

<i>Videoconference date</i>	<i>Videoconference record</i>	<i>Title</i>	<i>Decision, vote (for-against-abstaining) and record of written procedure</i>
16 December 2020	S/2020/1258	Letter dated 18 December 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council	

31. The promotion and strengthening of the rule of law in the maintenance of international peace and security

During the period under review, the Council held no meetings in connection with the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”. Council members did, however, hold one videoconference in 2020. The Council issued one presidential statement in connection with the item, which was announced during a videoconference in accordance with the procedures established following the outbreak of the COVID-19 pandemic.⁸⁰⁹ More information on the videoconferences is given in the table below.⁸¹⁰

On 18 December, the members of the Council held a videoconference⁸¹¹ in connection with the item, focused on “Strengthening the cooperation between the Security Council and the International Court of Justice”. At the videoconference, Council members heard a briefing by the President of the International Court of Justice, who emphasized the need to strengthen the partnership between the Council and the Court to uphold the rule of law at the international level. He recalled that the Council had only once exercised its powers under Article 36 (3) of the Charter⁸¹² to recommend that disputing parties settle their dispute through the Court, namely in the *Corfu Channel case (United Kingdom of Great Britain and Northern Ireland v. Albania)*. The Council had also only once requested an advisory opinion from the Court under Article 96 of the Charter⁸¹³ in the case of *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*. He indicated, however, that the vitality of the relationship between the two principal organs could not be evaluated by the quantity, but rather by the quality, of their collaboration. Stating that the Court had consistently supported the mission of the Council to maintain

international peace and security, the President of the Court made some recommendations that could further reinforce cooperation between the two organs. First, he shared the view of the General Assembly that a request for an advisory opinion from the Court could play an important role in the Council’s work on the prevention of situations or disputes from becoming a threat to international peace and security and expressed his belief that the Council could consider such a possibility more often. Secondly, he suggested the possibility of an expanded dialogue between the Court and the Council in that, in addition to the annual briefing of the President of the Court to the Council, the Council could include in its schedule a visit to the Court once every three years, following the triennial change in the composition of the Court. Lastly, his third suggestion concerned the jurisdiction of the Court. In that regard, he drew attention to the presidential statements issued in 2006, 2010 and 2012,⁸¹⁴ in which the Council had called upon States to consider accepting the jurisdiction of the Court in accordance with its Statute. He noted that in the previous eight years, no further presidential statements had been issued by the Council and expressed the belief that such statements contributed to strengthening the relationship between the two organs and to the international rule of law and that they could be made periodically – every three to five years – starting from the date of the videoconference.

Following the briefing,⁸¹⁵ Council members affirmed the important role of the International Court of Justice in promoting and strengthening the rule of law, including in preventing conflicts and facilitating lasting peace and stability. In accordance with the procedures agreed upon following the outbreak of the COVID-19 pandemic, in addition to Council members 11 delegations submitted written statements.⁸¹⁶ Many participants noted the complementary nature of the mandates of the Court and the

⁸⁰⁹ For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II.

⁸¹⁰ See [A/75/2](#), part II, chap. 25.

⁸¹¹ See [S/2020/1286](#). For more information on the discussion, see part IV, sect. III.

⁸¹² See resolution [22 \(1947\)](#).

⁸¹³ See resolution [284 \(1970\)](#).

⁸¹⁴ See [S/PRST/2006/28](#), [S/PRST/2010/11](#) and [S/PRST/2012/1](#).

⁸¹⁵ See [S/2020/1286](#).

⁸¹⁶ Austria, Bangladesh, Brazil, Denmark, Japan, Liechtenstein, Mexico, Morocco, Myanmar, Peru and Portugal. For further details, see part II, sect. I.

Council for the maintenance of international peace and security. In that connection, most participants called for strengthening the relationship between the Council and the Court to promote the peaceful settlement of disputes in accordance with international law. Many participants called for a greater involvement with the Court by, among other things, making use of the referral of legal disputes to the Court whenever necessary, in accordance with Article 36 (3) of the Charter.⁸¹⁷ Participants at the videoconference made concrete proposals, such as inviting the President of the International Court of Justice to brief the Council when non-compliance with Court decisions could threaten international peace and security, having the Council more involved in following up on provisional measures specified by the International Court of Justice⁸¹⁸ and fully supporting the Court's decisions,⁸¹⁹ including by ensuring compliance with the Court's judgments.⁸²⁰ At the videoconference, the representative of South Africa announced that his delegation had drafted and placed before the Council for its consideration a draft presidential statement addressing the aforementioned issues. He expressed the hope of reaching an agreement on the text, which he said would help advance the

peaceful resolution of conflicts and put an end to violent conflicts.

Following the videoconference, on 21 December the Council issued a presidential statement in connection with the item, by which it noted the seventy-fifth anniversary of the Charter and the one hundredth anniversary of the Statute of the Permanent Court of International Justice.⁸²¹ It reaffirmed its commitment to international law and the purposes and principles of the Charter, including the importance of the International Court of Justice in the international architecture and the maintenance of international peace and security.⁸²² The Council stressed the importance of all the provisions of the Charter regarding the peaceful settlement of disputes and the International Court of Justice, including those pertaining to the interaction between the Council and the International Court of Justice.⁸²³ The Council recognized the positive contribution of the Court to the rule of law at the international level and its key role in adjudicating disputes among States, as well as the need to enhance efforts aimed at capacity-building and assisting Member States.⁸²⁴ The Council also expressed its continued commitment to fostering interaction between the Court and the Council in accordance with their respective mandates under the Charter of the United Nations.⁸²⁵

⁸¹⁷ President of the International Court of Justice, Estonia, Niger, Tunisia, Austria, Bangladesh, Japan, Liechtenstein, Peru and Portugal. For further details on the discussion, see part VI, sect. IV.

⁸¹⁸ Belgium.

⁸¹⁹ Mexico.

⁸²⁰ Saint Vincent and the Grenadines.

⁸²¹ See [S/PRST/2020/13](#), second paragraph.

⁸²² *Ibid.*, first and fifth paragraphs.

⁸²³ *Ibid.*, third paragraph.

⁸²⁴ *Ibid.*, sixth and eighth paragraphs.

⁸²⁵ *Ibid.*, tenth paragraph.

Videokonferences: the promotion and strengthening of the rule of law in the maintenance of international peace and security

<i>Videokonference date</i>	<i>Videokonference record</i>	<i>Title</i>	<i>Decision, vote (for-against-abstaining) and record of written procedure</i>
18 December 2020	S/2020/1286	Letter dated 23 December 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council	
21 December 2020	No record ^a		S/PRST/2020/13

^a See [A/75/2](#), part I, chap. IV.B.

32. Items relating to non-proliferation

A. Non-proliferation

During the period under review, the Council held one meeting under the item entitled "Non-proliferation", which took the form of a

briefing.⁸²⁶ More information on the meetings, including on the participants, speakers and outcomes, is given in table 1 below. In 2020, the Council failed to

⁸²⁶ For more information on the format of meetings, see part II, sect. II. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II.