## 34. Threats to international peace and security

In 2022, the Security Council held 22 meetings under the item entitled "Threats to international peace and security", 21 of which were public, and one was private. Among the public meetings, 17 took the form of a briefing, two were convened to adopt a decision, and the remaining two were held in the debate format. <sup>1232</sup> The Council adopted one decision under this item, and one draft resolution was not adopted, having failed to obtain the required number of votes. More information about the meetings, including participants, speakers and outcomes, is provided in the table below. In addition, Council members held informal consultations of the whole to discuss different topics under this item. <sup>1233</sup>

During the period under review, various topics were considered under this item. Most of the meetings under this item in 2022 focused on the conflict in Ukraine and its implications on the humanitarian situation in the country as a result of the war, the alleged use and manufacturing of biological weapons in Ukraine (in connection to which a draft resolution failed to be adopted), the safety of nuclear facilities in the context of the armed conflict, and the Black Sea Grain Initiative. 1234 Furthermore, two other meetings were devoted to the gas leaks detected in the Nord Stream submarine pipelines in the Baltic Sea and the investigation conducted into the forced landing of Ryanair flight FR-4978 by Belarus on 23 May 2021, and two additional meetings focused on climate and security in Africa, and counter-terrorism in Africa. Finally, consistent with prior practice, the Council also held three meetings and adopted one resolution under this item in connection with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) established pursuant to resolution 2379 (2017). 1235

In 2022, a total of 15 meetings convened under this item were devoted to the conflict in Ukraine, including the tensions prior to the outbreak of war. On 31 January, the Council held a

<sup>&</sup>lt;sup>1232</sup> For more information on the format of meetings, see part II.

<sup>&</sup>lt;sup>1233</sup> See <u>A/77/2</u>, part II, chap. 29.

<sup>&</sup>lt;sup>1234</sup> For more information about the items relating to Ukraine, see part I, sect. 19.

<sup>&</sup>lt;sup>1235</sup> For further details on the establishment of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant, see *Repertoire*, *Supplement 2016-2017*.

meeting at the request of the United States to discuss the threat to international peace and security posed by the build-up of Russian forces on the border of Ukraine. 1236 Upon request from the Russian Federation, the provisional agenda was put to the vote and adopted with 10 votes in favour, two votes against and three abstentions. 1237 During the meeting, the Council heard a briefing by the Under-Secretary-General for Political and Peacebuilding Affairs who expressed great concern over the tensions that continued escalating in a dangerous military build-up in the heart of Europe. 1238 It was reported that more than 100,000 troops and heavy weaponry from the Russian Federation were positioned along the border with Ukraine, with unspecified numbers also reportedly deployed to Belarus ahead of large-scale joint military exercises in February on the borders with Ukraine, Poland and the Baltic States. The Under-Secretary-General added that the North Atlantic Treaty Organization (NATO) members were reportedly planning additional deployments in Eastern European member States, and NATO had advised that 8,500 troops were currently on high alert. She conveyed the Secretary-General's strong belief that there should not be any military intervention in that context and that diplomacy should prevail, adding that any such intervention by one country in another would be against international law and the Charter of the United Nations. The Under-Secretary-General repeated the full commitment of the United Nations to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders, in accordance with relevant General Assembly resolutions and stressed the Secretary-General's appeal to all concerned to take immediate steps to de-escalate tensions and continue on the diplomatic path.

In the discussion, most speakers expressed concern about the situation on the borders of Ukraine and urged respect for the principles set out in the Charter of the United Nations, particularly the principles of sovereignty, independence and territorial integrity as well as the prohibition on the threat or use of force. Council members called for de-escalation and peaceful resolution of the situation by focusing on preventive diplomacy and political dialogue. The representative of the United States held the view that Russia's aggression threatened not only

<sup>&</sup>lt;sup>1236</sup> See S/PV.8960.

<sup>&</sup>lt;sup>1237</sup> For: Albania, Brazil, France, Ghana, Ireland, Mexico, Norway, United Arab Emirates, United Kingdom, United States; *against*: China, Russian Federation; *abstentions*: Gabon, India, Kenya. For more information about the procedural vote on the provisional agenda, see part II.

Ukraine but also Europe and the international order that the Council was charged with upholding. If the Russian Federation further invaded Ukraine, the consequences would be horrific and the situation in eastern Ukraine would have paled in comparison to the humanitarian impact of the full-scale land invasion that the Russian Federation was currently planning in Ukraine. The representative of the United States expressed the belief that there was a diplomatic path out of the crisis and noted that if the situation was truly about the security concerns of the Russian Federation, the United States was offering it an opportunity to address those concerns at the negotiating table. The representative of China opposed the holding of the public meeting, noting that it was not conducive to creating a favourable environment for dialogue or defusing tensions. The representative of the Russian Federation rejected the allegations of the planned military invasion of Ukraine and noted that the Russian troops had been deployed within the territory of the Russian Federation. Among the security concerns of the Russian Federation, he stated that Ukraine was not to join NATO and no foreign troops were to be deployed on its territory. The representative of the Russian Federation agreed with the calls for a settlement of the crisis around Ukraine, noting that it was an internal matter. The representative of Ukraine stated that the situation at the border of Ukraine where the Russian Federation continued its military build-up constituted a grave threat to international peace and security. He reiterated the absence of any aggressive intention from the Government of Ukraine and noted that the Council needed to take into account the information it heard at the meeting to make an informed decision, when appropriate, on acting swiftly and decisively in employing preventive diplomacy under Chapter VI of the Charter.

Following the outbreak of war, in her two additional briefings in March, the Under-Secretary-General for Political and Peacebuilding Affairs reported on the growing number of casualties and the attacks on civilian infrastructure, including through the use of cluster munition, and noted that such acts were prohibited under international law and called for investigations and accountability. She further urged to intensify efforts for cessation of hostilities to allow for safe passage of civilians and humanitarian aid and welcomed diplomatic efforts aimed at ending the war. At the second briefing in March, the Council also heard updates

<sup>&</sup>lt;sup>1239</sup> See <u>S/PV.8991</u> and <u>S/PV.8998</u>.

from the Assistant High Commissioner for Operations of the Office of the United Nations High Commissioner for Refugees (UNHCR) who reported that the number of refugees from Ukraine in neighbouring countries had risen to more than 3.1 million, in what had become the fastest-growing refugee crisis in Europe since the Second World War. 1240 More than 90 per cent of the refugees fleeing Ukraine were women and children, while at least two million people were believed to have been displaced internally. Despite all efforts, UNHCR was unable to respond to the sheer scale of the rapidly growing needs of the Ukrainian people and systematically deliver much-needed life-saving assistance. The Assistant High Commissioner called for the protection of civilians and civilian infrastructure, the upholding of the international humanitarian law and the enabling of safe passage for civilians. At the same meeting, the Director-General of the World Health Organization urged the Council to work for an immediate ceasefire and a political solution and all donors to support the response to the humanitarian and health needs in Ukraine and neighbouring countries. Although Ukraine was rightly the focus of the world's attention, the Director-General urged Council members not to lose sight of the many other crises in which people were suffering.

In their discussions during the above meetings in March, Council members focused on the humanitarian crisis in Ukraine, the attacks on civilians and civilian infrastructure, as well as the order of the International Court of Justice of 16 March in which it requested, inter alia, the suspension of military operations by the Russian Federation in Ukraine. <sup>1241</sup>

In addition, in 2022, the Council heard six briefings by the High Representative for Disarmament Affairs and her Deputies concerning allegations of a biological weapons programme in Ukraine as well as the reports of supplies of lethal weapons to Ukraine. In four of those briefings, the High Representative and her Deputies, respectively, reiterated that the United Nations was not aware of biological weapons programmes in Ukraine. Additionally, the representatives of the Office for Disarmament Affairs recalled on those occasions that the 1972 Biological Weapons Convention contained several measures to which concerned States parties

<sup>&</sup>lt;sup>1240</sup> See S/PV.8998.

<sup>&</sup>lt;sup>1241</sup> See S/PV.8998.

<sup>&</sup>lt;sup>1242</sup> See <u>S/PV.8991</u>, <u>S/PV.8999</u>, <u>S/PV.9033</u> and <u>S/PV.9171</u>.

could have recourse in order to address situations in which States parties had concerns or suspicions about the activities of their peers, such as the possibility of convening a formal consultative meeting to consider such matters or lodging a complaint with the Council to initiate an investigation. In the briefings, the Office for Disarmament Affairs continued to note that the Biological Weapons Convention needed to be operationalized and institutionalized and to recall that the upcoming Ninth Review Conference in November and December presented an opportunity for its states parties to strengthen the Convention. In October, the Deputy to the High Representative reported that the Office for Disarmament Affairs was aware that the Russian Federation, following its earlier request for the convening of a formal consultative meeting under article V of the Biological Weapons Convention, had filed an official complaint, in line with the provisions of article VI of the Convention, regarding the allegations of biological weapons programmes in Ukraine. <sup>1243</sup> The Deputy to the High Representative noted that the provisions of article VI had not been invoked since entry into force of the Convention which did not provide any guidance on the type of investigation that the Council might initiate. Were the Council to initiate an investigation, the Office for Disarmament Affairs stood ready to support it.

At the meeting held on 2 November, <sup>1244</sup> a draft resolution submitted by the Russian Federation was not adopted, having failed to obtain the required number of votes. <sup>1245</sup> The draft resolution would have established a commission consisting of all Council members to investigate the claims against the United States and Ukraine contained in the complaint of the Russian Federation regarding the compliance with obligations under the Convention in the context of the activities of biological laboratories in the territory of Ukraine. <sup>1246</sup> In explaining their votes, Council members exchanged views on the conditions for an investigation by the Council as laid out in Article VI of the Biological Weapons Convention. <sup>1247</sup>

<sup>1243</sup> See S/PV.9171.

<sup>&</sup>lt;sup>1244</sup> See S/PV.9180.

<sup>&</sup>lt;sup>1245</sup> See S/2022/821. The vote on the draft resolution was as follows: *For*: China, Russian Federation; *against*: France, United Kingdom, United States; *abstaining*: Albania, Brazil, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, United Arab Emirates.

<sup>&</sup>lt;sup>1246</sup> See S/2022/796. For further details, see part IX, sect. VIII.

<sup>&</sup>lt;sup>1247</sup> For more information on the discussion and about investigative and fact-finding functions acknowledged by the Council, see part VI, sect. II.

Finally, in her September and December briefings, the High Representative for Disarmament Affairs focused on the reported supplies of lethal weapons to Ukraine and their consequences and noted that since the Russian invasion of Ukraine on 24 February, a number of States had transferred weapons systems and ammunition to Ukraine for its defence forces, which was a matter of public record. The High Representative noted that any large-scale influx of weapons into any armed conflict situation raised many concerns, including the possible diversion of these weapons and, in that context, referred to the available mechanisms for enhancing transparency of arms transfers and measures to mitigate risks of weapons and ammunition diversion.

During the discussions concerning the allegations of biological weapons programme, Council members underscored the importance of the Biological Weapons Convention as a key mechanism for dealing with that topic. The representative of the Russian Federation continued to raise concern about the possible use of such programmes by Ukraine with the support of the United States, 1249 while the representatives of Ukraine and the United States rejected those allegations and denied any involvement in such activities. 1250 On the reported transfer of weapons systems and ammunition to Ukraine, speakers also addressed other topics such as arms control and the importance of the Arms Trade Treaty, 1251 with some Council members also raising the issue of weapons from the Islamic Republic of Iran being used by the Russian Federation in contravention of resolution 2231 (2015). 1252 In the context of the war in Ukraine, several speakers also addressed the issue of the right to self-defence as enshrined in Article 51 of the Charter. 1253

During the year, the Council also heard two briefings by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator in March and October, once jointly with the Executive Director of the United Nations Children's Fund (UNICEF) and once with the

<sup>&</sup>lt;sup>1248</sup> See <u>S/PV.9127</u> and <u>S/PV.9216</u>.

<sup>&</sup>lt;sup>1249</sup> See S/PV.8991, S/PV.8999, S/PV.9033, S/PV.9171 and S/PV.9180.

<sup>1250</sup> See S/PV.8991, S/PV.8999, S/PV.9033, S/PV.9171 and S/PV.9180.

<sup>&</sup>lt;sup>1251</sup> See S/PV.9216, Russian Federation, China, United Arab Emirates, United States, Mexico, Brazil and Ukraine.

<sup>&</sup>lt;sup>1252</sup> Ibid., Norway, United Kingdom, Albania, United States and Ireland.

<sup>&</sup>lt;sup>1253</sup> Ibid., Norway, United Kingdom, Ghana, Albania, United States, Mexico, Brazil, Ireland and Ukraine. For more information about discussions relating to Article 51 of the Charter, see part VII, sect. X.

Secretary-General of the United Nations Conference on Trade and Development (UNCTAD). In March, the Emergency Relief Coordinator noted that as the unthinkable had become the reality, the United Nations and its humanitarian partners had started a scalable and agile, adaptable and resilient humanitarian operation fit for the changing situation. <sup>1254</sup> He outlined the three priorities which he had conveyed to the Ukrainian and Russian authorities, namely for the parties to take constant care to spare civilians and civilian homes and infrastructure in their military operations and allow safe passage for civilians to leave areas of active hostilities on a voluntary basis, in the direction they chose; to enable safe passage for humanitarian supplies into areas of active hostilities; and to put in place a system of constant communication with parties to the conflict and assurances to enable the delivery of humanitarian aid. In her briefing, the Executive Director of UNICEF focused on the impact of the conflict on children and called upon Council members to remind all parties of their legal and moral obligation to protect children and spare them from attacks, and to refrain from targeting civilian infrastructure. She further appealed to all parties to avoid the use of explosive weapons in populated areas, asked the Council to send a strong message to all parties of their obligation to ensure the safety of humanitarian personnel and equipment, and to ensure that sanctions and other restrictive measures did not impede humanitarian action. UNICEF also renewed its call for an immediate suspension of ongoing military actions in Ukraine. Following the briefings, Council members discussed the humanitarian impact of the war, the question of ensuring safe humanitarian corridors, the protection of civilians and the need for the cessation of hostilities. 1255

In his briefing in October, in the aftermath of reports of the Sevastopol attacks and damage to the Russian military vessels and infrastructure, the Under-Secretary-General and Emergency Relief Coordinator focused on the implementation of the Black Sea Grain Initiative in light of the decision of the Russian Federation to suspend its participation in the Initiative. <sup>1256</sup> On the alleged connection between those attacks and the Initiative, the Emergency Relief Coordinator underscored that military vessels, aircraft or assets belonging to any party were prohibited from approaching closer than 10 nautical miles to the cargo ships and that the corridor

<sup>&</sup>lt;sup>1254</sup> See S/PV.8988.

<sup>&</sup>lt;sup>1255</sup> See S/PV.8988.

<sup>&</sup>lt;sup>1256</sup> See S/PV.9176.

provided neither cover nor protection for offensive or defensive military action. Turning to the alleged misuse of cargo vessels in the Initiative for military purposes, the Emergency Relief Coordinator affirmed that none had been in the corridor on the night of 29 October, when the reported attacks had taken place. Expressing readiness to consider an inquiry into any evidence, the Emergency Relief Coordinator stated that all sides had decided, within the Joint Coordination Centre, that the Initiative would be entirely civilian in nature and that the safety of shipping was protected by the commitments of Ukraine and the Russian Federation not to attack ships and related port facilities.

Following the Under-Secretary-General and Emergency Relief Coordinator, the Secretary-General of UNCTAD noted that the impact of two initiatives – the Black Sea Grain Initiative and a memorandum of understanding on promoting the unimpeded export of Russian food products and fertilizers to world markets – had been made clear in a short period of time, with massive global welfare effects. She referred to the chilling effect of the sanctions on the private sector and noted that transaction costs on insurance premiums, financial payments, shipping costs and transport costs for Russian food and fertilizer exports were very high, leading to continued high global food and fertilizer prices. Adding that there was still a lot of work that remained to be done even with clear exemptions to the sanctions, the Secretary-General of UNCTAD urged all parties to make every effort to resume and extend the Black Sea Grain Initiative and implement both agreements to their fullest extent.

At the meeting, the representative of the Russian Federation stated that his country had suspended its participation in the Black Sea Grain Initiative following the air and sea strikes against its fleet and infrastructure. He added that the implementation of the Initiative was not possible and that the decisions of the Joint Coordination Centre without the participation of the Russian Federation were not binding. In the discussion that ensued, Council members exchanged views on the decision of the Russian Federation to suspend the agreement and urged the continued implementation of the Black Sea Grain Initiative, noting its importance for global food security.

In light of the reported attacks on nuclear facilities in Ukraine, the Council heard one briefing by the Under-Secretary-General for Political and Peacebuilding Affairs in August and

three briefings by the Director General of the International Atomic Energy Agency (IAEA) in August, September and October, the last of which took place during a private meeting. <sup>1257</sup> In her August briefing, the Under-Secretary-General stated that despite numerous calls and appeals, instead of de-escalation, reports of alarming incidents involving the Zaporizhzhya nuclear plant continued almost on a daily basis. <sup>1258</sup> She urged the parties to provide the IAEA mission with immediate, secure and unfettered access to the site and noted that any potential nuclear incident would have catastrophic consequences not only for the immediate vicinity, but for the region and beyond. The Under-Secretary-General further underscored that it was imperative to receive the express commitment of the parties to stop any military activities around the plant to enable its continued safe and secure operations.

In his open briefings in August and September, the Director General of the IAEA reported on the situation at the nuclear facilities in Ukraine, focusing on the Zaporizhzhya nuclear power plant and called for any military actions that could jeopardize nuclear safety to be stopped immediately. 1259 Since 24 February, the IAEA had activated its Incident and Emergency Centre, established regular contact with the Ukrainian authorities and closely monitored the situation at the facilities, as well as activities involving radioactive sources and nuclear material in Ukraine. 1260 Following the shelling of the Zaporizhzhya nuclear power plant on 5 August, the Director General asked both sides to cooperate with the IAEA and allow a mission to the site to proceed as soon as possible so that the Agency could corroborate facts and develop and provide an independent assessment of the nuclear safety and security risks. In September, the Director General reported on the mission conducted by the IAEA to the Zaporizhzhya nuclear power plant, including on the proposed establishment of a nuclear safety and security protection zone. 1261 The Director General further reported that the IAEA inspectors had remained at the site to be able to directly and immediately evaluate the situation on the ground as it developed. At the same meeting, the Secretary-General delivered remarks and welcomed the IAEA mission and requested the Russian and Ukrainian forces to commit not to engage in any military activity

<sup>&</sup>lt;sup>1257</sup> See <u>S/PV.9172</u>.

<sup>&</sup>lt;sup>1258</sup> See S/PV.9114.

<sup>&</sup>lt;sup>1259</sup> See S/PV.9109 and S/PV.9124.

<sup>&</sup>lt;sup>1260</sup> See S/PV.9109.

<sup>&</sup>lt;sup>1261</sup> See S/PV.9124.

towards or from the Zaporizhzhya plant site. He also called for an agreement on a demilitarized perimeter, which would include a commitment by Russian forces to withdraw all military personnel and equipment from that perimeter and a commitment by Ukrainian forces not to move into it. The Secretary-General regretted that the Tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons had failed to reach consensus on the outcome document which had sought to address the issue of the safety and security of nuclear power plants in armed conflict zones, including in Ukraine.

In their discussions concerning the reported attacks involving the nuclear facilities in Ukraine, Council members expressed concern about the risks of nuclear incidents and called for the de-militarization of the areas around all nuclear sites in Ukraine. <sup>1262</sup> Council members also discussed the need for a cessation of hostilities, the importance of avoiding any actions that could lead to nuclear disasters and pursuing dialogue to end the conflict. They expressed support for the seven pillars of nuclear safety and security and welcomed the IAEA mission to Ukraine conducted in September and the continued presence of its inspectors on the ground. Several Council members urged the Russian Federation to withdraw its troops from the territory of Ukraine and to return full control of nuclear facilities to the Ukrainian authorities. 1263

In 2022, the Council also held a meeting under this item focused on the gas leaks detected in the Nord Stream submarine pipelines in the Baltic Sea. On 30 September, the Council heard briefings by the Assistant Secretary-General for Economic Development in the Department of Economic and Social Affairs, the official spokesperson for Gazprom and the Director of the Centre for Energy and Climate of the French Institute of International Relations. 1264

The Assistant Secretary-General emphasized that the United Nations was not in a position to verify or confirm any of the reported details related to the incident and noted that while the causes of the incident were being investigated, it was equally urgent to address the

<sup>&</sup>lt;sup>1262</sup> See S/PV.9109, S/PV.9114 and S/PV.9124.

<sup>&</sup>lt;sup>1263</sup> See S/PV.9109, United States, Norway, Albania, France, Ireland and United Kingdom; S/PV. 9114, Norway, United States, Ireland, Ghana, United Kingdom, France and Albania and S/PV.9124, United States, United Kingdom, Albania, Ireland, Norway and France.

consequences of those leaks. The damage to the Nord Stream pipelines raised concerns regarding the uncertainty in the global energy markets, the potential environmental impact and the vulnerability of critical energy infrastructure. The Assistant Secretary-General concluded that the incident was not to be allowed to further increase tensions or deepen divisions in an already tense regional context. The other two briefers noted, inter alia, that the ruptures in the Nord Stream pipelines were unprecedented, with an impact on energy supplies to Europe.

Following the briefers, the representative of the Russian Federation argued that the damage to the Nord Stream pipelines was an act of sabotage that did not benefit European States nor the Russian Federation, and instead noted that it benefitted the United States. He further stated that the Russian Federation endorsed a comprehensive investigation to shed light on the true circumstances of the incident, adding that any international investigation could claim to be objective only if the Russian Federation was included in it. The representative of the United States categorically denied any involvement in the incident. At the meeting, most Council members also noted that the available information indicated that the damage to the pipelines was the result of an act of sabotage, <sup>1265</sup> and several underscored the importance of an independent and impartial investigation to be conducted about the incident, <sup>1266</sup> with some expressing support for the ongoing investigation led by Denmark, Germany and Sweden. <sup>1267</sup> During the meeting, some Council members also addressed the broader context of the war in Ukraine, <sup>1268</sup> with several among them also calling for an end to the conflict.

In 2022, the Council held a meeting under this item focused on the findings of an investigation conducted into the forced landing of Ryanair flight FR-4978 by Belarus on 23 May 2021. <sup>1269</sup> On 31 October, the Council heard a briefing by the President of the Council of the International Civil Aviation Organization (ICAO), in which he reported on the findings of an investigation conducted by his organization into the forced landing of Ryanair flight FR-4978 by Belarus on 23 May 2021, which had been diverted to land in Minsk while travelling from Athens

<sup>&</sup>lt;sup>1265</sup> Ibid., Norway, Mexico, Ireland, United Kingdom, United States, China, United Arab Emirates, Albania and France

<sup>&</sup>lt;sup>1266</sup> Ibid., Mexico, Gabon, China, United Arab Emirates, India and Ghana.

<sup>&</sup>lt;sup>1267</sup> Ibid., Norway, Ireland, United Kingdom, United States, Albania and France.

<sup>&</sup>lt;sup>1268</sup> Ibid., Mexico, Gabon, United States, United Arab Emirates, Albania, Kenya and India.

<sup>&</sup>lt;sup>1269</sup> See for further detail on the incident, S/2021/608 and S/2022/802.

to Vilnius. 1270 The investigation had led to the conclusion that Belarus senior officials had orchestrated the deliberate diversion of the flight under the false pretext of a bomb threat. The ICAO Council had decided that the actions of the Government of Belarus amounted to an infraction of the Chicago Convention, to be reported to the ICAO Assembly, which had acknowledged that there was an infraction of the Chicago Convention by Belarus and adopted resolution A41-1, condemning the actions of the Government of Belarus in committing an act of unlawful interference that had deliberately endangered the safety and security of Ryanair Flight FR-4978 and the lives of those on board.

Following the briefing, Council members and other participants of the meeting took note of the report of the ICAO fact-finding mission, with many expressing concern over the implication of the Belarusian authorities in the incident, which they viewed as a violation of the relevant international aviation norms. 1271 In that regard, most speakers also addressed the detention of a Belarusian journalist, arrested following the forced landing of the Ryanair flight in Minsk. 1272 Some speakers also raised the issue of complicity of Belarus in the war in Ukraine. 1273 The representative of the Russian Federation held the view that the ICAO report carried little credibility and expressed doubts about the impartiality of ICAO because no objective and transparent investigation into the incident involving the Ryanair flight had been conducted. The representative of China recalled his country's objection to the ICAO report and noted that different parties had different views on it and had concerns about the source and authenticity of some key information contained therein. The representative of Belarus stated that his country would never accept the conclusions of the report, which it viewed as based on incomplete information. Some Council members also questioned whether the Council was the adequate body to discuss the matter. 1274

<sup>&</sup>lt;sup>1270</sup> See <u>S/PV.9175</u>. For further detail on the discussion, see part VI, sect. II.

<sup>&</sup>lt;sup>1271</sup> See S/PV.9175, Albania, United Kingdom, United States, France, Ireland, Norway, Brazil, Kenya, Mexico, Ghana, Lithuania, Poland, Latvia (also on behalf of Czechia and Estonia), Greece and Germany.

<sup>1272</sup> Ibid., Albania, United Kingdom, United States, France, Ireland, Mexico, Lithuania, Poland, Latvia (also on behalf of Czechia and Estonia) and Germany.

<sup>1273</sup> Ibid., Albania, United Kingdom, France, Ireland, Norway, Poland, Latvia (also on behalf of Czechia and Estonia) and Germany.

<sup>&</sup>lt;sup>1274</sup> Ibid., Russian Federation, Brazil, Mexico and China.

In 2022, consistent with prior practice, the Council held two briefings under this item focused on the work of UNITAD and a held a third meeting to adopt a resolution extending its mandate. On 8 June and 5 September, further to the two biannual reports on the activities of the Investigative Team, 1275 the Council heard briefings by the Special Adviser and Head of UNITAD during which he reported on the progress made in the investigative activities of the Team, including on witness interviews, digitization of documentary evidence and drafting of case files. 1276 Investigations had progressed into the Bayt Al-Mal regarding the provision of financial support to Da'esh, as well as into the development and use of chemical and biological weapons, the case concerning the Christian community in Ninawa plains, as well as the cases involving the destruction of cultural heritage sites in Iraq. The Special Adviser also provided updates on cases involving the crimes committed against the Yazidi community and those committed against the personnel of Tikrit Air Academy, as well as the case of the Badush prison. He added that UNITAD had expanded and further operationalized arrangements with the Iraqi judiciary and increased its support to ongoing domestic proceedings in several Member States, in consultation with the Government of Iraq. 1277 In that context, in addition to the landmark conviction for the crime of genocide of a Da'esh member in Frankfurt in 2021, the Special Adviser noted that the Team had also supported the prosecution authorities in Sweden and France in cases involving crimes connected to Da'esh. 1278 In his December briefing, the Special Adviser noted that the sharing of evidence with the Iraqi judiciary for criminal proceedings could take place only once the respective legal requirements and standards were met in terms of substantive and procedural law. He emphasized that promoting accountability for international crimes committed by Da'esh in Iraq meant delivering tailored assistance in accordance with the needs of the respective investigative court or judge.

Following the briefings, at both meetings, Council members expressed their support for the work of UNITAD and welcomed the cooperation between the Investigative Team and the Iraqi authorities. Specifically, several Council members noted the importance of a gender-

<sup>&</sup>lt;sup>1275</sup> See S/2022/434 and S/2022/836.

<sup>&</sup>lt;sup>1276</sup> See S/PV.9059 and S/PV.9206.

<sup>&</sup>lt;sup>1277</sup> See S/PV.9059 and S/PV.9206.

 $<sup>^{1278}</sup>$  See  $\frac{\text{S/PV.9059}}{\text{S/PV.9206}}$  and  $\frac{\text{S/PV.9206}}{\text{S/PV.9206}}$ .

responsive approach to UNITAD's investigation of Da'esh crimes. <sup>1279</sup> Some Council members reiterated the need to ensure full respect for the sovereignty of Iraq and its jurisdiction over crimes committed in its territory, <sup>1280</sup> with several members also pointing to the importance of handing over the collected evidence to the Iraqi authorities. <sup>1281</sup> In that regard, some Council members underscored the need for progress on developing the relevant domestic legislation to enable the prosecution of those crimes in Iraq, including as regards the aspects related to the capital punishment. <sup>1282</sup>

On 15 September, further to the request of the Government of Iraq, <sup>1283</sup> the Council unanimously adopted resolution <u>2651 (2022)</u>, extending the mandate of the Special Adviser and the Investigative Team for a period of one year, until 17 September 2023. <sup>1284</sup> By the resolution, the Council underscored the importance of sharing evidence collected by the Investigative Team with the relevant Iraqi authorities, in a timely manner, for eventual use in fair and independent criminal proceedings, consistent with applicable international law and the Investigative Team's Terms of Reference. <sup>1285</sup> It also requested the Special Adviser to continue to submit and present reports to the Council on the Team's activities every 180 days. <sup>1286</sup>

In 2022, under this item, the Council also held two meetings focused on Africa, specifically on climate and security in Africa and on counter-terrorism in Africa.

On 12 October, at the initiative of Gabon, which held the presidency for the month, the Council convened a high-level open debate under the sub-item entitled "Climate and security in Africa". At the meeting, the Council heard briefings by the Assistant Secretary-General for Africa in the Departments of Political and Peacebuilding Affairs and Peace Operations, the

<sup>&</sup>lt;sup>1279</sup> See <u>S/PV.9059</u>, United Kingdom, United Arab Emirates, Gabon, Kenya, Norway, Ireland and France; and <u>S/PV.9206</u>, France, Norway, Ireland and Kenya.

<sup>1280</sup> See S/PV.9059, Gabon, China and Brazil and S/PV.9206, Brazil.

<sup>&</sup>lt;sup>1281</sup> See <u>S/PV.9059</u>, Russian Federation, Ghana, China, Brazil and India; and <u>S/PV.9206</u>, United Arab Emirates, China, Ghana, Russian Federation, Brazil, Kenya and India.

<sup>&</sup>lt;sup>1282</sup> See <u>S/PV.9059</u>, Mexico, Norway, Ireland and France; and <u>S/PV.9206</u>, Albania, France, Norway, Mexico, United States and Ireland.

<sup>&</sup>lt;sup>1283</sup> See S/2022/687.

<sup>&</sup>lt;sup>1284</sup> Resolution <u>2651 (2022)</u>, para. 2.

<sup>1285</sup> Ibid., seventh preambular paragraph.

<sup>1286</sup> Ibid., para. 3. For further details, see part IX, sect. III.

<sup>&</sup>lt;sup>1287</sup> A concept note was circulated by a letter dated 3 October 2022 (S/2022/737).

former Chair of the African Group of Negotiators on Climate Change and the Regional Director for Africa at the International Committee of the Red Cross. <sup>1288</sup>

The Assistant Secretary-General stated that the climate emergency was a danger to peace and added that climate change exacerbated existing risks and created new ones. To support the African continent in addressing the impact of climate change on peace and security, the Assistant Secretary-General noted that action was needed on multiple fronts. For that reason, she added that multidimensional partnerships connecting the work of the United Nations, regional organizations, Member States, international financial institutions, civil society, the private sector and international and local researchers were vital.

The former Chair of the African Group of Negotiators on Climate Change outlined the links between climate change and peace and security in Africa, examined the resources available to Africa in addressing the threat of climate change to peace and security in Africa, and explored the ways to maximize the international community's support for Africa to minimize the effects of climate change on peace and security.

The Regional Director for Africa at the International Committee of the Red Cross noted that the convergence of climate risk, environmental degradation and armed conflict threatened people's lives and health and worsened food, economic and water insecurity. He added that climate change multiplied existing vulnerabilities and inequalities in conflict zones, and that the impact of such overlap could shape human mobility and access to resources on a regional scale, citing the examples of several countries in the Sahel, as well as Mali, the Niger and Somalia.

Following the briefings, Council members and other speakers discussed the impact of climate change on peace and security in Africa and the steps that the Council and the broader international community could take to address that question. Speakers exchanged views on the extent to which climate change was a contributing factor or threat multiplier in various conflict situations and deliberated on the role of the Council in addressing it. 1289

<sup>1289</sup> For more information on Council members' discussions on whether the issue of climate change was within the purview of the Council's mandate, see part V, sect. I.

<sup>&</sup>lt;sup>1288</sup> See S/PV.9150.

On 10 November, under the presidency of Ghana, the Council held a high-level debate under the sub-item entitled "Counter-terrorism in Africa: an imperative for peace, security and development". 1290 During the meeting, the Council heard briefings by the Deputy Secretary-General, the Chairperson of the African Union Commission, the Managing Director for Common Security and Defence Policy and Crisis Response of the European External Action Service and by the Chief Executive Officer of the International Crisis Group. 1291

In her briefing, the Deputy Secretary-General noted that terrorists and violent extremists had exploited instability and conflict to increase their activities and intensify attacks across Africa, with women and girls bearing the brunt of insecurity and inequality. Countering international terrorism required effective multilateral responses which needed to address terrorism together with concurrent and converging threats, including the worsening climate emergency, armed conflict, poverty and inequality, lawless cyberspace and uneven recovery from the coronavirus disease pandemic.

Following the Deputy Secretary-General, the Chairperson of the African Union Commission stated that in Africa, terrorism and the increasingly frequent use of violence as a means of gaining and maintaining power were fragmenting societies and causing dozens of deaths and significant physical and psychological damage. He added that Somalia, Libya, Mali, Burkina Faso, the Lake Chad basin, Mozambique and the eastern Democratic Republic of the Congo were all theatres and preferred areas for the proliferation of deadly terrorist activities, noting that the defeat of terrorism in Africa was necessary to cut its chances of metastasizing elsewhere.

The Managing Director for Common Security and Defence Policy and Crisis Response of the European External Action Service highlighted further that West Africa required immediate attention to stem the risks of spillover from advancing terrorist actors.

The Chief Executive Officer of the International Crisis Group affirmed that conflicts involving non-State armed groups would be a source of instability in Africa for some time to

<sup>1291</sup> See S/PV.9188.

<sup>&</sup>lt;sup>1290</sup> A concept note was circulated by a letter dated 1 November 2022 (S/2022/822).

come; robust, African-led missions were well positioned to counter those threats, but required proper and reliable resources; and stabilizations missions alone could not stem the threat of non-State armed groups as they required broader responses, including projects to provide basic services and better governance. The International Crisis Group held the view that conflicts that destabilized several African regions were not only about counter-terrorism, but were often rooted in concrete grievances with State authorities and elites whose level of public legitimacy was dismal, and that the use of force was to always be part of a wider political strategy.

In their discussion, Council members focused on the role of regional and sub-regional organizations and initiatives, such as the African Union and the Economic Community of West African States, in countering terrorism in different regions of Africa, including in the Sahel, West Africa and the Horn of Africa. They also discussed the threat posed by various terrorist groups, focusing on Al-Qaida and Da'esh and their local offshoots. Other topics addressed during the discussion included the prevention efforts in tackling the underlying causes of terrorism and drivers of instability, the impact of climate change, as well as the extent to which the United Nations peace operations could tackle the challenges of terrorism in Africa.

Meetings: Threats to international peace and security

Meeting record Sub-item and date	Other documents	Rule 37 invitations	Rule 39 and other invitations	Speakers	Decisions and vote (for-against-abstaining)
<u>S/PV.8960</u> 31 January 2022		Belarus, Lithuania, Poland, Ukraine	Under-Secretary- General for Political and Peacebuilding Affairs	All Council members, all invitees <sup>a</sup>	
S/PV.8988 7 March 2022		Ukraine	Under-Secretary- General for Humanitarian Affairs and Emergency Relief Coordinator, Executive Director of the United Nations Children's Fund	All Council members, all invitees	
<u>S/PV.8991</u> 11 March 2022		Ukraine	Under-Secretary- General for Political and Peacebuilding Affairs, High	14 Council members, <sup>b</sup> al invitees	I

			Representative for Disarmament Affairs		
S/PV.8998 17 March 2022		Poland, Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs, Assistant High Commissioner for Operations of the Office of the United Nations High Commissioner for Refugees, Director-General of the World Health Organization		
<u>S/PV.8999</u> 18 March 2022			High Representative for Disarmament Affairs	All Council members, invitee	
<u>S/PV.9033</u> 13 May 2022			Deputy High Representative for Disarmament Affairs	All Council members, invitee	
<u>S/PV.9059</u> 8 June 2022	J	Iraq	Special Adviser and Head of the Investigative Team established pursuant to Security Council resolution 2379 (2017) (UNITAD)	All Council members, all invitees	
<u>S/PV.9109</u> 11 August 2022	1	Ukraine	Director General of the International Atomic Energy Agency	All Council members <sup>c</sup> , all invitees	
<u>S/PV.9114</u> 23 August 2022	1	Ukraine	Under-Secretary- General for Political and Peacebuilding Affairs	All Council members, all invitees	
S/PV.9124 6 September 2022		Germany, Ukraine	Secretary-General, Director General of the International Atomic Energy Agency	All Council members, all invitees <sup>d</sup>	
S/PV.9127 8 September 2022	1	Ukraine	High Representative for Disarmament Affairs, Director of the Center for Geostrategic Studies	members, all invitees	
<u>S/PV.9131</u> 15 September 2022	Draft resolution submitted by the United Kingdom (S/2022/693)				Resolution <u>2651 (2022)</u> 15-0-0
<u>S/PV.9144</u> 30 September 2022			Assistant Secretary- General for Economic Development in the Department for Economic and Social	All Council members, all invitees <sup>e</sup>	42

All Council

invitees<sup>h</sup>

members.

All Council

members, all

invitees

invitees

members,g all

Affairs, Spokesperson
for Gazprom, Director
of the Centre for Energy
and Climate of the
French Institute of
International Relations

S/PV.9150 Climate and security in 12 October 2022 Africa

> Letter dated 3 October 2022 from the Permanent Representative of Gabon to the United Nations addressed to the Secretary-General (S/2022/737)

10 Member States<sup>f</sup>

Assistant Secretary-General for Africa in the Departments of

Political and

Peacebuilding Affairs and Peace Operations, Former Chair of the African group of Negotiators on Climate Change, Regional Director for Africa at the International Committee of the Red

Cross

S/PV.9171 27 October 2022 Ukraine

Director and Deputy to All Council the High Representative members, all for Disarmament invitees

Affairs

S/PV.9172 27 October 2022 (closed)

S/PV.9175

31 October 2022

Latvia, Lithuania, Poland

Ukraine

Belarus,

Greece,

Germany,

President of the Council All Council of the International members, all Civil Aviation inviteesi

Director General of the Council

International Atomic

Energy Agency

Organization

S/PV.9176 31 October 2022 Germany, Romania, Türkiye, Ukraine

Under-Secretary-General for **Humanitarian Affairs** 

and Emergency Relief Coordinator, Secretary-General of the United

Nations Conference on Trade and

Development, Deputy Head of the Delegation of the European Union to the United Nations

Chairperson of the

S/PV.9180 2 November 2022

the Russian Federation (S/2022/821) 14 Council members<sup>j</sup>

Draft resolution S/2022/821 not adopted  $2-3-10^k$ 

S/PV.9188 10 November Counter-terrorism in Africa: an imperative for

Deputy African Union Secretary-Commission, Managing General, all

2022

430

Draft resolution

submitted by

peace, security and development

Letter dated 1 November 2022 from the Permanent Representative of Ghana to the United Nations addressed to the Secretary-General (\$\frac{5}{2022}/822\$)

Director for Common Security and Defence Policy and Crisis

Policy and Crisis invitees<sup>m</sup>
Response of the
European External
Action Service,
President and Chief
Executive Officer of the
International Crisis

Group

S/PV.9206 5 December 2022 Letter dated 7 November 2022 from the Special Adviser and Head of UNITAD addressed to the President of the Security Council (\$/2022/836)

Iraq

Special Adviser and Head of UNITAD

All Council members, all invitees

Council members. <sup>1</sup> all

<u>S/PV.9216</u> 9 December Ukraine

High Representative for All Council Disarmament Affairs, members, all civil society invitees

representative

9 December 2022

- <sup>a</sup> The representative of Lithuania also spoke on behalf of Estonia and Latvia.
- <sup>b</sup> The representative of the United Arab Emirates (President of the Council) did not make a statement in her national capacity.
- <sup>c</sup> The United States was represented by its Under Secretary of State for Arms Control and International Security.
- <sup>d</sup> The Director General of the International Atomic Energy Agency participated in the meeting by videoconference.
- <sup>e</sup> The spokesperson for Gazprom and Director of the Centre for Energy and Climate of the French Institute of International Relations participated in the meeting by videoconference.
- <sup>f</sup>Colombia, Egypt, Germany, Italy, Morocco, Namibia, Niger, Poland, South Africa and Ukraine.
- <sup>g</sup> Gabon (President of the Council) and Norway were represented by their Ministers for Foreign Affairs.
- <sup>h</sup> The representative of Germany spoke on behalf of the Group of Friends on Climate and Security.
- <sup>i</sup>The representative of Latvia also spoke on behalf of Czechia and Estonia.
- <sup>j</sup> The representative of Gabon did not make a statement.
- <sup>k</sup> For: China, Russian Federation; against: France, United Kingdom, United States; abstaining: Albania, Brazil, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, United Arab Emirates.
- <sup>1</sup>Ghana (President of the Council) was represented by its President; Gabon was represented by its Deputy Minister for Foreign Affairs; the United Arab Emirates was represented by its Minister of State; the United States was represented by the Assistant to the President for Homeland Security.
- <sup>m</sup> All rule 39 invitees participated in the meeting by videoconference.