underscored that the respective missions entrusted by the Charter to the Security Council, the General Assembly and the Economic and Social Council complemented and reinforced each other.¹³⁷ The representative of South Africa called on the primary organs of the United Nations to work in synergy in order to achieve the goal of preventative diplomacy, and added that the primary organs such as the Economic and Social Council had the potential to play a greater role in supporting the Council in preventing conflict.¹³⁸ Therefore, she underscored that regular interaction, coordination and collaboration between the Security Council and other primary organs of the United Nations in fulfilling the Council's mandate could not be overemphasized, and that such activities would establish increased coherence and complementarity among those organs, respectful of each other's mandates.

The representative of Kenya stated that a preventative diplomatic strategy required the Security Council to work in coherence with the Economic and Social

¹³⁵ See [S/PV.8906](#) (Mexico, Niger and France); [S/PV.8906 \(Resumption 1\)](#) (Poland); and [S/2021/952](#) (Italy).

¹³⁶ See [S/PV.8906 \(Resumption 1\)](#) (Nepal and Malaysia).

¹³⁷ See [S/PV.8906](#).

¹³⁸ See [S/PV.8906 \(Resumption 1\)](#).

Council, as underlined in Article 65 of the Charter.¹³⁹ He further noted that for the Council to effectively fulfil its mandate, it had to consider and address the economic, political, and social dimensions of conflict, in coordination with the other United Nations principal organs. In a statement submitted for the meeting, the delegation of Italy expressed the belief that the Economic and Social Council could play a greater role in identifying social and economic problems likely to result in a crisis, as well as in developing strategies to deal with economic and social causes of conflict.¹⁴⁰ In the context of the 2030 Agenda for Sustainable Development, the representative of Malaysia underscored that partnerships between special political missions mandated by the Security Council and the Economic and Social Council were critical to realizing a comprehensive approach that linked security with social and economic development in building lasting peace.¹⁴¹ The representative of Malaysia further encouraged the Council to make greater use of Article 65 of the Charter.

Some Member States highlighted the importance of communication between the Council and the Economic and Social Council. The representative of Estonia stated that it valued the regular exchanges by the Council and representatives of other principal organs of the United Nations, and emphasized that communication, both in public and private, were of vital importance.¹⁴² The representative of Costa Rica reiterated the importance of improving the working methods of the Security Council by deepening its communication with other organs and actors, including the Economic and Social Council. She added that such communication should be more fluid and dynamic. The representative of Azerbaijan, speaking on behalf of the Movement of Non-Aligned Countries, recalled that at the eighteenth Summit of the Movement, its Heads of State and Government had called the Presidents of the General Assembly, the Economic and Social Council and the Security Council to conduct regular discussions and coordination among themselves regarding the agenda and programme of work of the respective principal organs to establish increased coherence and complementarity among those organs.¹⁴³ While recalling that each organ had a distinct and separate role and reaffirming that they had to

¹³⁹ See [S/PV.8906](#).

¹⁴⁰ See [S/2021/952](#).

¹⁴¹ See [S/PV.8906 \(Resumption 1\)](#).

¹⁴² See [S/PV.8906](#).

¹⁴³ See [S/PV.8906 \(Resumption 1\)](#).

carry out only those functions and powers established in their respective mandate, he also emphasized that close cooperation and coordination among the principal organs of the United Nations was highly indispensable in order to enable the United Nations to remain relevant and capable of meeting existing, new and emerging threats and challenges. The representative of the United Arab Emirates indicated that maintaining regular communication and transparency between the Council and the wider United Nations membership was vital and expressed support for regular engagement on shared priorities with the Economic and Social Council and the Peacebuilding Commission, as well as with the incoming President of the Council and the President of the General Assembly.

Other Member States called on the principal organs of the United Nations to maintain or increase cooperation amongst each other while focusing on their respective mandates.¹⁴⁴ The representative of Chile expressed conviction that coordination among the main organs of the United Nations, in accordance with their Charter mandates, was the best way to prevent conflicts and recalled that paragraph 2 of resolution [2282 \(2016\)](#) stated that sustaining peace required coherence, sustained engagement, and coordination between the General Assembly, the Security Council, and the Economic and Social Council, consistent with their mandates as set out in the Charter of the United Nations.¹⁴⁵ The representative of China stated that the Economic and Social Council had comparative advantages in promoting economic development and advancing peace and stability, and should therefore, carry out its work while maintaining communication and cooperation. The representative of Finland, speaking on behalf of the Nordic countries, stated that the principal organs of the United Nations all had key roles to play in preventing conflicts and sustaining peace within their respective mandates, and encouraged closer cooperation between the Council and the Economic and Social Council. The representative of Brazil expressed the firm belief that the purposes of the United Nations Charter were better achieved through increased coordination, cooperation and interaction between the Council and the relevant organs of the United Nations and called for more engagement between the Council and the Economic and Social Council not only to enhance its

¹⁴⁴ For more information on the division of labour between the principal organs of the United Nations and the need to operate within their respective mandates, see part V, sect. III, case 6.

¹⁴⁵ See [S/PV.8906](#).

effectiveness but also to avoid encroachment on its mandate and unnecessary duplication of work.

Several Member States provided specific recommendations for the Economic and Social Council to further assist the Security Council in its work. The representative of Tunisia recalled that the Charter requested the Economic and Social Council to provide information to the Council and to assist it if it so requested. The representative of Malta affirmed that the Economic and Social Council could play a central role in identifying the socioeconomic drivers of conflict in specific contexts and country situations, and therefore form an integral part of a comprehensive early-warning system. In this context, she suggested holding annual or biannual interactive dialogues among the President of the Security Council, the President of the General Assembly, the President of Economic and Social Council and the Chair of the Peacebuilding Commission, along with representatives of civil society, to discuss and examine emerging challenges at an early stage. The representative of Ecuador endorsed the paragraph of the presidential statement adopted that morning,¹⁴⁶ in which the Council had reaffirmed that sustaining peace required coherence, sustained engagement and coordination between the General Assembly, the Security Council and the Economic and Social Council, consistent with their mandates and expressed support for the continuation of monthly meetings between the heads of the principal organs and called for the results of those meetings to be circulated for the information of all delegations.¹⁴⁷ The representative of Bangladesh indicated that the United Nations needed to increase the visibility of its principal organs vis-à-vis the global community in order to demonstrate their joint cooperation and coordination on the prevention of conflict and suggested that the Presidents of the General Assembly, the Economic and Social Council and the Security Council organize joint media stakeouts on a quarterly basis.

C. Communications of the Security Council concerning the relations with the Economic and Social Council

¹⁴⁶ See [S/PRST/2021/23](#), ninth paragraph.

¹⁴⁷ See [S/PV.8906 \(Resumption 1\)](#).

One communication circulated as a document of the Security Council during the reporting period made reference to the relationship between the Security Council and the Economic and Social Council. In a letter dated 8 February 2021 addressed to the President of the Security Council, the delegation of Finland transmitted the report of the 18th annual workshop for the newly elected members of the Council held on 12 and 13 November 2020.¹⁴⁸ As described in the report, one participant maintained that the Council should stick more closely to its priorities and work towards a better and more well-defined division of labour on issues dealt with by the Council and organs such as the General Assembly and the Economic and Social Council.

¹⁴⁸ See [S/2021/130](#).

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 failed to perform its obligations under that judgment. Pursuant to Article 96, the Council may also request the Court to give an advisory opinion on any legal question. In addition, pursuant to Article 41 of the Statute of the International Court of Justice, notice of any provisional measures to be taken to preserve the rights of parties may be given by the Court to the parties and to the Council.

During the reporting period, in line with the prior practice of the Council, the President of the International Court of Justice was invited to participate in one private

meeting of the Council, on 2 November 2021.¹⁴⁹ In addition, the Council heard a briefing by the President of the Court at a meeting held on 16 November 2021, under the item entitled “Maintenance of international peace and security” and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”.¹⁵⁰ The election of a member of the Court held concurrently by the Council and the General Assembly during the period under review is covered in section I.E above. Subsection A covers the decisions of the Council containing references to the Court. Subsection B illustrates the discussions held among Council members during the reporting period on the relations between the Council and the Court. Subsection C features the communications of the Council concerning the relationship between the two organs.

A. Decisions of the Council referring to the International Court of Justice

In the presidential statement adopted on 16 November 2021, the Council expressed its continued commitment to foster interaction on a regular basis with the General Assembly, the Economic and Social Council, the International Court of Justice, and the Secretariat in accordance with their respective mandates under the Charter of the United Nations, in particular on matters relating to preventive diplomacy tools and mechanisms.¹⁵¹ The Council also emphasized the key role of the Court, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work.¹⁵²

B. Discussion concerning relations with the International Court of Justice

During the period under review, reference was made in the deliberations of the Council to the role of the International Court of Justice in connection with the peaceful settlement of disputes and to the relationship between the Council and the Court. Most of

¹⁴⁹ See [S/PV.8894](#).

¹⁵⁰ See [S/PV.8906](#), [S/PV.8906 \(Resumption 1\)](#) and [S/2021/952](#).

¹⁵¹ [S/PRST/2021/23](#), eighth paragraph.

¹⁵² *Ibid.*, last paragraph.

the references, including two explicit references to Article 94,¹⁵³ and one to Article 96,¹⁵⁴ as well as general references to the relationship between the Council and the Court, were made at an open debate held on 16 November 2021 under the item entitled “Maintenance of international peace and security” (case 4).

In addition, at an open videoconference held on 6 January in connection with the item entitled “Maintenance of international peace and security” and focused on the challenges of maintaining peace and security in fragile contexts, the delegation of Azerbaijan, in a written statement submitted on behalf of the Movement of Non-Aligned Countries, emphasized the significant role played by the International Court of Justice in promoting and encouraging the settlement of international disputes by peaceful means in accordance with the relevant provisions of the Charter. In that connection, the Movement urged the Council, the General Assembly and other organs of the United Nations, as well as its specialized agencies duly authorized to do so, to make greater use of the International Court of Justice as a source of advisory opinions and interpretation of international law within the scope of their activities.¹⁵⁵

In the written statement submitted for an open videoconference held on 28 January, in connection with “The situation in Libya”, the representative of Libya expressed his indignation about the state of Libyan funds and assets frozen pursuant to Security Council resolutions. In this regard, he said that his Government would not stand idly while certain countries attempted to tamper with those funds. Therefore, he affirmed that his Government held the Council responsible for taking a firm stand against such attempts, stressing that if the state of affairs continued, and if Libya’s request to manage the frozen assets was blocked, his country would be forced to refer the matter to the International Court of Justice to seek redress.¹⁵⁶

Case 4

Maintenance of international peace and security

¹⁵³ See [S/PV.8906](#) (President of the International Court of Justice and Brazil).

¹⁵⁴ See [S/PV.8906 \(Resumption 1\)](#).

¹⁵⁵ See [S/2021/24](#).

¹⁵⁶ See [S/2021/97](#).

On 16 November, at the initiative of Mexico which held the Presidency of the Security Council for the month,¹⁵⁷ the Council held an open debate under the item entitled “Maintenance of international peace and security” and the sub-item entitled “Peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations”. During the open debate, Council members heard briefings by the Secretary-General, the President of the General Assembly, the President of the International Court of Justice and the President of the Economic and Social Council.¹⁵⁸ Representatives of Council members and other participants delivered their statements during the meeting. The representatives of some non-Council member States submitted their statements in writing.¹⁵⁹

The Secretary General stated that prevention was vital to lasting peace, adding that prevention was the ultimate goal of the work of the Council and its resolutions to help countries build peace and stability, and to resolve their disputes before they escalated into armed conflicts.¹⁶⁰ In that regard, he highlighted that the judicial dimension of prevention provided by the International Court of Justice was essential. The President of the International Court of Justice indicated that the Court welcomed efforts by other principal organs to promote Member States resolving their disputes before the Court. Regarding the relationship between the Court and the Council, the President of the Court invoked Article 36, paragraph 3 of the Charter, which stated that the Council may recommend, in relation to legal disputes that endangered international peace and security, that the States involved refer the dispute to the International Court of Justice. She recalled that the Council had made such a recommendation for the very first case heard by the Court; the Corfu Channel case. The President of the Court also referred to the 2012 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, which recalled the ability of the relevant organs of the United Nations to request advisory opinions from the International Court of Justice. She

¹⁵⁷ A concept note was circulated by a letter dated 19 October 2021 ([S/2021/888](#)). The meeting is also the subject of case 2 on the relationship between the Security Council and the General Assembly, and of case 3 on the relationship between the Security Council and the Economic and Social Council.

¹⁵⁸ See [S/PV.8906](#) and [S/PV.8906 \(Resumption 1\)](#).

¹⁵⁹ The following countries submitted written statements: Australia, Guatemala, Italy and the Republic of Korea. See [S/2021/952](#).

¹⁶⁰ See [S/PV.8906](#).

specified that the question whether to seek any particular advisory opinion from the Court was a matter entirely in the hands of the relevant organ or specialized agency and its members, and indicated that the Court itself stood ready to receive any requests for advisory opinions that relevant United Nations organs and specialized agencies could make.

The President of the Court further recalled Article 94, paragraph 2 of the Charter, which set out a specific role for the Council in the implementation of the decisions of the Court. She indicated however, that the limited use of that provision suggested that States had found it more valuable to pursue other avenues to achieve the full implementation of judgements of the International Court of Justice. She highlighted, nonetheless, that the principal organs of the United Nations could play a positive role in that regard, citing as an example the fundamental role played by the Secretary-General Kofi Annan in bringing about the implementation of the Court's 2012 judgment in the case concerning the Land and Maritime Boundary between Cameroon and Nigeria. The President of the Court further emphasized that United Nations organs had opportunities, within their respective purview, to contribute to the implementation of judgements of the Court and to the promotion of peace, security and justice; and encouraged Council members to consider ways in which contributions of the Court and other principal organs could be mutually reinforcing.

Several Council members and other participants placed value in enhancing interactions between the Council and the Court. The representative of Estonia highlighted the importance of the annual discussions held in the Council with the President of the Court, while adding that more often than not, the problem was not the lack of information nor the early warning, but rather the lack of early and united action.¹⁶¹ The representative of Saint Vincent and the Grenadines underlined that the mediatory and technical capacities of the Court on matters pertaining to the rule of law ought to be leveraged more often. The representative of Costa Rica reiterated the importance of improving the working methods of the Council by deepening its communication with other organs, including the International Court of Justice, and indicated that such communication should be more fluid and dynamic. The representative of Poland called for the Council's

¹⁶¹ See [S/PV.8906](#).

engagement in advancing proactive, integrated and forward-looking preventive diplomacy, in collaboration with other organs including the International Court of Justice.¹⁶² The representative of the United Arab Emirates similarly expressed support for greater interaction between the Council and the International Court of Justice, in accordance with its mandates under the Charter of the United Nations. The delegation of Italy expressed belief that the Council should further strengthen its relationship with and make greater use of the International Court of Justice in the peaceful settlement of disputes.¹⁶³

In addition, some speakers emphasized the importance of the role of the International Court of Justice in the peaceful settlement of international disputes and in upholding and promoting the rule of law through its judgments and advisory opinions.¹⁶⁴ Furthermore, the representative of Estonia expressed the belief that more frequent and timely referrals of cases to the International Court of Justice by the Council would contribute to resolving disputes and thereby promote international peace and security.¹⁶⁵ The representative of Azerbaijan, speaking on behalf of the Movement of Non-Aligned Countries, urged the Council, the General Assembly and other organs of the United Nations, as well as its specialized agencies that were duly authorized to do so, to make greater use of the International Court of Justice as a source of advisory opinions and interpretation of international law within the scope of their activities.¹⁶⁶

The representative of Brazil indicated that there was potential for increased cooperation between the Council and the Court, such as on requests for advisory opinions on legal issues related to both country-specific situations and thematic items on the agenda of the Council.¹⁶⁷ He added that the Council could more often recommend that conflicting States submit their disputes to the Court and also cooperate in the enforcement of the decisions of the Court in cases of non-compliance, taking into account Article 94 of the Charter. The representative of Malaysia emphasized that deliberations

¹⁶² See [S/PV.8906 \(Resumption 1\)](#).

¹⁶³ See [S/2021/952](#).

¹⁶⁴ See [S/PV.8906](#) (Ireland); [S/PV.8906 \(Resumption 1\)](#) (Croatia, Slovakia, Nepal, Liechtenstein, Azerbaijan (on behalf of the Movement of Non-Aligned Countries), South Africa and United Arab Emirates); and [S/2021/952](#) (Guatemala).

¹⁶⁵ See [S/PV.8906](#).

¹⁶⁶ See [S/PV.8906 \(Resumption 1\)](#).

¹⁶⁷ See [S/PV.8906](#) (Brazil).

on contentious political and security issues could be more effective when they were reinforced by authoritative legal opinions; and urged the Council to seriously consider Article 96 of the Charter of the United Nations.¹⁶⁸ In addition, he called on the Council to make greater use of the International Court of Justice as a source of advisory opinions and of interpretation of relevant norms of international law, particularly regarding long-standing issues that affected international peace and security. The representative of Bangladesh underscored that, as the principal entity responsible for enforcing the decisions of the International Court of Justice, the Council needed to fulfil its role in a transparent and non-discriminatory manner, including by supporting monitoring mechanisms where they existed.

Several participants also spoke on the role of the Court in preventive diplomacy and the peaceful settlement of disputes. In that regard, the representative of Ireland underscored the Court's potential role in determining disputes between States which might otherwise have led to conflict.¹⁶⁹ She added that the Court remained underutilized as a resource for the peaceful adjudication of disputes in accordance with international law. She further indicated that the role of the Court in preventing conflict could be bolstered by greater interaction between the Council and the Court and concluded that the Council should consider, where appropriate, the possibility of seeking the Court's input in the form of advisory opinions. She also noted that the Council could recommend that States with a dispute on its agenda resolve the legal aspect of their dispute before the Court. The representative of South Africa encouraged the Council to interact regularly with the Court and to draw from the legal advisory expertise pertaining to the prevention of conflicts and settling disputes that may have catastrophic implications for countries concerned.¹⁷⁰ The representative of Ecuador urged for synergies with the International Court of Justice, especially when referring to efforts towards the peaceful settlement of disputes, which were part of preventative diplomacy.

C. Communications concerning relations with the International Court of Justice

¹⁶⁸ See [S/PV.8906 \(Resumption 1\)](#).

¹⁶⁹ See [S/PV.8906](#).

¹⁷⁰ See [S/PV.8906 \(Resumption 1\)](#).

During the period under review, the Council continued to exchange letters¹⁷¹ with the Secretary-General and to receive his reports¹⁷² on the progress 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 dispute between the two countries.

¹⁷¹ [S/2021/1069](#) and [S/2021/1070](#).

¹⁷² [S/2021/612](#) and [S/2021/1091](#).