



UNITED NATIONS

# Repertoire of the Practice of the Security Council

SUPPLEMENT 2010-2011





**United Nations**


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

**Supplement 2010-2011**

**Volume I**



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**Department of Political Affairs**

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of the Security Council**

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## Introduction

The present publication constitutes the seventeenth supplement to the *Repertoire of the Practice of the Security Council*, 1946-1951, which was issued in 1954. It covers the proceedings of the Security Council from the 6255th meeting, held on 6 January 2010, to the 6699th meeting, held on 22 December 2011. The original *Repertoire* and previous supplements may be consulted at [www.un.org/en/sc/repertoire](http://www.un.org/en/sc/repertoire).

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

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

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

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

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

- |             |   |
|-------------|---|
| Chapter I   | Provisional rules of procedure of the Security Council (Articles 28, 30, 98; rules 1-5, 13-36, 40-67 of the rules of procedure) |
| Chapter II  | Agenda (rules 6-12 of the rules of procedure)   |
| Chapter III | Participation in the proceedings of the Security Council (Articles 31, 32, 35 (1); rules 37-39 of the rules of procedure)       |
| Chapter IV  | Voting (Article 27; rule 40 of the rules of procedure)  |
| Chapter V   | Subsidiary organs of the Security Council   |
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| Chapter VII  | Practice relative to recommendations to the General Assembly regarding membership in the United Nations   |
| Chapter VIII | Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (overview by agenda item) |
| Chapter IX   | Decisions taken by the Security Council in the exercise of its other functions and powers   |
| Chapter X    | Consideration of the provisions of Chapter VI of the Charter  |
| Chapter XI   | Consideration of the provisions of Chapter VII of the Charter   |
| Chapter XII  | Consideration of the provisions of other Articles (Articles 1 (2), 2 (4), 2 (5), 2 (6), 2 (7), 24, 25, 52-54, 102, 103)                                       |

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

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

The *Repertoire* is based on published documents of the Security Council. Symbols of United Nations documents are composed of letters combined with figures. Security Council documents are indicated by a symbol such as [S/2011/297](#). References to the verbatim records of meetings of the Council are given in the form [S/PV.6494](#), meetings being numbered consecutively, starting with the first meeting in 1946. As in previous recent supplements, reference is made in this Supplement only to the provisional verbatim records of Security Council meetings, as the practice of publishing the meeting records in the *Official Records* has been discontinued.

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The resolutions and other decisions adopted by the Security Council, including statements and notes issued by the President of the Council and relevant exchanges of letters between the President and the Secretary-General, are published in the yearly volumes of *Resolutions and Decisions of the Security Council*. Resolutions are identified by a number followed by the year of adoption in parentheses, for example, resolution 1969 (2011). References to the statements by the President on behalf of the Council are given in the form of [S/PRST/2011/5](#), for example.

Readers who wish to consult the full record of a meeting or the text of a Security Council document referred to in the *Repertoire* may do so on the official United Nations Documentation Centre website, [www.un.org/en/documents/](http://www.un.org/en/documents/). Security Council documents can be accessed on the website by selecting “Official Document System (ODS)” or one of the direct links to specific categories of documents. The volumes of *Resolutions and Decisions* may be accessed by symbol ([S/INF/65](#) for 2009/10, [S/INF/66](#) for 2010/11, [S/INF/67](#) for 2011/12).

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## Members of the Security Council, 2010-2011

|             |   |             |   |
|-------------|---|-------------|---|
| <b>2010</b> | Austria   | <b>2011</b> | Bosnia and Herzegovina                                  |
|             | Bosnia and Herzegovina                                  |             | Brazil  |
|             | Brazil  |             | China   |
|             | China   |             | Colombia  |
|             | France  |             | France  |
|             | Gabon   |             | Gabon   |
|             | Japan   |             | Germany   |
|             | Lebanon   |             | India   |
|             | Mexico  |             | Lebanon   |
|             | Nigeria   |             | Nigeria   |
|             | Russian Federation                                      |             | Portugal  |
|             | Turkey  |             | Russian Federation                                      |
|             | Uganda  |             | South Africa  |
|             | United Kingdom of Great Britain<br>and Northern Ireland |             | United Kingdom of Great Britain<br>and Northern Ireland |
|             | United States of America                                |             | United States of America                                |



## **Part I**

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



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## Introductory note

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

The overview gives the immediate political context in which consideration by the Council of those items evolved during the period 2010-2011.<sup>1</sup> It also constitutes a framework within which the deliberations of the Council expressly related to the provisions of the Charter and its provisional rules of procedure can be considered. Part I also examines the substantive aspects of the Council's practice that are not covered in other parts of the Repertoire.

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

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

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

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

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# Africa

## 1. The situation concerning Western Sahara

### Overview

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

### 30 April 2010 and 27 April 2011: extension of the mandate of MINURSO

On 30 April 2010, the Council met to consider a draft resolution by which it would extend the mandate of MINURSO.<sup>3</sup> While expressing support for the draft resolution prior to its adoption, the representative of Uganda also expressed concern over the allegations of violations of human rights in the territory of Western Sahara and the absence of a mechanism for human rights monitoring on the ground.<sup>4</sup> The representative of Nigeria noted an apparent reluctance of the Council to be coherent, consistent and forthcoming on the important question of human rights and an attempt to downplay the seriousness of their abuse.<sup>5</sup>

By resolution 1920 (2010), the Council, inter alia, extended the mandate of MINURSO until 30 April 2011. The Council called on the parties to adhere fully to the military agreements reached with MINURSO with regard to the ceasefire. Recognizing that the consolidation of the status quo was not acceptable in the long term, the Council called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue.

Following the adoption of the resolution, the representatives of France and the United Kingdom welcomed confidence-building measures, including the expansion of the family visits programme as a way to

improve the human rights situation.<sup>6</sup> The representative of the United States called on the parties to work collaboratively with the Office of the United Nations High Commissioner for Refugees to facilitate the implementation of their agreement regarding family visits, including the establishment of family visits by land.<sup>7</sup> The representatives of Austria and the United Kingdom also called on the parties to engage with the Office of the United Nations High Commissioner for Human Rights to ensure respect of the human rights of the people of Western Sahara in the territory and the refugee camps.<sup>8</sup> In order to ensure that MINURSO was making a positive contribution to the resolution of the conflict in Western Sahara instead of mandating a mission that entrenched the status quo, the representative of United Kingdom requested the Secretariat to develop suitable benchmarks against which the progress of MINURSO in achieving its mandate could be measured and asked for an assessment of such progress to be included in the next report with a view to its future configuration.<sup>9</sup>

On 27 April 2011, the Council adopted resolution 1979 (2011), by which it, inter alia, welcomed the establishment of the National Council on Human Rights in Morocco and the proposed component regarding Western Sahara, and the commitment of Morocco to ensure unqualified and unimpeded access to all special procedures of the United Nations Human Rights Council. The Council decided to extend the mandate of MINURSO until 30 April 2012.

Before the adoption of a draft resolution, the representative of South Africa remarked that the mandate of MINURSO was one of the few United Nations mandates, and the only one in Africa, that did not have human rights components. He maintained that MINURSO should have a human rights monitoring mandate, especially in the light of the recent reports of human rights incidents in Western Sahara, including events in Laayoune in 2010.<sup>10</sup> The representative of

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<sup>2</sup> Resolutions 1920 (2010) and 1979 (2011). For more information on MINURSO, see part X, sect. I, "Peacekeeping operations".

<sup>3</sup> S/2010/216.

<sup>4</sup> S/PV.6305, pp. 2-3.

<sup>5</sup> Ibid., p. 3.

<sup>6</sup> Ibid., p. 5 (France); and p. 6 (United Kingdom).

<sup>7</sup> Ibid., p. 4.

<sup>8</sup> Ibid., p. 6.

<sup>9</sup> Ibid., p. 6.

<sup>10</sup> S/PV.6523, pp. 2-3.

Nigeria was concerned about the lack of a reference to resolution 690 (1991) in the draft resolution and called for involvement of the African Union countries in the efforts to find an international solution to the conflict.<sup>11</sup> Other speakers referred to the question of

<sup>11</sup> Ibid., p. 3.

human rights in the territory of Western Sahara, and noted the efforts made and measures taken by Morocco to consolidate and strengthen the promotion and protection of human rights.<sup>12</sup>

<sup>12</sup> Ibid., p. 4 (United Kingdom, France); and p. 5 (Gabon).

### Meetings: the situation concerning Western Sahara

| <i>Meeting and date</i> | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|---|---|----------------------------|---|---|
| 6305<br>30 April 2010   | Report of the Secretary-General on the situation concerning Western Sahara (S/2010/175) | Draft resolution submitted by France, Russian Federation, Spain, United Kingdom, United States (S/2010/216) | Spain                      | 8 Council members (Austria, France, Mexico, Nigeria, Russian Federation, Uganda, United Kingdom, United States) | Resolution 1920 (2010)<br>15-0-0                  |
| 6523<br>27 April 2011   | Report of the Secretary-General on the situation concerning Western Sahara (S/2011/249) | Draft resolution submitted by France, Russian Federation, Spain, United Kingdom, United States (S/2011/268) | Spain                      | 5 Council members (France, Gabon, Nigeria, South Africa, United Kingdom)  | Resolution 1979 (2011)<br>15-0-0                  |

## 2. The situation in Liberia

### Overview

During the period under review, the Security Council held 10 meetings on the situation in Liberia, including two closed meetings with troop-contributing countries,<sup>13</sup> and adopted five resolutions under Chapter VII of the Charter. The Council heard briefings by the Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia (UNMIL) and the Chair of the Liberia configuration of the Peacebuilding Commission.

During the meetings, the Council considered the mandate of UNMIL, which was extended twice, for a period of one year each time.<sup>14</sup> It also considered the preparations for the presidential and legislative elections held in October 2011, and the political and security challenges facing the country.

<sup>13</sup> See S/PV.6376 and S/PV.6608.

<sup>14</sup> Resolutions 1938 (2010) and 2008 (2011).

The Council renewed the sanctions measures and extended the mandate of the Panel of Experts twice. On 17 December 2010, by resolution 1961 (2010), the Council renewed the travel ban and arms embargo for 12 months. The mandate of the Panel of Experts was also extended for 12 months, until 16 December 2011. On 14 December 2011, by resolution 2025 (2011), the Council again renewed the travel ban and arms embargo for 12 months. The mandate of the Panel of Experts was also extended for 12 months.<sup>15</sup>

<sup>15</sup> For more information on the sanctions measures, see part VII, sect. III, with regard to measures adopted in accordance with Article 41 of the Charter. For information on the Committee established pursuant to resolution 1521 (2003) concerning Liberia, and the Panel of Experts, see part IX, sect. I. B.1, with regard to the Security Council committees overseeing specific sanctions measures.

**8 September 2010 to 13 September 2011:  
briefings concerning the situation in Liberia  
and the mandate of UNMIL**

On 8 September 2010, the Council heard a briefing by the Special Representative of the Secretary-General for Liberia and Head of UNMIL, who reported that, while the overall situation in Liberia was stable, it remained fragile and additional progress was needed in a number of areas to consolidate peace. She stated that the Government had requested that it be added to the agenda of the Peacebuilding Commission, which, if realized, would offer a unique opportunity for the Council and the Commission to ensure that peacekeeping and peacebuilding efforts would become mutually supportive. Regarding the preparations for the 2011 presidential and legislative elections, she stated that significant political progress had been achieved, including the adoption of legislation that would serve as the framework for the elections. While the elections would be a critical test for Liberia on its path to democratic stability, she stated that the National Elections Commission would need further support from the international community to organize the elections successfully. She further highlighted the efforts undertaken by the Government and UNMIL for the handover of security responsibilities, noting that the Government had taken ownership of the process and had recognized the need for early planning to strengthen institutions such as the police.<sup>16</sup>

On 16 March 2011, the Council heard a briefing by the Special Representative of the Secretary-General, who reported on the preparations for the presidential and legislative elections. She noted that voter registration had been concluded with no major security incidents or prohibitive logistical challenges, as UNMIL had provided targeted assistance and logistical support by airlifting registration materials to and from inaccessible locations. She stated that the political and security environment in Liberia had meanwhile become more complex, owing to the upcoming elections and the situation along Liberia's border with Côte d'Ivoire, which had seen a sharp increase in the number of refugees entering the country. In response, UNMIL and Government security forces had increased patrols, but ensuring coverage along the long and porous border was

<sup>16</sup> S/PV.6379, pp. 2-5.

proving to be overwhelming, and highlighted gaps in the capacity of the security agencies.<sup>17</sup>

The Chair of the Liberia configuration of the Peacebuilding Commission reported on his two visits to Liberia, and stressed the need for national reconciliation, beginning with resolving the numerous land disputes which had amplified the ill feelings that existed between the two principal communities in the country. In this regard, he expressed support for proposals to establish a historical commission as the first step towards the construction of a "national memory". He further underlined the fragility of the justice system, and called upon the Government to pursue measures to strengthen the functioning of the existing courts, as well as to consider the establishment of special courts to deal with serious economic crimes.<sup>18</sup>

The representative of Liberia emphasized that carrying out the upcoming elections successfully would test the country's commitment to democratic governance. She expressed concern over the influx of refugees from Côte d'Ivoire, and urged the international community to maintain a critical focus on the escalating humanitarian crisis, which could undermine stability in the entire West African subregion. She emphasized the urgent need for resources to enable the humanitarian community and the Government to prepare an effective response to the situation.<sup>19</sup>

On 13 September 2011, the Council heard a briefing by the Special Representative of the Secretary-General, who reported on the preparations being made for the presidential and legislative elections scheduled for 10 October 2011. She stated that a national referendum to consider four proposed amendments to the Constitution, seen as a critical rehearsal for the elections, had been conducted successfully with the support of UNMIL without any serious security incidents. She stated that the role of UNMIL continued to be focused on coordinating international assistance and employing the Mission's good offices to ensure an environment conducive to peaceful elections. In the light of the increased challenges in the border area, UNMIL was also working closely with the United Nations Operation in Côte d'Ivoire to strengthen inter-mission cooperation, including increased coordination of border patrolling and information-

<sup>17</sup> S/PV.6495, pp. 2-4.

<sup>18</sup> Ibid., pp. 4-5.

<sup>19</sup> Ibid., pp. 5-6.

sharing. Meanwhile, the planning for the handover of security responsibilities from UNMIL to the Government had continued, but the process had slowed because of the challenges related to the election and the developments concerning Côte d'Ivoire. She further emphasized the need to continue building the capacity of the security sector to allow for the actual handover.<sup>20</sup>

The Chair of the Liberia configuration of the Peacebuilding Commission reported on several new projects that would be financed in part by the Peacebuilding Fund, including the construction of five justice and security hubs. He noted, however, that securing the remainder of the funding remained a challenge, as the Liberian National Police, which was expected to take on the security responsibilities of UNMIL, suffered from a serious lack of resources. He called upon the international community to invest in the Liberian National Police more directly and urgently.<sup>21</sup>

The Minister for Foreign Affairs of Liberia recalled the major contributions made by UNMIL since its establishment in 2003, and emphasized that the partnership between UNMIL and the Government was vital for ensuring that the elections were free and fair, transparent and credible. Daunting challenges remained, including planning for the elections and addressing the border issues with Côte d'Ivoire, and an assessment mission early in 2012 would evaluate the Government's readiness and ability to use its own security capacity. He emphasized the need for an orderly and well-paced drawdown schedule for UNMIL.<sup>22</sup>

**15 September 2010 and 16 September 2011:  
extension of the mandate of UNMIL and debate  
on the future drawdown**

On 15 September 2010, by resolution [1938 \(2010\)](#), the Council extended the mandate of UNMIL for one year, until 30 September 2011 and, inter alia, reiterated its mandate, namely, to assist the Government by providing logistical support, coordinating international electoral assistance and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections. The Council also endorsed the recommendation of the Secretary-General that the conduct of free, fair and peaceful elections be a core benchmark for the future drawdown of UNMIL.

On 16 September 2011, by resolution [2008 \(2011\)](#), the Council extended the mandate of UNMIL for one year, until 30 September 2012 and, inter alia, reiterated its authorization to the Mission to continue to assist the Government with the 2011 presidential and legislative elections, by providing logistical support, coordinating international electoral assistance and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections.

In the discussion following the adoption of the resolution, the Council members welcomed the progress made by Liberia, especially in the preparations for the elections, and expressed support for the extension of the mandate of UNMIL. The representatives of France, Germany, Portugal and the United Kingdom expressed support for the recommendation of the Secretary-General for a review of the mandate, configuration and personnel by 30 May 2012, and noted that this had not been reflected in the resolution adopted.<sup>23</sup> The representative of the United Kingdom expressed his disappointment that the resolution did not take up amendments put forward by several Council members regarding the review. He emphasized his commitment to improving the efficiency and effectiveness of peacekeeping missions, and stated that no peacekeeping mission should be exempt from regular review by the Council.<sup>24</sup> The representative of the United States stated that she was not ready to predetermine the Council's actions on such an important matter as the drawdown of UNMIL, given the uncertain situation due to the upcoming elections and tensions in the region. Stressing that it was not the time to impose rigid timelines on UNMIL, she asserted that a drawdown must be determined by the facts on the ground, and not by any artificial deadlines.<sup>25</sup> The Minister for Foreign Affairs of Liberia welcomed the extension of the mandate of UNMIL and acknowledged the significant contribution of the Mission in helping his country to address the many challenges it faced. He further pledged that the Government and people would continue the march forward towards ensuring sustainable peace and sustained development long after the withdrawal of UNMIL troops.<sup>26</sup>

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<sup>20</sup> [S/PV.6610](#), pp. 2-4.

<sup>21</sup> *Ibid.*, pp. 4-6.

<sup>22</sup> *Ibid.*, pp. 6-7.

<sup>23</sup> [S/PV.6619](#), p. 2 (France); p. 3 (Germany, Portugal); and p. 4 (United Kingdom).

<sup>24</sup> *Ibid.*, p. 4.

<sup>25</sup> *Ibid.*, p. 3.

<sup>26</sup> *Ibid.*, p. 4.

**3 March 2011: withdrawal of UNMIL support  
contingent from Sierra Leone**

On 3 March 2011, by resolution [1971 \(2011\)](#), the Council, inter alia, discontinued the authorization granted under resolution [1626 \(2005\)](#), and requested

that UNMIL withdraw, by 7 March 2011, the military personnel providing security for the Special Court for Sierra Leone.<sup>27</sup>

<sup>27</sup> For more information on the mandate of UNMIL, see part X, sect. I, "Peacekeeping operations".

**Meetings: the situation in Liberia**

| <i>Meeting and date</i>                   | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|---|---|--|----------------------------|---|-----------------|---|
| <a href="#">6379</a><br>8 September 2010  | Twenty-first progress report of the Secretary-General on the United Nations Mission in Liberia (UNMIL) ( <a href="#">S/2010/429</a> )     |  | Liberia                    | Special Representative of the Secretary-General for Liberia and Head of UNMIL                                       | All invitees    |   |
| <a href="#">6383</a><br>15 September 2010 | Twenty-first progress report of the Secretary-General on UNMIL ( <a href="#">S/2010/429</a> )   | Draft resolution submitted by United States ( <a href="#">S/2010/475</a> ) | Liberia                    |   |                 | Resolution <a href="#">1938 (2010)</a><br>15-0-0  |
| <a href="#">6454</a><br>17 December 2010  |   | Draft resolution submitted by United States ( <a href="#">S/2010/643</a> ) |                            |   |                 | Resolution <a href="#">1961 (2010)</a><br>15-0-0  |
| <a href="#">6493</a><br>3 March 2011      | Letter dated 11 February 2011 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2011/74</a> ) | Draft resolution submitted by United States ( <a href="#">S/2011/106</a> ) | Sierra Leone               |   |                 | Resolution <a href="#">1971 (2011)</a><br>15-0-0  |
| <a href="#">6495</a><br>16 March 2011     | Twenty-second progress report of the Secretary-General on UNMIL ( <a href="#">S/2011/72</a> )   |  | Liberia                    | Special Representative of the Secretary-General, Chair of the Liberia configuration of the Peacebuilding Commission | All invitees    |   |



| <i>Meeting and date</i>                   | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i>             | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|---|---|---|--|---|---|---|
| <a href="#">6610</a><br>13 September 2011 | Twenty-third progress report of the Secretary-General on UNMIL ( <a href="#">S/2011/497</a> ) |   | Liberia (Minister for Foreign Affairs) | Special Representative of the Secretary-General, Chair of the Liberia configuration of the Peacebuilding Commission | All invitees  |   |
| <a href="#">6619</a><br>16 September 2011 | Twenty-third progress report of the Secretary-General on UNMIL ( <a href="#">S/2011/497</a> ) | Draft resolution submitted by Gabon, India, Nigeria, South Africa, United States ( <a href="#">S/2011/576</a> ) | Liberia (Minister for Foreign Affairs) |   | 5 Council members (France, Germany, Portugal, United Kingdom, United States), Liberia | Resolution <a href="#">2008 (2011)</a> 15-0-0     |
| <a href="#">6684</a><br>14 December 2011  |   | Draft resolution submitted by United States ( <a href="#">S/2011/769</a> )                                      | Liberia                                |   |   | Resolution <a href="#">2025 (2011)</a> 15-0-0     |

### 3. The situation in Somalia

#### Overview

During the period under review, the Security Council held 28 meetings and adopted 11 resolutions and 4 presidential statements in connection with the situation in Somalia. The Council welcomed the steps taken by the United Nations Political Office for Somalia (UNPOS) to increase its presence in the country. In addition, the Council continued to act against the growing problem of piracy and armed robbery at sea by enhancing the legal framework for the prosecution of pirates. It also followed the progress in the implementation of the Djibouti Agreement of 19 August 2008 and the Kampala Accord of 9 June 2011. Finally, the Council continued to address the widespread humanitarian crisis in Somalia.

In May 2011, the Council visited Kenya to hold discussions on the future of Somalia as part of its mission to Africa.<sup>28</sup>

The Council continued to assess the conditions for a possible deployment of a United Nations peacekeeping operation to take over from the African Union Mission in Somalia (AMISOM). Acting under Chapter VII of the Charter, the Council three times extended its authorization to the African Union to maintain the deployment of AMISOM.<sup>29</sup> The Council met twice to extend for 12 months each time the mandate of the Monitoring Group supporting the Committee established pursuant to resolution [751 \(1992\)](#).<sup>30</sup>

<sup>28</sup> For more information on Security Council missions, see part I, sect. 36, and part VI, sect. II. A, with regard to investigation of disputes and fact-finding.

<sup>29</sup> Resolutions [1910 \(2010\)](#), [1964 \(2010\)](#) and [2010 \(2011\)](#).

<sup>30</sup> Resolutions [1916 \(2010\)](#) and [2002 \(2011\)](#). For more information on the Monitoring Group, see part IX, sect. I. B.1, with regard to the Committee pursuant to resolutions [751 \(1992\)](#) and [1907 \(2009\)](#).

**14 January 2010 to 14 September 2011:  
briefings by the Special Representative of the  
Secretary-General**

From 14 January 2010 to 14 September 2011, the Council received several regular briefings from the Special Representative of the Secretary-General for Somalia and Head of UNPOS, on the basis of the reports of the Secretary-General which provided an assessment on the political, security, human rights and humanitarian situation in Somalia.<sup>31</sup>

**14 January 2010 to 30 September 2011:  
strengthening of AMISOM and relocation  
of UNPOS**

From 14 January 2010 to 14 September 2011, a representative of the African Union regularly provided the Council with an update on the deployment of AMISOM and highlighted its role in bringing about a fundamental change in the political-security landscape in Somalia. The representative also reiterated the appeal of the African Union for the transformation of AMISOM into a United Nations peacekeeping operation and for providing AMISOM with the capacity to better fulfil its mandate and support the Transitional Federal Government.<sup>32</sup>

On 28 January 2010, by resolution [1910 \(2010\)](#), the Council, inter alia, decided to authorize the States members of the African Union to maintain AMISOM until 31 January 2011, requested the Secretary-General to continue to provide a logistical support package for AMISOM, and recalled its statement of intent regarding the establishment of a United Nations peacekeeping operation, as expressed in resolution [1863 \(2009\)](#).

On 16 September 2010, while commending AMISOM for its defence of the transitional federal institutions in Mogadishu and for preventing recurrent attacks by terrorist insurgents, the Special Representative of the Secretary-General called for scaled-up assistance from the international community for the force. He supported the decision of the Intergovernmental Authority on Development and the African Union to deploy in Mogadishu 2,000 additional troops to enable AMISOM to reach its authorized strength of 8,000. He maintained that

<sup>31</sup> See [S/PV.6259](#), [S/PV.6313](#), [S/PV.6386](#), [S/PV.6467](#), [S/PV.6494](#), [S/PV.6532](#), [S/PV.6599](#) and [S/PV.6614](#).

<sup>32</sup> See [S/PV.6259](#), [S/PV.6313](#), [S/PV.6407](#) and [S/PV.6614](#).

AMISOM troop allowances should match those paid under United Nations peacekeeping operations, and that the Mission should be supplied with the proper equipment needed to identify, track, deter or respond to insurgent attacks in a populated urban setting.<sup>33</sup>

On 21 October 2010, the Commissioner for Peace and Security of the African Union presented to the Council the proposals adopted at the African Union Peace and Security Council meeting on 15 October. He urged the Council to endorse an increase in the authorized troop strength of AMISOM from 8,000 to 20,000, as well as an expansion of its funding from United Nations assessed contributions. He also urged the Council to impose a naval blockade and a no-flight zone over Somalia and to consider requesting the naval operations off the coast of Somalia to provide more direct and tangible operational support to AMISOM.<sup>34</sup> The representative of Somalia welcomed the proposals of the African Union Peace and Security Council, particularly the call on the Security Council to endorse the proposed new force strength for AMISOM and to authorize an enhanced support package for that Mission, funded through United Nations assessed contributions, and for the payment of troop allowances at United Nations rates.<sup>35</sup>

On 22 December 2010, by resolution [1964 \(2010\)](#), the Council extended its authorization of AMISOM until 30 September 2011, and requested the African Union to increase the Mission's force strength from the current mandated level of 8,000 to 12,000 troops.

On 14 September 2011, the Special Representative of the Secretary-General echoed the Secretary-General's support, in his report,<sup>36</sup> for the rapid deployment of a guard force as part of AMISOM to provide protection for AMISOM civilians and United Nations personnel and assets, which he deemed essential to enable UNPOS to facilitate the implementation of the road map. His office was ready to expedite the deployment of its staff to Somalia, especially to Mogadishu, as soon as accommodation and logistical support were made available.<sup>37</sup>

<sup>33</sup> [S/PV.6386](#), pp. 3-4.

<sup>34</sup> [S/PV.6407](#), p. 5.

<sup>35</sup> *Ibid.*, pp. 7-8.

<sup>36</sup> [S/2011/549](#).

<sup>37</sup> [S/PV.6614](#), p. 4.

On 30 September 2011, by resolution [2010 \(2011\)](#), the Council extended its authorization of AMISOM until 31 October 2012. Recalling the report of the Secretary-General,<sup>38</sup> the Council agreed that an increase in United Nations organizations and their staff and other official international visitors in Mogadishu was placing additional pressure on AMISOM, and encouraged the United Nations to work with the African Union to develop a guard force of an appropriate size, within the mandated troop levels of the Mission, to provide security, escort and protection services to personnel from the international community, including the United Nations. The Council welcomed the steps taken by UNPOS and other United Nations offices and agencies, including the United Nations Support Office for AMISOM, to increase the presence of the United Nations organizations and their staff in Somalia as an important element of the effective fulfilment of their mandate, and urged the establishment of a more permanent and increasing presence by the United Nations in Somalia, in particular in Mogadishu, consistent with the security conditions, as outlined in the reports of the Secretary-General.

**19 March 2010 to 29 July 2011: modification of sanctions measures and extension of the mandate of the Monitoring Group**

On 19 March 2010, by resolution [1916 \(2010\)](#), the Council condemned the flow of weapons and ammunition supplies to and through Somalia and Eritrea in violation of the arms embargoes, and extended the mandate of the Monitoring Group on Somalia for 12 months, with the addition of three experts, in order to fulfil its expanded mandate. The tasks in the expanded mandate of the Monitoring Group included to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generated revenues used to commit violations of the Somalia and Eritrea arms embargoes. The Council also decided that, for a period of 12 months, the obligations imposed on Member States in paragraph 3 of resolution [1844 \(2008\)](#) would not apply to the payment of funds or other financial assets necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia.

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<sup>38</sup> [S/2011/549](#).

On 17 March 2011, by resolution [1972 \(2011\)](#), the Council decided, *inter alia*, that for a period of 16 months, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations imposed on Member States in paragraph 3 of resolution [1844 \(2008\)](#) would not apply to the payment of funds or other financial assets necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia.

On 29 July 2011, by resolution [2002 \(2011\)](#), the Council decided, *inter alia*, to extend the mandate of the Monitoring Group for a period of 12 months. It also decided that the measures stipulated in resolution [1844 \(2008\)](#) should apply to individuals and entities designated by the Committee pursuant to resolutions [751 \(1992\)](#) and [1907 \(2009\)](#) as engaging in or providing support for acts that threatened the peace, security or stability of Somalia, including acts that threatened the Djibouti Agreement. The Council considered, moreover, that all non-local commerce via Al-Shabaab-controlled ports posed a threat to the peace, stability and security of Somalia, and thereby individuals and entities engaged in such commerce could be designated by the Committee and made subject to targeted sanctions.

**27 April 2010 to 22 November 2011: piracy and armed robbery off the coast of Somalia**

On 27 April 2010, by resolution [1918 \(2010\)](#), the Council called upon all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia. It also requested the Secretary-General to report to the Council within three months on possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia.

From 25 August 2010 to 31 October 2011, the Council received several regular briefings from the Secretariat on the basis of the reports of the Secretary-General which provided an assessment of the piracy situation and examined the political, legal and operational activities that had been undertaken by Member States, regional organizations and the United Nations and its partners in the fight against piracy and armed robbery at sea and off the coast of Somalia. It also considered the modalities for the establishment of

specialized anti-piracy courts in Somalia and in the region.<sup>39</sup>

On 25 August 2010, the Secretary-General, as requested in resolution 1918 (2010), presented his report on possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia.<sup>40</sup> During the debate, the Secretary-General identified seven options which included the following: enhancing ongoing efforts to assist regional States to prosecute and imprison those responsible for piracy; locating a Somali court applying Somali law in a third State in the region; assisting a regional State or States to establish special chambers; active engagement by regional States and the African Union to establish a regional tribunal; an international tribunal analogous to existing hybrid tribunals; and a full international tribunal established by the Security Council acting under Chapter VII of the Charter. He pointed out that a host State would need to be identified, which in turn would require adequate arrangements for transferring those convicted to third States for their imprisonment. To further explore those issues, he intended to appoint a Special Adviser on Legal Issues related to Piracy off the Coast of Somalia.<sup>41</sup> Speakers welcomed the Secretary-General's options for strengthening judicial capacity against piracy as a good basis for further discussion, as well as his appointment of a Special Adviser. The representative of the United Kingdom expressed doubt about the viability of establishing new international or regional mechanisms for prosecuting pirates, stating that those risked being a waste of limited resources for solutions that would not be sustainable or offer long-term benefits.<sup>42</sup> The representative of the Russian Federation said that regional States faced the pressing problem of limited judicial and correctional capacities, which prevented them from finding appropriate responses at the national level. He suggested establishing an international judicial mechanism at the regional level to complement national systems.<sup>43</sup> The representative of Kenya stated that the current prosecution arrangements that had seen pirates handed over and tried in Kenya and in neighbouring States placed a heavy burden on those

countries and were clearly untenable in the long run. He stressed the extreme importance of better processes and mechanisms for ensuring prosecution and imprisonment.<sup>44</sup>

By a presidential statement adopted during the discussion, the Council welcomed the report of the Secretary-General<sup>45</sup> and his intention to appoint a Special Adviser on Legal Issues related to Piracy off the Coast of Somalia. It commended the ongoing efforts of States, including Kenya and Seychelles, to prosecute suspected pirates in their national courts, and stressed the need for all States to continue those efforts. The Council requested the Secretary-General to include in his next report observations on possible ways to enhance cooperation in prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia.<sup>46</sup>

On 23 November 2010, by resolution 1950 (2010), the Council renewed, for a further period of 12 months from the date of the resolution, the authorizations granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification had been provided by the Government to the Secretary-General, as set out in paragraph 10 of resolution 1846 (2008) and paragraph 6 of resolution 1851 (2008), as renewed by resolution 1897 (2009).

On 25 January 2011, the Council heard a briefing by the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia. In his briefing, he stressed the urgency of addressing the worsening situation posed by the issue of piracy, with attacks becoming increasingly sophisticated and pirates becoming "the masters" of the Indian Ocean. Moreover, 9 out of 10 pirates captured by national navies had to be released because no existing jurisdiction was prepared to prosecute them. To rectify that, the Special Adviser proposed establishing in Puntland and Somaliland two specialized jurisdictions to try pirates and two prisons to hold them, as well as a Somali court to be based in Arusha during the transition period. Touching on the nascent links between piracy and terrorism in Somalia, he warned that, if piracy expanded south, it would exacerbate

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<sup>39</sup> See S/PV.6374, S/PV.6417, S/PV.6473, S/PV.6560 and S/PV.6646.

<sup>40</sup> S/2010/394.

<sup>41</sup> S/PV.6374, p. 3.

<sup>42</sup> Ibid., p. 17.

<sup>43</sup> Ibid., pp. 24-25.

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<sup>44</sup> Ibid., p. 30.

<sup>45</sup> S/2010/394.

<sup>46</sup> S/PRST/2010/16.

terrorism in the region. He called on the Council to adopt a clear, robust and resolute resolution to encourage anti-piracy initiatives and facilitate adequate funding.<sup>47</sup> The representative of Somalia, while stating that his country would study the Special Adviser's proposals and options, which were "very viable and to the point", asserted that the funds required to implement the proposals were minor compared to what had been spent on the high seas as a consequence of piracy.<sup>48</sup> Council members acknowledged with concern that piracy was greatly impacting the global economy, endangering the critical delivery of humanitarian aid, and fuelling the growth of organized crime and terrorism. They welcomed strengthening counter-piracy efforts in the economic, security and judicial spheres as essential elements of any anti-piracy initiative. Deploring the lack of mechanisms to prosecute pirates, several members welcomed the Special Adviser's proposal to tackle the issue of impunity, and supported his recommendations for specialized piracy courts in the region and more targeted cooperation with Somaliland and Puntland.<sup>49</sup>

On 11 April 2011, by resolution [1976 \(2011\)](#), the Council, *inter alia*, requested States, the United Nations Office on Drugs and Crime, the United Nations Development Programme (UNDP), UNPOS and regional organizations to assist the Transitional Federal Government and regional authorities in Somalia in establishing a system of governance, rule of law and police control in lawless areas where land-based activities related to piracy were taking place. It also decided to urgently consider the establishment of specialized Somali courts to try suspected pirates both in Somalia and in the region, including an extraterritorial Somali specialized anti-piracy court.

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<sup>47</sup> [S/PV.6473](#), pp. 2-6.

<sup>48</sup> *Ibid.*, p. 7.

<sup>49</sup> *Ibid.*, p. 8 (Russian Federation); p. 9 (United States); p. 14 (Brazil); p. 15 (Portugal); p. 17 (France); p. 22 (Gabon); and p. 23 (Bosnia and Herzegovina).

On 24 October 2011, by resolution [2015 \(2011\)](#), the Council called upon the United Nations Office on Drugs and Crime, UNDP and other international partners to further their efforts to support the development of domestic legislation, agreements and mechanisms that would allow the effective prosecution of suspected pirates and the transfer and imprisonment of convicted pirates. It urged States and international organizations to share evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates.

On 22 November 2011, by resolution [2020 \(2011\)](#), the Council renewed for 12 months the authorizations granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia.

#### **24 June 2011: presidential statement concerning the Kampala Accord**

On 24 June 2011, the Council adopted a presidential statement by which it welcomed the signing of the Kampala Accord on 9 June, and commended the leadership shown by the President of Uganda, Yoweri Museveni, and the Special Representative of the Secretary-General, Augustine P. Mahiga, in facilitating the agreement. It called on the signatories to the Kampala Accord to honour their obligations, and to ensure cohesion, unity and focus on the completion of the transitional tasks set out in the Djibouti Agreement and the Transitional Federal Charter. Taking note of the appointment of the new Prime Minister of the Transitional Federal Government and looking forward to the prompt appointment of a new Cabinet, the Council called upon the transitional federal institutions to build broad-based representative institutions through a political process inclusive of all.<sup>50</sup>

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<sup>50</sup> [S/PRST/2011/13](#).

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

**Meetings: the situation in Somalia**

| <i>Meeting and date</i>    | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|----------------------------|--|---|--------------------------------|--|-----------------|--|
| 6259<br>14 January<br>2010 | Report of the<br>Secretary-<br>General on the<br>situation in<br>Somalia<br>(S/2009/684) |   | Somalia                        | Special<br>Representative of<br>the Secretary-<br>General for Somalia<br>and Head of the<br>United Nations<br>Political Office for<br>Somalia (UNPOS),<br>Commissioner for<br>Peace and Security<br>of the African<br>Union, Permanent<br>Observer of the<br>League of Arab<br>States to the United<br>Nations | All invitees    |  |
| 6266<br>28 January<br>2010 | Report of the<br>Secretary-<br>General on the<br>situation in<br>Somalia<br>(S/2009/684) | Draft resolution<br>submitted by<br>France, Turkey,<br>Uganda, United<br>Kingdom,<br>United States<br>(S/2010/49)   | Somalia                        |  |                 | Resolution 1910<br>(2010)<br>15-0-0                        |
| 6289<br>19 March 2010      |  | Draft resolution<br>submitted by<br>United<br>Kingdom<br>(S/2010/145)<br><br>Letter from the<br>Chairman of the<br>Security<br>Council<br>Committee<br>pursuant to<br>resolutions 751<br>(1992) and<br>1907 (2009)<br>transmitting the<br>report of the<br>Monitoring<br>Group on<br>Somalia<br>(S/2010/91) | Somalia                        |  |                 | Resolution 1916<br>(2010)<br>15-0-0                        |

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| <i>Meeting and date</i>                   | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>                | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>                                      | <i>Decision and vote (for-against-abstaining)</i> |
|---|--|---|---|---|--|---|
| <a href="#">6301</a><br>27 April 2010     | Report of the Secretary-General pursuant to Security Council resolution <a href="#">1846 (2008)</a> ( <a href="#">S/2009/590</a> ) | Draft resolution submitted by Russian Federation ( <a href="#">S/2010/206</a> ) | Somalia                                   |   | 2 Council members (Russian Federation, Uganda)       | Resolution <a href="#">1918 (2010)</a><br>15-0-0  |
| <a href="#">6313</a><br>12 May 2010       | Report of the Secretary-General on Somalia ( <a href="#">S/2010/234</a> )  |   | Norway, Somalia                           | Special Representative of the Secretary-General, Commissioner for Peace and Security of the African Union, Acting Head of the Delegation of the European Union to the United Nations  | All Council members and all invitees                 |   |
| <a href="#">6374</a><br>25 August 2010    | Report of the Secretary-General pursuant to Security Council resolution <a href="#">1918 (2010)</a> ( <a href="#">S/2010/394</a> ) |   | 13 Member States <sup>a</sup>             | Under-Secretary-General for Legal Affairs and Legal Counsel, Chargé d'affaires of the Delegation of the European Union, Permanent Observer of the African Union to the United Nations | Secretary-General, all Council members, all invitees | <a href="#">S/PRST/2010/16</a>                    |
| <a href="#">6386</a><br>16 September 2010 | Report of the Secretary-General on Somalia ( <a href="#">S/2010/447</a> )  |   | Algeria, Ethiopia, Kenya, Norway, Somalia | Special Representative of the Secretary-General, Permanent Observer of the African Union, Head of the Delegation of the European Union  | All Council members and all invitees                 |   |
| <a href="#">6407</a><br>21 October 2010   |  |   | Somalia                                   | Commissioner for Peace and Security of the African Union  | Secretary-General, all invitees                      |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>             | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i>   | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|-------------------------------------|--|---|--|--|---|--|
| 6408 (closed)<br>21 October<br>2010 |  |   | Burundi,<br>Ethiopia,<br>Somalia <sup>b</sup>                                | Commissioner for<br>Peace and Security<br>of the African<br>Union, Acting Head<br>of the Delegation of<br>the European Union         | Council<br>members,<br>Burundi,<br>Somalia,<br>invitees<br>under<br>rule 39,<br>Under-<br>Secretary-<br>General for<br>Field<br>Support,<br>Force<br>Commander<br>of AMISOM |  |
| 6417<br>9 November<br>2010          | Report of the<br>Secretary-<br>General pursuant<br>to Security<br>Council<br>resolution 1897<br>(2009)<br>(S/2010/556) |   | Somalia  | Under-Secretary-<br>General for<br>Political Affairs,<br>Executive Director<br>of the United<br>Nations Office on<br>Drugs and Crime | All invitees  |  |
| 6429<br>23 November<br>2010         | Report of the<br>Secretary-<br>General pursuant<br>to Security<br>Council<br>resolution 1897<br>(2009)<br>(S/2010/556) | Draft resolution<br>submitted by<br>22 Member<br>States <sup>c</sup><br>(S/2010/592)  | Canada,<br>Denmark,<br>Germany,<br>Greece,<br>Norway,<br>Somalia,<br>Ukraine |  |   | Resolution 1950<br>(2010)<br>15-0-0                        |
| 6461<br>22 December<br>2010         |  | Draft resolution<br>submitted by<br>France, Gabon,<br>Japan, Mexico,<br>Nigeria, Turkey,<br>Uganda, United<br>Kingdom,<br>United States<br>(S/2010/649) | Somalia  |  | 2 Council<br>members<br>(Japan,<br>Uganda)  | Resolution 1964<br>(2010)<br>15-0-0                        |
| 6467<br>14 January<br>2011          | Report of the<br>Secretary-<br>General on<br>Somalia<br>(S/2010/675)   |   | Somalia  | Special<br>Representative of<br>the Secretary-<br>General  | All invitees  |  |



## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>                 | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37 invitations</i>     | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>                                      | <i>Decision and vote (for-against-abstaining)</i> |
|---|---|--|--------------------------------|---|--|---|
| <a href="#">6473</a><br>25 January 2011 | Letter dated 24 January 2011 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2011/30</a> )  |  | Somalia                        | Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia, Assistant Secretary-General for Legal Affairs  | All Council members and all invitees                 |   |
| <a href="#">6494</a><br>10 March 2011   | Comprehensive strategy for the realization of peace and security in Somalia<br><br>Letter dated 3 March 2011 from the Permanent Representative of China to the United Nations addressed to the Secretary-General ( <a href="#">S/2011/114</a> ) |  | 22 Member States <sup>d</sup>  | Special Representative of the Secretary-General, Special Representative of the Chairperson of the African Union Commission for Somalia, Acting Head of the Delegation of the European Union | Secretary-General, all Council members, all invitees | <a href="#">S/PRST/2011/6</a>                     |
| <a href="#">6496</a><br>17 March 2011   |   | Draft resolution submitted by United Kingdom ( <a href="#">S/2011/140</a> )                | Somalia                        |   |  | Resolution <a href="#">1972 (2011)</a><br>15-0-0  |
| <a href="#">6512</a><br>11 April 2011   |   | Draft resolution submitted by 12 Member States <sup>e</sup> ( <a href="#">S/2011/228</a> ) | Italy, Somalia, Spain, Ukraine |   | 1 Council member (Russian Federation)                | Resolution <a href="#">1976 (2011)</a><br>15-0-0  |
| <a href="#">6532</a><br>11 May 2011     | Report of the Secretary-General on Somalia ( <a href="#">S/2011/277</a> )   |  | Ethiopia, Somalia              | Special Representative of the Secretary-General   | All invitees   | <a href="#">S/PRST/2011/10</a>                    |

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the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>                      | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>  | <i>Speakers</i>                      | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|--|---|---|--------------------------------|---|--------------------------------------|--|
| <a href="#">6560</a><br>21 June 2011         | Report of the Secretary-General on the modalities for the establishment of specialized Somali anti-piracy courts ( <a href="#">S/2011/360</a> )   |   | Somalia                        | Under-Secretary-General for Legal Affairs and Legal Counsel   | All Council members and all invitees |  |
| <a href="#">6564</a><br>24 June 2011         |   |   |                                |   |                                      | <a href="#">S/PRST/2011/13</a>                             |
| <a href="#">6596</a><br>29 July 2011         | Letter dated 18 July 2011 from the Chairman of the Security Council Committee pursuant to resolutions <a href="#">751 (1992)</a> and <a href="#">1907 (2009)</a> concerning Somalia and Eritrea addressed to the President of the Security Council ( <a href="#">S/2011/433</a> ) | Draft resolution submitted by France, Gabon, Germany, United Kingdom ( <a href="#">S/2011/470</a> ) |                                |   |                                      | Resolution <a href="#">2002 (2011)</a><br>15-0-0           |
| <a href="#">6599</a><br>10 August<br>2011    |   |   | Somalia                        | Special Representative of the Secretary-General, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator   | Invitees under rule 39               |  |
| <a href="#">6614</a><br>14 September<br>2011 | Report of the Secretary-General on Somalia ( <a href="#">S/2011/549</a> )   |   | Somalia                        | Special Representative of the Secretary-General, Special Representative of the Chairperson of the African Union Commission for Somalia, Acting Head of the Delegation of the European Union | All Council members and all invitees |  |

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| <i>Meeting and date</i>      | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37 invitations</i>                     | <i>Rule 39 and other invitations</i>              | <i>Speakers</i>                                   | <i>Decision and vote (for-against-abstaining)</i> |
|------------------------------|---|--|--|---|---|---|
| 6626<br>30 September<br>2011 | Report of the Secretary-General on Somalia (S/2011/549)<br><br>Letter dated 21 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/591)                      | Letter from the President of the Security Council concerning the logistical support package for AMISOM (S/2011/602)<br><br>Draft resolution submitted by France, Germany, Nigeria, Portugal, United Kingdom (S/2011/595) | Somalia  |   | Somalia   | Resolution 2010 (2011)<br>15-0-0                  |
| 6635<br>24 October<br>2011   |   | Draft resolution submitted by 16 Member States <sup>f</sup> (S/2011/650)   | Denmark, Greece, Italy, Norway, Spain, Ukraine |   |   | Resolution 2015 (2011)<br>15-0-0                  |
| 6646<br>31 October<br>2011   | Report of the Secretary-General on the protection of Somali natural resources and waters (S/2011/661)<br><br>Report of the Secretary-General pursuant to Security Council resolution 1950 (2010) (S/2011/662) |  |  | Assistant Secretary-General for Political Affairs | Assistant Secretary-General for Political Affairs |   |
| 6663<br>22 November<br>2011  |   | Draft resolution submitted by France, Germany, India, Norway, Russian Federation, United Kingdom, United States (S/2011/725)   | Norway   |   |   | Resolution 2020 (2011)<br>15-0-0                  |

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i> | <i>Speakers</i>       | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|-----------------------------|--|------------------------|--------------------------------|--|-----------------------|--|
| 6681<br>13 December<br>2011 | Report of the<br>Secretary-<br>General on<br>Somalia<br>(S/2011/759) |                        | Somalia                        |  | Secretary-<br>General |  |

<sup>a</sup> Denmark, India, Kenya, Norway, Philippines, Republic of Korea, Seychelles, Singapore, Somalia, South Africa, Sri Lanka, Ukraine and United Republic of Tanzania.

<sup>b</sup> Somalia was represented by the Minister for Foreign Affairs of the Transitional Federal Government.

<sup>c</sup> Austria, Bosnia and Herzegovina, Brazil, Canada, China, Denmark, France, Gabon, Germany, Greece, Japan, Lebanon, Mexico, Nigeria, Norway, Russian Federation, Somalia, Turkey, Uganda, Ukraine, United Kingdom and United States.

<sup>d</sup> Egypt, Eritrea, Ethiopia, Indonesia, Italy, Japan, Kenya, Norway, Philippines, Qatar, Republic of Korea, Somalia, Spain, Sudan, Sweden, Tajikistan, Thailand, Turkey, Uganda, Ukraine, United Arab Emirates and United Republic of Tanzania.

<sup>e</sup> Colombia, Denmark, France, Gabon, India, Italy, Lebanon, Nigeria, Portugal, Russian Federation, Spain and Ukraine.

<sup>f</sup> Denmark, France, Gabon, Germany, Greece, India, Italy, Lebanon, Nigeria, Norway, Portugal, Russian Federation, Spain, Ukraine, United Kingdom and United States.

## 4. The situation in Burundi

### Overview

During the period under review, the Security Council held six meetings and adopted two resolutions in connection with the situation in Burundi. The Council focused on the electoral process and post-conflict situation in Burundi. The United Nations Integrated Office in Burundi (BINUB) was scaled down and replaced by the United Nations Office in Burundi (BNUB) effective from 1 January 2011, with a mandate, *inter alia*, to support the Government of Burundi in strengthening the independence, capacities and legal frameworks of key national institutions.<sup>51</sup> The Council extended the mandate of BNUB for a period of one year.<sup>52</sup>

### 10 May 2010: electoral process

On 10 May 2010, the Executive Representative of the Secretary-General for Burundi and Head of BINUB briefed members on the preparations for the presidential and legislative elections scheduled for 28 June and 23 July 2010 respectively. While highlighting the positive developments in the preparation for the elections, including the issuance of

free identity cards, the submission of names of the candidates by the political parties for communal elections, the signing of the code of conduct for political parties, the media and the administration, and the significant progress in securing the budget for the elections, he noted the challenges ahead, particularly those relating to the tightness of the electoral calendar and the management of tensions that might arise on the day of elections.<sup>53</sup> Concurring with the positive assessment of the overall situation in Burundi, the Chair of the Burundi configuration of the Peacebuilding Commission pointed out that successful elections in Burundi would be key to solidifying the political foundation for peace and economic development in the country.<sup>54</sup> The representative of Burundi informed the Council that the National Independent Electoral Commission had been established and plans for election security had been developed. He expressed optimism about the successful holding of the elections, given the presence of a great number of regional and international observers, a higher standard of press freedom, and the existence of the legal and operational frameworks for free and transparent elections.<sup>55</sup>

<sup>51</sup> For more information on the mandates of BINUB and BNUB, see part X, sect. II, "Political and peacebuilding missions".

<sup>52</sup> Resolution 2027 (2011).

<sup>53</sup> S/PV.6309, pp. 2-4.

<sup>54</sup> *Ibid.*, p. 5.

<sup>55</sup> *Ibid.*, pp. 6-7.

**9 December 2010 to 7 December 2011: reports of the Secretary-General on BINUB and BNUB**

From 9 December 2010 to 7 December 2011, the Executive Representative of the Secretary-General and Head of BINUB or the Special Representative of the Secretary-General and Head of BNUB and the Chair of the Burundi configuration of the Peacebuilding Commission provided three joint briefings to the Council on the progress and challenges faced by Burundi in peacebuilding, particularly in the areas of human rights and transitional justice.

On 9 December 2010, the Executive Representative of the Secretary-General and Head of BINUB presented the seventh report of the Secretary-General, which provided an update on major developments in Burundi and outlined his proposals on the mandate and structure of the post-BINUB presence.<sup>56</sup> Despite the concerns expressed in the report over the threats and intimidation of members of the political opposition and the prevalent climate of impunity, he stressed the progress achieved, such as the absence of large-scale violence during and after the electoral period, enhanced representation of women in the National Assembly, and the integration of ex-combatants. On the basis of the report, the Executive Representative recommended a continuing but downsized United Nations presence in Burundi to succeed BINUB after the expiration of the mandate on 31 December 2010.<sup>57</sup> Expressing his concern about “an appreciable increase in human rights violations”, the Chair of the Burundi configuration of the Peacebuilding Commission identified four areas in the future work of the configuration: supporting the country in its integration into the East African Community; incorporating conflict-sensitive aspects in the poverty reduction strategy; addressing the rule of law and respect for human rights aspects; and promoting the culture of dialogue among the various parties in the country.<sup>58</sup> In response to the concerns expressed in the Secretary-General’s report, the representative of Burundi outlined the initiatives taken by his Government to address those issues.<sup>59</sup>

On 17 May 2011, the Special Representative of the Secretary-General and Head of BNUB noted that

the security situation in the country was generally calm and that a new law had been adopted on the functioning and organization of political parties. While expressing concern over continued reports of extrajudicial execution, she noted that the process of establishing an independent national human rights commission had moved steadily forward and that significant developments had been achieved in the realm of transitional justice. She reported that the transition from BINUB to a scaled-down presence of BNUB was going well.<sup>60</sup> Highlighting the adoption of the final document containing the conclusions of the fourth biannual review of the implementation of the Strategic Framework for Peacebuilding in Burundi on 21 April, the Chair of the Burundi configuration of the Peacebuilding Commission pointed out four priorities to be focused on, namely, on the institutional side, the consolidation of a culture of democracy as well as good governance, human rights, and the rule of law. On the socioeconomic side, he referred to the integration of the most vulnerable and those most affected by the conflict into economic life as well as regional integration into the East African Community.<sup>61</sup> The representative of Burundi stated that, following the successful elections of 2010, his country had set up institutions to conduct the new legislature. The success of the electoral process had largely been due to a spirit of dialogue forged through the Strategic Framework for Peacebuilding drawn up by the Parliament, the Government, political parties, and civil society.<sup>62</sup>

On 7 December 2011, the Special Representative of the Secretary-General stated that, although progress had been made in peacebuilding efforts, challenges remained. Citing the areas of transitional justice and human rights efforts, she referred to the normalization of relations between the Government and extra-parliamentary parties, the process of establishing a truth and reconciliation commission, and the establishment of the National Independent Human Rights Commission. At the same time, she warned that the consolidation of peace remained marred by politically motivated killing and extreme poverty. Lastly, she reported that BNUB had been working on the principal benchmarks in order to facilitate the eventual transition to a United Nations country team

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<sup>56</sup> S/2010/608.

<sup>57</sup> S/PV.6439, pp. 3-4.

<sup>58</sup> *Ibid.*, p. 6.

<sup>59</sup> *Ibid.*, pp. 7-9.

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<sup>60</sup> S/PV.6538, pp. 2-4.

<sup>61</sup> *Ibid.*, pp. 4-5.

<sup>62</sup> *Ibid.*, p. 6.

presence.<sup>63</sup> Commending the establishment of both the National Independent Human Rights Commission and an Office of the Ombudsman, the Chair of the Burundi configuration of the Peacebuilding Commission urged the Government to speed up its efforts in connection with political dialogue, respect for human rights and good governance.<sup>64</sup>

**16 December 2010 and 20 December 2011:  
establishment of BNUB and extension of  
the mandate**

On 16 December 2010, by resolution [1959 \(2010\)](#), the Council, inter alia, took note with appreciation of the successful holding of five consecutive elections between May and September

2010, and requested the Secretary-General to establish the United Nations Office in Burundi with a mandate to support the Government of Burundi in, inter alia, strengthening the independence, capacities and legal frameworks of key national institutions, promoting and facilitating dialogue between national actors, supporting efforts to fight impunity and promoting and protecting human rights. The Council, further, called upon the Secretary-General to develop a set of benchmarks for the future evolution of BNUB into a United Nations country team presence.

On 20 December 2011, by resolution [2027 \(2011\)](#), the Council, inter alia, extended until 15 February 2013 the mandate of BNUB and included in its mandate supporting the efforts of the Government with regard to socioeconomic development and deepening regional integration.

<sup>63</sup> [S/PV.6677](#), pp. 2-4.

<sup>64</sup> *Ibid.*, pp. 5-6.

**Meetings: the situation in Burundi**

| <i>Meeting and date</i>                  | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--|---|---|----------------------------|---|-----------------|---|
| <a href="#">6309</a><br>10 May 2010      |   |   | Burundi                    | Executive Representative of the Secretary-General for Burundi and Head of BINUB, Chair of the Burundi configuration of the Peacebuilding Commission | All invitees    |   |
| <a href="#">6439</a><br>9 December 2010  | Seventh report of the Secretary-General on the United Nations Integrated Office in Burundi (BINUB) ( <a href="#">S/2010/608</a> ) |   | Burundi                    | Executive Representative of the Secretary-General, Chair of the Burundi configuration of the Peacebuilding Commission                               | All invitees    |   |
| <a href="#">6451</a><br>16 December 2010 | Seventh report of the Secretary-General on BINUB ( <a href="#">S/2010/608</a> )   | Draft resolution submitted by France, Gabon, Japan, Lebanon, United Kingdom, United States ( <a href="#">S/2010/640</a> ) |                            |   |                 | Resolution <a href="#">1959 (2010)</a><br>15-0-0  |

| <i>Meeting and date</i>  | <i>Sub-item</i>   | <i>Other documents</i>                            | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------|---|---|----------------------------|--|-----------------|---|
| 6538<br>17 May 2011      |   |   | Burundi                    | Special Representative of the Secretary-General and Head of BNUB, Chair of the Burundi configuration of the Peacebuilding Commission | All invitees    |   |
| 6677<br>7 December 2011  | Report of the Secretary-General on the United Nations Office in Burundi (BNUB) (S/2011/751) |   | Burundi                    | Special Representative of the Secretary-General, Chair of the Burundi configuration of the Peacebuilding Commission                  | All invitees    |   |
| 6691<br>20 December 2011 | Report of the Secretary-General on BNUB (S/2011/751)  | Draft resolution submitted by France (S/2011/782) | Burundi                    |  | Burundi         | Resolution 2027 (2011) 15-0-0                     |

## 5. The situation in Sierra Leone

### Overview

During the period under review, the Security Council held six meetings and adopted three resolutions in connection with the situation in Sierra Leone. It received four briefings by the Secretariat and the Chair of the Sierra Leone configuration of the Peacebuilding Commission focusing on the political and security situations as well as peacebuilding support activities in the country. The Council lifted the remaining sanctions that it had imposed on Sierra Leone in response to the civil war in the 1990s<sup>65</sup> and twice extended the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) for a period of one year each time.<sup>66</sup>

<sup>65</sup> Resolution 1940 (2010).

<sup>66</sup> Resolutions 1941 (2010) and 2005 (2011). For more information on the mandate of UNIPSIL, see part X, sect. II, "Political and peacebuilding missions".

### 22 March 2010 to 12 September 2011: briefings on the situation in Sierra Leone and extension of the mandate of UNIPSIL

On 22 March 2010, the Executive Representative of the Secretary-General for Sierra Leone and Head of UNIPSIL presented the fourth report of the Secretary-General on UNIPSIL.<sup>67</sup> He highlighted recent developments in relation to the three critical issues for Sierra Leone's peace and stability: youth unemployment, illicit drug trafficking and corruption. Expressing concern that the Peacebuilding Commission had been unsuccessful in raising the necessary financial resources to implement its strategy for Sierra Leone, he stated that the lack of funding could jeopardize its new peacebuilding approach in the country.<sup>68</sup> The Chair of the Sierra Leone configuration of the Peacebuilding Commission reported on the recent mission to the country, saying that the delegation's size and authority had demonstrated the level of interest in Sierra Leone. He noted that the

<sup>67</sup> S/2010/135.

<sup>68</sup> S/PV.6291, pp. 2-4.

Peacebuilding Commission had aligned its engagement with the country's own peacebuilding priorities, focusing on good governance, youth employment and drug trafficking.<sup>69</sup> The representative of Sierra Leone assured the Council of his Government's commitment to promoting good governance, human rights, gender equality, decentralization, transparency and accountability. At the same time, he emphasized his Government's determination to establish a culture of political tolerance among the main political parties.<sup>70</sup>

On 28 September 2010, presenting the fifth report of the Secretary-General on UNIPSIL,<sup>71</sup> the Executive Representative of the Secretary-General stated that, while Sierra Leone had made great progress in moving from civil war to stability, it required continued international support in the coming period to maintain stability and economic progress. He noted that the preparations for the elections in 2012, the management of natural resources, and developments in neighbouring Guinea could have a major impact on shaping Sierra Leone's political, social and economic future.<sup>72</sup> The Chair of the Sierra Leone configuration of the Peacebuilding Commission reported that the Commission had been considering the progress that had been achieved in consolidating peace in Sierra Leone and was charting its future engagement. He pointed to a list of emerging needs, including the preparations for the 2012 elections, which required the strengthening of the Political Parties Registration Commission, the National Electoral Commission and the police sector.<sup>73</sup>

On 29 September 2010, the Council adopted resolution 1941 (2010), by which it extended the mandate of UNIPSIL until 15 September 2011, and emphasized the importance of the mission achieving the objectives outlined in the United Nations Joint Vision, including providing support to the Government for the preparation of the 2012 elections and providing assistance to conflict prevention and mitigation efforts, in tackling youth unemployment, and in promoting good governance. The Council encouraged the Peacebuilding Commission to provide support to the Government of Sierra Leone in preparation for the 2012 elections as requested, including the potential to mobilize support from international partners, that was

required for the implementation of the Government's Agenda for Change and the United Nations Joint Vision strategy and in that regard to advise and keep the Council updated, including on progress made in meeting core peacebuilding objectives, as necessary.

On 24 March 2011, presenting the sixth report of the Secretary-General on UNIPSIL,<sup>74</sup> the Executive Representative of the Secretary-General noted that the country still faced considerable challenges. However, with continued strong international support to help Sierra Leone overcome critical challenges such as youth unemployment and vulnerability to shocks, the country's emergence from a brutal civil war could have a "ripple effect" on other troubled countries in Africa. He pointed out that Sierra Leone, which had once been the symbol of a failed State, was now gradually evolving into a model country for overcoming old divisions and developing into a peaceful, democratic and prosperous country.<sup>75</sup> The Chair of the Sierra Leone configuration of the Peacebuilding Commission added that Sierra Leone was entering a transition period marked by a gradual shift in emphasis from late-stage peacebuilding towards longer-term economic development. He stated that three processes would largely define the transition, namely, the continued pursuit of a national strategy for peace consolidation and economic growth, the conduct of the 2012 elections, and the steady realignment of international assistance behind development priorities.<sup>76</sup> The representative of Sierra Leone briefed the Council on his Government's effort in consolidating peace and stressed the commitment of his President to reduce aid dependency through partnerships with the private sector.<sup>77</sup>

On 12 September 2011, the Executive Representative of the Secretary-General presented the seventh report of the Secretary-General on UNIPSIL<sup>78</sup> and commented on recent political developments in the country, with a focus on the progress towards the 2012 elections. He hoped that an agreement could quickly be reached on the legal framework for the upcoming presidential, legislative and local elections, as well as a new code of conduct governing election campaigns.<sup>79</sup> The Chair of the Sierra Leone configuration of the

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<sup>69</sup> *Ibid.*, pp. 4-6.

<sup>70</sup> *Ibid.*, pp. 6-8.

<sup>71</sup> S/2010/471.

<sup>72</sup> S/PV.6391, pp. 2-5.

<sup>73</sup> *Ibid.*, pp. 6-7.

<sup>74</sup> S/2011/119.

<sup>75</sup> S/PV.6504, pp. 2-5.

<sup>76</sup> *Ibid.*, pp. 5-7.

<sup>77</sup> *Ibid.*, pp. 7-8.

<sup>78</sup> S/2011/554.

<sup>79</sup> S/PV.6609, pp. 2-5.



Peacebuilding Commission emphasized the need for the main political parties to engage in a more open, regular and productive high-level dialogue. He stressed that it was critical that the relationship between relevant national bodies, including the Electoral Commission and the Political Parties Registration Commission, continued to improve.<sup>80</sup> The representative of Sierra Leone stated that his Government remained committed to conducting peaceful, free, fair, credible and transparent elections in 2012. The National Electoral Commission and the Political Parties Registration Commission enjoyed the independence to deliver effectively on their constitutional mandate, free of interference. While stating that efforts were also being made to consider reform of the electoral process, he added that successful elections would be a benchmark and indicator in assessing whether meaningful peace and stability had really taken firm root.<sup>81</sup>

On 14 September 2011 the Council adopted resolution [2005 \(2011\)](#), by which it extended the

<sup>80</sup> Ibid., pp. 5-7.

<sup>81</sup> Ibid., p. 8.

mandate of UNIPSIL until 15 September 2012 and charged it with providing technical assistance to all relevant stakeholders to play a meaningful role in achieving peaceful, credible and democratic elections. The Council also urged the Government of Sierra Leone to hold regular, inclusive and constructive party political dialogue on all major national, political, social and economic issues, focused on identifying the priorities and milestones necessary for the future peace and development of Sierra Leone.

#### **29 September 2010: termination of all remaining sanctions measures**

On 29 September 2010, the Council adopted resolution [1940 \(2010\)](#), by which it recalled its readiness to terminate the measures once the control of the Government of Sierra Leone had been fully re-established over all its territory, and when all non-governmental forces had been disarmed and demobilized, and decided to terminate, with immediate effect, the measures set forth in paragraphs 2, 4 and 5 of resolution [1171 \(1998\)](#) and decided also to dissolve the Committee established pursuant to paragraph 10 of resolution [1132 \(1997\)](#) with immediate effect.

#### **Meetings: the situation in Sierra Leone**

| <i>Meeting and date</i>                      | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--|---|------------------------|----------------------------|---|-----------------|---|
| <a href="#">6291</a><br>22 March<br>2010     | Fourth report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) ( <a href="#">S/2010/135</a> ) |                        | Sierra Leone               | Executive Representative of the Secretary-General for Sierra Leone and Head of UNIPSIL, Chair of the Sierra Leone configuration of the Peacebuilding Commission | All invitees    |   |
| <a href="#">6391</a><br>28 September<br>2010 | Fifth report of the Secretary-General on UNIPSIL ( <a href="#">S/2010/471</a> )   |                        | Sierra Leone               | Executive Representative of the Secretary-General, Chair of the Sierra Leone configuration of the Peacebuilding Commission                                      | All invitees    |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>                      | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i>   |
|--|---|--|--------------------------------|--|-----------------|--|
| <a href="#">6392</a><br>29 September<br>2010 | Fifth report of<br>the Secretary-<br>General on<br>UNIPSIL<br>(S/2010/471)      | Draft resolution<br>submitted by<br>United Kingdom<br>(S/2010/495)<br><br>Draft resolution<br>submitted by<br>United Kingdom<br>(S/2010/496) | Sierra Leone                   |  | Sierra Leone    | Resolution<br><a href="#">1940 (2010)</a><br>15-0-0<br><br>Resolution<br><a href="#">1941 (2010)</a><br>15-0-0 |
| <a href="#">6504</a><br>24 March<br>2011     | Sixth report of<br>the Secretary-<br>General on<br>UNIPSIL<br>(S/2011/119)      |  | Sierra Leone                   | Executive<br>Representative of the<br>Secretary-General,<br>Chair of the Sierra<br>Leone configuration<br>of the Peacebuilding<br>Commission | All invitees    |  |
| <a href="#">6609</a><br>12 September<br>2011 | Seventh report<br>of the<br>Secretary-<br>General on<br>UNIPSIL<br>(S/2011/554) |  | Sierra Leone                   | Executive<br>Representative of the<br>Secretary-General,<br>Chair of the Sierra<br>Leone configuration<br>of the Peacebuilding<br>Commission | All invitees    |  |
| <a href="#">6611</a><br>14 September<br>2011 | Seventh report<br>of the<br>Secretary-<br>General on<br>UNIPSIL<br>(S/2011/554) | Draft resolution<br>submitted by<br>United Kingdom<br>(S/2011/572)   | Sierra Leone                   |  | Sierra Leone    | Resolution<br><a href="#">2005 (2011)</a><br>15-0-0  |

## 6. The situation in the Great Lakes region

### Overview

In the period under review, the Security Council held one closed meeting in connection with the situation in the Great Lakes region.

**Meetings: the situation in the Great Lakes region**

| <i>Meeting and date</i>       | <i>Sub-item</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------------|-----------------|-------------------------------|--|---|---|
| 6588 (closed)<br>21 July 2011 |                 | 20 Member States <sup>a</sup> | Assistant Secretary-General for Political Affairs, Permanent Observer of the African Union to the United Nations | Council members, Central African Republic, Democratic Republic of the Congo, all invitees under rule 39 |   |

<sup>a</sup> Australia, Belgium, Central African Republic, Croatia, Democratic Republic of the Congo, Denmark, Finland, Greece, Ireland, Japan, Netherlands, Poland, Serbia, Slovenia, South Sudan, Spain, Sweden, Turkey, Uganda and Zimbabwe.

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

**Overview**

During the period under review, the Security Council held 13 meetings and adopted four resolutions under Chapter VII of the Charter and two presidential statements in connection with the situation concerning the Democratic Republic of the Congo. The Council focused on the reconfiguration of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) as the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO),<sup>82</sup> the protection of civilians, in particular from sexual violence, and the preparations for the 2011 presidential and parliamentary elections.

The Council extended the mandate of MONUC until 30 June 2010.<sup>83</sup> Thereafter, the Council twice extended the mandate of MONUSCO for a period of one year.<sup>84</sup> The Council also twice extended the sanctions regime against armed groups in the Democratic Republic of the Congo as well as the mandate of the Group of Experts established pursuant to resolution 1533 (2004).<sup>85</sup>

**13 April 2010 to 18 May 2011: reconfiguration of MONUC as MONUSCO**

On 13 April 2010, the Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of MONUC presented the report of the Secretary-General, which contained the findings of a technical assessment mission carried out in accordance with resolution 1906 (2009) with regard to the drawdown of MONUC.<sup>86</sup> He reported to the Council that President Joseph Kaliba had indicated his wish for the drawdown to be completed by June 2011. In acknowledgement of the President’s wish, he informed the Council of the Secretary-General’s recommendation that the first stage of the drawdown should be initiated before 30 June 2010, subject to the Council’s concurrence. Following that stage, reviews of the security situation in areas of MONUC deployment would be conducted by a joint Government/MONUC coordination mechanism. Such reviews would be the trigger for the planning of subsequent phases of the drawdown, based on the principle of national self-reliance put forward by President Kabila. MONUC should also progressively shift its focus and structure towards post-conflict stabilization and peace consolidation, on the basis of an expanded partnership with the United Nations country team.<sup>87</sup>

On 28 May 2010, the Council adopted resolution 1925 (2010), by which it, inter alia, extended the mandate of MONUC until 30 June 2010, decided that MONUC should, as from 1 July 2010, bear the title of

<sup>82</sup> For more information on the mandates of MONUC and MONUSCO, see part X, sect. I, “Peacekeeping operations”.

<sup>83</sup> Resolution 1925 (2010).

<sup>84</sup> Resolutions 1925 (2010) and 1991 (2011).

<sup>85</sup> Resolutions 1952 (2010) and 2021 (2011).

<sup>86</sup> S/2010/164.

<sup>87</sup> S/PV.6297, pp. 2-6.

United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and should be deployed until 30 June 2011, and authorized the withdrawal of up to 2,000 United Nations military personnel by 30 June 2010 from areas where the security situation permitted. Emphasizing that the protection of civilians must be given priority, the Council authorized MONUSCO to use all necessary means to carry out its protection mandate, including the effective protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence, as well as the protection of United Nations personnel, facilities, installations and equipment. It further decided that future reconfigurations of MONUSCO should be determined on the basis of the evolution of the situation on the ground and on the achievement of objectives to be pursued by the Government and MONUSCO, including the completion of the ongoing military operations in the Kivus and Orientale Province, an improved capacity of the Government to effectively protect the population, and the consolidation of State authority throughout the territory.

On 18 May 2011, the representative of the Democratic Republic of the Congo maintained that, considering the evolution of the security situation on the ground, the time had come to launch a transition phase that would include a restructuring and reconfiguration of MONUSCO and its mandate with a view to an orderly and progressive yet steady withdrawal of its military component, while taking into account the recommendations of experts on the joint assessment team.<sup>88</sup>

#### **7 September 2010 to 8 November 2011: sexual violence in the eastern Democratic Republic of the Congo and protection of civilians**

On 7 September 2010, the Assistant Secretary-General for Peacekeeping Operations and the Special Representative of the Secretary-General on Sexual Violence in Conflict briefed the Council on the mass rape perpetrated in July and August 2010 in North and South Kivu. While describing the measures taken by MONUSCO in the wake of the mass rape including the deployment of a joint protection team on the Mpopi-Kibua axis to assess the security situation of the villages along the axis, verify the allegations of recent

attacks, mass rapes and lootings and evaluate the protection needs of the local population, the Assistant Secretary-General said that the actions of the Mission had not been “adequate”, resulting in unacceptable brutalization of the population of the villages in the area. He outlined measures to stem such violence in the future, such as improving relations with the community and more evening and night patrols. The Assistant Secretary-General also reported on the activities carried out by both MONUSCO and the Government in bringing the perpetrators to justice, including the launching of Operation Shop Window by MONUSCO, a force projection operation for area domination aimed at protecting civilians in the region of Pinga, Kibua and Walikale in North Kivu and providing security cover to the efforts to apprehend the perpetrators, and the establishment of a commission by the Government of the Democratic Republic of the Congo to bring the perpetrators to justice.<sup>89</sup> Stressing that rape had been increasingly selected as the weapon of choice in the eastern Democratic Republic of the Congo, the Special Representative of the Secretary-General on Sexual Violence in Conflict stated that the international community should face its collective responsibility for its inability to prevent the mass rapes in Kibua. She stressed that the Government should reinforce its efforts to address impunity and strengthen the rule of law, particularly in the context of sexual violence, while the role of the United Nations in the Democratic Republic of the Congo was to support the Government as the primary protection and service provider.<sup>90</sup>

On 17 September 2010, the Council adopted a presidential statement, in which it reiterated its strong condemnation of mass rapes in the eastern Democratic Republic of the Congo, and stressed the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law. The Council called upon the Government to condemn the atrocities, to provide effective assistance to the victims of sexual abuse and to support efforts undertaken by all relevant stakeholders to protect and assist the victims and to prevent further violence. The Council underlined the need for MONUSCO to improve relations with

<sup>88</sup> S/PV.6539, pp. 6-7.

<sup>89</sup> S/PV.6378, pp. 3-5.

<sup>90</sup> Ibid., pp. 8-9.

communities, including through better information-gathering mechanisms and communication tools.<sup>91</sup>

On 14 October 2010, the Special Representative of the Secretary-General on Sexual Violence in Conflict reported on the arrest of the Executive Secretary of the Forces démocratiques pour la libération du Rwanda, one of the rebel groups implicated in the mass rapes, and another commander of the Mayi-Mayi Cheka rebel group presumed to be among those responsible for the mass rapes in Walikale. She urged the Council to escalate the focus on crimes of sexual violence in the work of the Committee established pursuant to resolution 1533 (2004). Lastly, she commended the Government for some of the policies adopted to combat sexual violence, including the announcement of the moratorium on mining in three provinces following the Walikale atrocities, and the policy of zero tolerance for sexual violence within the armed forces of the Democratic Republic of the Congo.<sup>92</sup>

On 15 October 2010, the Special Representative of the Secretary-General and Head of MONUSCO stated that the internal review related to MONUSCO protection activities would not be “a one-time activity with a defined time frame”. In response to the escalating violence in North Kivu, he said a more visible and active MONUSCO military posture had been established, and referred to Operation Shop Window, which was intended to check the freedom of operations of armed elements in the area and improve general security.<sup>93</sup>

On 7 February 2011, the Special Representative of the Secretary-General and Head of MONUSCO emphasized that the protection of civilians remained the major priority and focus of MONUSCO, driven by the operations of foreign and domestic armed groups in the eastern portion of the country. Commenting that there had been too many cases of abuses committed by members of the armed forces of the Democratic Republic of the Congo and the Congolese national police, he noted a significant increase in 2010 in the number of arrests of Government soldiers and police accused of such abuses.<sup>94</sup>

On 28 June 2011, the Council adopted resolution 1991 (2011), in which it reaffirmed that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and encouraged further the use of innovative measures implemented by MONUSCO in the protection of civilians. It encouraged the Government of the Democratic Republic of the Congo to remain fully committed to protecting the civilian population through the establishment of professional and sustainable security forces and the rule of law and respect for human rights, to promote non-military solutions as an integral part of the overall solution for reducing the threat posed by Congolese and foreign armed groups and to restore full State authority in the areas freed from armed groups.

On 8 November 2011, the Special Representative of the Secretary-General and Head of MONUSCO reported that a shocking number of rapes continued to be reported in the Democratic Republic of the Congo. He believed that the integration model — integrating armed elements without the benefit of adequate training, screening and alternative programmes — had produced unsatisfactory results and needed review and revision, but noted that some significant progress had been achieved particularly in the fight against impunity.<sup>95</sup>

#### **15 October 2010 to 8 November 2011: presidential and parliamentary elections of 2011**

On 15 October 2010, the Special Representative of the Secretary-General and Head of MONUSCO stated that the conduct of democratic, transparent and credible elections was a major priority for the Government. Thus far, budgets had been approved by national and international authorities, initial planning for logistics support by MONUSCO had been completed, and support for voter registration was ongoing. The United Nations Development Programme was also committed to providing technical and other assistance.<sup>96</sup>

On 7 February 2011, the Special Representative of the Secretary-General emphasized that despite challenges good progress had been made towards the conduct of national elections. He noted that MONUSCO had been actively providing needed

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<sup>91</sup> S/PRST/2010/17.

<sup>92</sup> S/PV.6400, pp. 2-5.

<sup>93</sup> S/PV.6403, pp. 2-3.

<sup>94</sup> S/PV.6476, pp. 2-3.

<sup>95</sup> S/PV.6649, pp. 4-5.

<sup>96</sup> S/PV.6403, p. 4.

logistical support and that progress towards ensuring overall financing of the Congolese election budget also had been satisfactory.<sup>97</sup> The representative of the Democratic Republic of the Congo reported that an Independent National Electoral Commission had been established and would guide the country on how to organize the electoral process, in particular voter registration, electoral lists, voting operation and ballot counting.<sup>98</sup>

On 18 May 2011, the Secretary-General stated that the elections could help to further consolidate peace and stability, and that they must be credible and peaceful. Urging all stakeholders to work together to ensure that the elections met those conditions, he said MONUSCO was expected to continue to provide logistical and technical support, and stood ready to support the work of election observers.<sup>99</sup> The representative of the Democratic Republic of the Congo reported that the Electoral Commission had published an overall electoral timetable, according to which elections for the President of the Republic and national deputies would be held on 28 November and the President-elect sworn in and inaugurated on 20 December. He noted that important opposition leaders had confirmed their participation in the forthcoming elections by registering after the publishing of the timetable, which was evidence of the approval of the timetable by almost the entire political class.<sup>100</sup> Speakers underlined the importance of the forthcoming elections in consolidating the authority and legitimacy of the State, a precondition for stabilization and peace consolidation, and stressed the supporting role of MONUSCO in providing logistical and financial assistance at the request of the Government.<sup>101</sup>

On 9 June 2011, while acknowledging the challenges, including the need for supplementary financial resources and providing electoral security, the Special Representative of the Secretary-General

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<sup>97</sup> S/PV.6476, p. 4.

<sup>98</sup> Ibid., p. 7.

<sup>99</sup> S/PV.6539, pp. 2-3.

<sup>100</sup> Ibid., p. 6.

<sup>101</sup> Ibid., pp. 8-9 (Gabon); p. 9 (United Kingdom); p. 13 (China); pp. 14-15 (Nigeria); p. 16 (Portugal); p. 23 (Germany); p. 24 (Brazil); pp. 24-25 (Bosnia and Herzegovina); and p. 27 (United Nations Development Programme).

highlighted the progress made in the preparation for the elections.<sup>102</sup>

On 28 June 2011, the Council adopted resolution [1991 \(2011\)](#) by which it, inter alia, decided that MONUSCO should support the organization and conduct of national, provincial and local elections through the provision of technical and logistical support as requested by the Congolese authorities, by facilitating enhanced and regular dialogue with the Independent National Electoral Commission, by monitoring, reporting and following up on human rights violations in the context of the elections, and by using the good offices of the Special Representative of the Secretary-General.

On 8 November 2011, the Special Representative of the Secretary-General stated that MONUSCO was fully engaged to ensure the democratic conduct of elections on 28 November, in accordance with the Electoral Commission's calendar. While noting the progress being made, and the fulfilment of international financial pledges for elections support, he noted the low percentage of women candidates for electoral office, the anticipated increase in election-related tensions, and the activities of armed groups.<sup>103</sup>

#### **29 November 2010 and 29 November 2011: renewal of the sanctions regime and Group of Experts**

On 29 November 2010, the Council adopted resolution [1952 \(2010\)](#), by which it decided to renew until 30 November 2011 the sanctions measures imposed by resolution [1807 \(2008\)](#). It requested the Secretary-General to extend until 30 November 2011 the mandate of the Group of Experts, with the addition of a sixth expert.

On 29 November 2011, the Council adopted resolution [2021 \(2011\)](#), by which it decided, inter alia, to renew until 30 November 2012 the sanctions measures imposed by resolution [1807 \(2008\)](#). It requested the Secretary-General to extend the mandate of the Group of Experts until 30 November 2012.

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<sup>102</sup> S/PV.6551, pp. 4-5.

<sup>103</sup> S/PV.6649, pp. 3-4.

Meetings: the situation concerning the Democratic Republic of the Congo

| <i>Meeting and date</i>                      | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>       | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|--|--|---|----------------------------------|---|--|---|
| <a href="#">6297</a><br>13 April<br>2010     | Thirty-first report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) ( <a href="#">S/2010/164</a> ) |   | Democratic Republic of the Congo | Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of MONUC                              | Special Representative of the Secretary-General and Head of MONUC              |   |
| <a href="#">6324</a><br>28 May<br>2010       | Thirty-first report of the Secretary-General on MONUC ( <a href="#">S/2010/164</a> )   | Draft resolution submitted by France, Gabon, Uganda, United Kingdom, United States ( <a href="#">S/2010/256</a> ) | Democratic Republic of the Congo |   |  | Resolution <a href="#">1925 (2010)</a><br>15-0-0  |
| <a href="#">6378</a><br>7 September<br>2010  |  |   | Democratic Republic of the Congo | Assistant Secretary-General for Peacekeeping Operations, Special Representative of the Secretary-General on Sexual Violence in Conflict | All invitees   |   |
| <a href="#">6387</a><br>17 September<br>2010 |  |   | Democratic Republic of the Congo |   |  | <a href="#">S/PRST/2010/17</a>                    |
| <a href="#">6400</a><br>14 October<br>2010   |  |   | Democratic Republic of the Congo | Special Representative of the Secretary-General on Sexual Violence in Conflict  | Special Representative of the Secretary-General on Sexual Violence in Conflict |   |

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| <i>Meeting and date</i>                  | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i>       | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|--|---|---|----------------------------------|---|---|---|
| <a href="#">6403</a><br>15 October 2010  | Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) ( <a href="#">S/2010/512</a> ) |   | Democratic Republic of the Congo | Special Representative of the Secretary-General and Head of MONUSCO   | Special Representative of the Secretary-General and Head of MONUSCO |   |
| <a href="#">6432</a><br>29 November 2010 |   | Draft resolution submitted by France ( <a href="#">S/2010/597</a> ) |                                  |   |   | Resolution <a href="#">1952 (2010)</a><br>15-0-0  |
| <a href="#">6476</a><br>7 February 2011  | Report of the Secretary-General on MONUSCO ( <a href="#">S/2011/20</a> )  |   | Democratic Republic of the Congo | Special Representative of the Secretary-General and Head of MONUSCO   | All invitees  |   |
| <a href="#">6539</a><br>18 May 2011      | Letter dated 2 May 2011 from the Permanent Representative of France to the United Nations addressed to the Secretary-General ( <a href="#">S/2011/282</a> )               |   | Democratic Republic of the Congo | Director of the Regional Bureau for Africa of the United Nations Development Programme, Director of Operations and Strategy for Africa of the World Bank, Acting Head of the Delegation of the European Union to the United Nations | Secretary-General, all Council members, all invitees                | <a href="#">S/PRST/2011/11</a>                    |
| <a href="#">6551</a><br>9 June 2011      | Report of the Secretary-General on MONUSCO ( <a href="#">S/2011/298</a> )   |   | Democratic Republic of the Congo | Special Representative of the Secretary-General and Head of MONUSCO   | All invitees  |   |



| <i>Meeting and date</i>     | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i>       | <i>Rule 39 and other invitations</i>                                | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|---|---|----------------------------------|---|-----------------|---|
| 6568<br>28 June<br>2011     | Report of the Secretary-General on MONUSCO (S/2011/298) | Draft resolution submitted by France, Gabon, United Kingdom, United States (S/2011/390) | Democratic Republic of the Congo |   |                 | Resolution 1991 (2011)<br>15-0-0                  |
| 6649<br>8 November<br>2011  | Report of the Secretary-General on MONUSCO (S/2011/656) |   | Democratic Republic of the Congo | Special Representative of the Secretary-General and Head of MONUSCO | All invitees    |   |
| 6671<br>29 November<br>2011 |   | Draft resolution submitted by France (S/2011/737)                                       |                                  |   |                 | Resolution 2021 (2011)<br>15-0-0                  |

## 8. The situation in the Central African Republic

### Overview

During the period under review, the Security Council held six meetings and adopted one resolution and one presidential statement in connection with the situation in the Central African Republic. It received four briefings by the Special Representative of the Secretary-General for the Central African Republic and the Chair of the Central African Republic configuration of the Peacebuilding Commission on their respective activities. The Council focused on progress towards the presidential and legislative elections, as well as on the challenges of reintegrating ex-combatants, tackling security sector reform and ensuring security in the north-east of the country.

The Council twice extended the mandate of the United Nations Integrated Office in the Central African Republic (BINUCA)<sup>104</sup> for one period of one year and one of 13 months.<sup>105</sup>

<sup>104</sup> For more information on the mandates of BINUCA, see part X, sect. II, "Political and peacebuilding missions".

<sup>105</sup> S/PRST/2010/26 and resolution 2031 (2011).

### 28 June 2010 to 21 December 2011: briefings by the Special Representative of the Secretary-General, electoral process and disarmament, demobilization and reintegration programme

On 28 June 2010, the Council heard a briefing by the Special Representative of the Secretary-General for the Central African Republic and Head of BINUCA. Introducing the report of the Secretary-General,<sup>106</sup> she underlined that the peace process had reached a critical stage, in which the successful holding of elections and the completion of the disarmament, demobilization and reintegration of some 8,000 former combatants, which both had so far been delayed, would determine the fate of the peacebuilding process. She said that the Independent Electoral Commission had recommended 24 October and 19 December 2010 as the dates for the first and second rounds of the presidential and parliamentary elections, respectively. Turning to the security situation, the Special Representative reported that it was being aggravated by the continuing attacks of the Lord's Resistance Army (LRA) on the civilian population in the south-eastern provinces. She stressed that BINUCA was working closely with four United

<sup>106</sup> S/2010/295.

Nations peacekeeping missions in the region to monitor the activities of LRA, but acknowledged the need for a more coordinated regional approach in combating the threat posed by LRA.<sup>107</sup> The representative of the Central African Republic noted that, while both national and international actors had agreed that security was necessary for free, fair and credible elections in a country prone to internal rebellion, the presence of foreign rebels and bandits had not made the situation easier.<sup>108</sup>

On 8 December 2010, the Council heard a briefing by the Special Representative, who introduced the report of the Secretary-General<sup>109</sup> and provided an update on the preparation of elections and on the security situation in the country. She reported that presidential and legislative elections were scheduled for 23 January 2011 and that the United Nations and international partners had provided considerable technical and financial support to the Independent Electoral Commission, which was entrusted with the implementation of the electoral process. On the disarmament, demobilization and reintegration process, she stated that, while the verification of ex-combatants in the north-west of the country was complete, the parties to the inclusive political dialogue needed to uphold all their commitments for the overall process to move forward. Emphasizing that the Government needed adequate means and resources to address the lack of security, she noted that it had made important efforts to extend its authority and provide services throughout the country.<sup>110</sup> The representative of the Central African Republic stated that his country was preparing the holding of free, equitable and transparent elections. However, there were a number of concerns in several regions, such as insecurity fuelled by rebel groups that had not signed the Comprehensive Peace Agreement and unidentified armed groups.<sup>111</sup>

On 14 December 2010, the Council adopted a presidential statement, in which it called upon all national stakeholders to continue their efforts to move forward expeditiously with the preparation and conduct of free, fair, transparent and credible elections, taking note of the presidential decree that had set 23 January 2011 as the date for the first round of the presidential

and legislative elections, and of the peaceful completion of the registration process. The Council acknowledged the progress made so far in the disarmament, demobilization and reintegration process, and called upon all politico-military groups to take the measures necessary for a transparent and accountable completion of disarmament and demobilization without delay. The Council renewed its call to the Government of the Central African Republic to revive the efforts to reform security sector institutions, which was a crucial element of the peacebuilding process, and for addressing widespread impunity, promoting the rule of law and increasing respect for human rights.<sup>112</sup>

On 7 July 2011, the Council heard a briefing by the Special Representative, who introduced the report of the Secretary-General.<sup>113</sup> Noting that the reporting period had been dominated by the presidential and legislative elections, she stated that international and national observers had characterized the polls as inclusive and peaceful despite a number of irregularities. She emphasized that the two most immediate challenges were the political dispensation following the legislative and presidential elections and the implementation of peace agreements with rebel groups, and the sustainable disarmament and reintegration of former combatants as part of the overall security sector reform.<sup>114</sup>

On 14 December 2011, the Council heard a briefing by the Special Representative, who introduced the report of the Secretary-General<sup>115</sup> and provided an update on political, security, socioeconomic, humanitarian and human rights developments in the Central African Republic. Highlighting positive developments, she said that, despite divisions on the political front, the engagement of the Government with the opposition was an unexpected and major breakthrough. She warned that, while the dynamic of peace initiated between the Government and politico-military groups offered a real chance for peace in the country, the lack of funding to complete the disarmament, demobilization and reintegration process and to initiate the second phase of security sector

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<sup>107</sup> S/PV.6345, pp. 2-4.

<sup>108</sup> Ibid., pp. 6-7.

<sup>109</sup> S/2010/584.

<sup>110</sup> S/PV.6438, pp. 2-4.

<sup>111</sup> Ibid., p. 6.

<sup>112</sup> S/PRST/2010/26.

<sup>113</sup> S/2011/311.

<sup>114</sup> S/PV.6575, p. 2.

<sup>115</sup> S/2011/739.

reform could put the country on the brink of disaster.<sup>116</sup>

On 21 December 2011, the Council adopted resolution [2031 \(2011\)](#), in which it expressed concern at the lack of State authority outside the capital, which had led to a serious security vacuum in many parts of the country, and called upon the Government of the Central African Republic and all armed groups to remain committed to the national reconciliation process by fully observing the recommendations of the inclusive political dialogue that had ended in 2008. It also demanded that all armed groups cooperate with the Government in the disarmament, demobilization and reintegration process. The Council underscored the importance of security sector reform in the Central African Republic, noted with concern the absence of a credible and viable national strategy and in that regard called upon the Government to re-engage in a

<sup>116</sup> [S/PV.6687](#), pp. 2-6.

meaningful dialogue with BINUCA, in particular by taking into consideration the security sector reform road map drafted by BINUCA in response to the request by the Government for help to revive the security sector reform process.

**28 June 2010 to 14 December 2011: briefings by the Chair of the Central African Republic configuration of the Peacebuilding Commission**

From 28 June 2010 to 14 December 2011, the Chair of the Central African Republic configuration of the Peacebuilding Commission regularly updated the Council on issues related to the implementation of the Strategic Framework for Peacebuilding in the Central African Republic, which included the electoral process, security sector reform and the disarmament, demobilization and reintegration programme.<sup>117</sup>

<sup>117</sup> See [S/PV.6345](#), [S/PV.6438](#), [S/PV.6575](#) and [S/PV.6687](#).

**Meetings: the situation in the Central African Republic**

| <i>Meeting and date</i>                 | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|---|--|------------------------|----------------------------|--|-----------------|---|
| <a href="#">6345</a><br>28 June 2010    | Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Integrated Peacebuilding Office in that country (BINUCA) ( <a href="#">S/2010/295</a> ) |                        | Central African Republic   | Special Representative of the Secretary-General for the Central African Republic and Head of BINUCA, Chair of the Central African Republic configuration of the Peacebuilding Commission | All invitees    |   |
| <a href="#">6438</a><br>8 December 2010 | Report of the Secretary-General on the situation in the Central African Republic and on the activities of BINUCA ( <a href="#">S/2010/584</a> )  |                        | Central African Republic   | Special Representative of the Secretary-General, Chair of the Central African Republic configuration of the Peacebuilding Commission   | All invitees    |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i>            | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-----------------------------|--|---|---|--|-----------------|---|
| 6444<br>14 December<br>2010 | Report of the Secretary-General on the situation in the Central African Republic and on the activities of BINUCA<br>(S/2010/584) |   | Central African Republic                  |  |                 | S/PRST/2010/26  |
| 6575<br>7 July 2011         | Report of the Secretary-General on the situation in the Central African Republic and on the activities of BINUCA<br>(S/2011/311) |   | Central African Republic                  | Special Representative of the Secretary-General, Chair of the Central African Republic configuration of the Peacebuilding Commission | All invitees    |   |
| 6687<br>14 December<br>2011 | Report of the Secretary-General on the situation in the Central African Republic and on the activities of BINUCA<br>(S/2011/739) |   | Central African Republic (Prime Minister) | Special Representative of the Secretary-General, Chair of the Central African Republic configuration of the Peacebuilding Commission | All invitees    |   |
| 6696<br>21 December<br>2011 | Report of the Secretary-General on the situation in the Central African Republic and on the activities of BINUCA<br>(S/2011/739) | Draft resolution submitted by France, Gabon, Germany, United Kingdom, United States<br>(S/2011/785) |   |  |                 | Resolution 2031 (2011) 15-0-0                         |

## 9. The situation in Guinea-Bissau

### Overview

During the period under review, the Security Council held nine meetings in connection with the situation in Guinea-Bissau and adopted two resolutions and one presidential statement. The Council was briefed by the Special Representative of the Secretary-General for Guinea-Bissau and the Chair of the Guinea-Bissau configuration of the Peacebuilding

Commission on the political and security situation surrounding the military insurrection of 1 April 2010, as well as on developments regarding efforts undertaken in the areas of security sector reform and the fight against drug trafficking and organized crime.

The Council also twice renewed the mandate of the United Nations Integrated Peacebuilding Office in

Guinea-Bissau (UNIOGBIS),<sup>118</sup> for periods of one year and 14 months, respectively.<sup>119</sup>

**15 and 22 July 2010: briefing and adoption of a presidential statement**

On 15 July 2010, the Council heard a briefing by the Special Representative of the Secretary-General for Guinea-Bissau and Head of UNIOGBIS, who reported on the political and security situation leading up to and following the military insurrection of 1 April 2010. He stated that troops acting under the orders of the former Deputy Chief of General Staff had taken control of the armed forces headquarters, detaining the Chief of General Staff and the Prime Minister; military armed elements had forced their way into the United Nations premises. Subsequently, the President had appointed one of the leaders of the military insurrection as the new Chief of General Staff, a decision that had been criticized by the international community, including the Economic Community of West African States (ECOWAS), the European Union and the African Union.<sup>120</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission said that the Commission had expressed its concern to the Government of Guinea-Bissau over the events of 1 April and had called for the release of those detained; it had also noted the importance of the Government and the military authorities working together to strengthen State institutions, promote economic development and uphold the rule of law. She also said that the Commission was gravely concerned about drug trafficking in Guinea-Bissau and stressed the need to better support regional efforts by ECOWAS in this area.<sup>121</sup>

The Minister for Foreign Affairs of Guinea-Bissau acknowledged the complexity of the situation and the seriousness of the pressing problems facing his country. He emphasized the need for the continued support and assistance of the international community in order to make progress in such areas as security sector reform and the fight against drug trafficking.<sup>122</sup>

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<sup>118</sup> For more information on the mandate of UNIOGBIS, see part X, sect. II, "Political and peacebuilding missions".

<sup>119</sup> Resolutions 1949 (2010) and 2030 (2011).

<sup>120</sup> S/PV.6359, pp. 2-4.

<sup>121</sup> Ibid., pp. 4-6.

<sup>122</sup> Ibid., pp. 6-7.

On 22 July 2010, the Council adopted a presidential statement, in which it, inter alia, expressed its concern at the security situation and threats to constitutional order in Guinea-Bissau, and called upon the Government to release immediately all those detained during the events of 1 April or prosecute them with full respect for due process.<sup>123</sup>

**5 March 2010 to 3 November 2011: briefings on developments related to security sector reform and other peacebuilding initiatives**

From 5 March 2012 to 3 November 2011, the Council heard briefings by the Special Representative of the Secretary-General, who outlined the support provided by UNIOGBIS in areas such as defence and security sector reform, national reconciliation, and combating drug trafficking and organized crime. He stressed that more robust actions on the part of the international community were needed, such as naming involved entities and passing legislation to allow the freeze or confiscation of assets and bank accounts. On security sector reform, he reported that UNIOGBIS had continued to support reform efforts by the Government, with a particular focus on the police, as well as coordinating between international partners, in particular ECOWAS and the Community of Portuguese-speaking Countries. He also reported that in the first quarter of 2011 a technical mission of Angolan military and police officers had been deployed to Guinea-Bissau to rehabilitate its military infrastructure and organize training, which was subsequently complemented by a military assistance mission from Brazil. On drug trafficking and organized crime, he emphasized the need for a stronger commitment by national authorities to address problems.<sup>124</sup>

Representatives speaking on behalf of ECOWAS and the Community of Portuguese-speaking Countries briefed the Council on the establishment and subsequent efforts towards implementation of a joint road map on security sector reform, aligned with the Government's own national strategic framework, which provided for the protection of members of key national institutions, as well as training of defence and police personnel. It was also reported that States members of the Community of Portuguese-speaking

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<sup>123</sup> S/PRST/2010/15.

<sup>124</sup> S/PV.6281, pp. 2-4; S/PV.6359, pp. 2-4; S/PV.6416, pp. 2-5; S/PV.6489, pp. 2-5; S/PV.6569, pp. 2-5; and S/PV.6648, pp. 2-4.

Countries were providing bilateral assistance to Guinea-Bissau: for example, Brazil had established a training centre and programme for the country's security forces.<sup>125</sup> The representative of the African Union also briefed the Council on its efforts to support the ECOWAS-Community of Portuguese-speaking Countries initiative.<sup>126</sup>

The Chair of the Guinea-Bissau configuration of the Peacebuilding Commission reported on the engagement of the Commission with the country, including its visit to Guinea-Bissau encouraging the Government to implement security sector reform and its support for the road map. She further stated that the country needed to show a stronger commitment to the principle of civilian control of the military. However, efforts should focus not only on the security sector but also on socioeconomic development, with measures

aimed at job creation, especially among the youth. Regarding the economic situation in the country, she stated that implementation of public administration and public finance reforms, including efforts to improve fiscal discipline, had yielded positive results.<sup>127</sup>

Representatives of Guinea-Bissau, including the Prime Minister, emphasized the commitment of the Government to security sector reform and the specific progress made in this area, including endorsement and subsequent implementation of the road map and the establishment of a special pension fund for retirees for the armed forces. However, they emphasized the multiple challenges facing the Government and the need for continued political and financial support by the international community towards the implementation of reforms.<sup>128</sup>

<sup>125</sup> S/PV.6569, pp. 6-10; and S/PV.6648, pp. 9-11.

<sup>126</sup> S/PV.6416, pp. 6-7.

<sup>127</sup> Ibid., pp. 5-6.

<sup>128</sup> See, for example, S/PV.6648, pp. 6-9.

### Meetings: the situation in Guinea-Bissau

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i>                   | <i>Rule 39 and other invitations</i>   | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|------------------------|--|--|-----------------|---|
| 6281<br>5 March 2010    | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (UNIOGBIS) (S/2010/106) |                        | Guinea-Bissau                                | Special Representative of the Secretary-General for Guinea-Bissau and Head of UNIOGBIS, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission | All invitees    |   |
| 6359<br>15 July 2010    | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS (S/2010/335)  |                        | Guinea-Bissau (Minister for Foreign Affairs) | Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission  | All invitees    |   |
| 6364<br>22 July 2010    |  |                        |  |  |                 | S/PRST/2010/15                                    |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>                  | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37 invitations</i>            | <i>Rule 39 and other invitations</i>   | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i>  |
|--|---|--|---------------------------------------|--|-----------------|--|
| <a href="#">6416</a><br>5 November 2010  | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2010/550</a> ) |  | Guinea-Bissau                         | Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission, Special Representative of the Chairperson of the African Union Commission for Guinea-Bissau | All invitees    |  |
| <a href="#">6428</a><br>23 November 2010 | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2010/550</a> ) | Draft resolution submitted by Nigeria ( <a href="#">S/2010/591</a> ) |                                       |  |                 | Resolution 1949 ( <a href="#">2010</a> )<br>15-0-0 |
| <a href="#">6489</a><br>25 February 2011 | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2011/73</a> )  |  | Guinea-Bissau (Prime Minister)        | Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission  | All invitees    |  |
| <a href="#">6569</a><br>28 June 2011     | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2011/370</a> ) |  | Guinea-Bissau                         | Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission, Chair of the Community of Portuguese-speaking Countries                                     | All invitees    |  |
| <a href="#">6648</a><br>3 November 2011  | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS ( <a href="#">S/2011/655</a> ) |  | Angola, <sup>a</sup><br>Guinea-Bissau | Special Representative of the Secretary-General, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission  | All invitees    |  |

| <i>Meeting and date</i>  | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------|---|--|----------------------------|--------------------------------------|-----------------|---|
| 6695<br>21 December 2011 | Report of the Secretary-General on developments in Guinea-Bissau and on the activities of UNIOGBIS (S/2011/655) | Draft resolution submitted by Brazil, Nigeria, Portugal (S/2011/786) |                            |                                      |                 | Resolution 2030 (2011)<br>15-0-0                  |

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

## 10. The situation in Côte d'Ivoire

### Overview

In 2010 and 2011, the Security Council held 26 meetings, including four private meetings with the troop-contributing countries,<sup>129</sup> and adopted 14 resolutions under Chapter VII of the Charter in connection with the situation in Côte d'Ivoire. The Council focused on the post-electoral crisis, the imposition of targeted sanctions against individuals threatening the peace process, and the strengthening of the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI).<sup>130</sup>

Taking into account the electoral process in Côte d'Ivoire, the Council extended six times the mandate of UNOCI and the French forces which supported it.<sup>131</sup> The Council also authorized, and several times extended, the temporary redeployment from the United Nations Mission in Liberia (UNMIL) to UNOCI of additional military and police personnel, including up to three infantry companies and an aviation unit comprising two military utility helicopters.<sup>132</sup> The Council extended or renewed the sanctions regime and twice extended the mandate of the Group of Experts.<sup>133</sup>

<sup>129</sup> See S/PV.6258, S/PV.6328, S/PV.6436 and S/PV.6578.

<sup>130</sup> For more information on the mandate of UNOCI, see part X, sect. I, "Peacekeeping operations".

<sup>131</sup> Resolutions 1911(2010), 1924 (2010), 1933 (2010), 1962 (2010), 1981(2011) and 2000 (2011).

<sup>132</sup> Resolutions 1951 (2010), 1962 (2010), 1967 (2011), 1968 (2011), 1981 (2011) and 1992 (2011).

<sup>133</sup> Resolutions 1946 (2010), 1975 (2011) and 1980 (2011).

### 21 January to 7 December 2010: briefings by the Special Representative of the Secretary-General on the electoral process

On 21 January 2010, the Council heard a briefing by the Special Representative of the Secretary-General for Côte d'Ivoire and Head of UNOCI, who introduced the report of the Secretary-General.<sup>134</sup> He informed the Council that the electoral process had made remarkable progress in a peaceful environment, and that the processing of data for the registration of around 6.3 million voters had been successfully completed in November 2009. This had resulted in the publication by the Independent Electoral Commission of the provisional electoral list on 23 November 2009. However, an unexpected controversy had emerged in connection with the appeals process, the President's supporters contesting the semi-official second list drawn up by the Commission.<sup>135</sup> The representative of Côte d'Ivoire referred to the case of fraud concerning the electoral list attributed to the President of the Independent Electoral Commission. Following consultations with all Ivorian political parties as well as the Facilitator, the Prime Minister, Guillaume Soro, had established a monitoring committee responsible for strengthening the Commission's capacities and restoring confidence. In his view, the incident constituted a minor disruption of the electoral timetable.<sup>136</sup>

On 17 March 2010, the Special Representative stated that the political impasse that had started in the

<sup>134</sup> S/2010/15.

<sup>135</sup> S/PV.6263, pp. 2-3.

<sup>136</sup> *Ibid.*, p. 3.



wake of the production of the second electoral list by the former President of the Independent Electoral Commission had seriously weakened the electoral momentum. As a result of this, the elections were delayed. He noted that UNOCI would continue working with the Ouagadougou Political Agreement protagonists with a view to producing the definitive electoral list and developing a clearer picture of the unfolding election-reunification dynamics.<sup>137</sup> The representative of Côte d'Ivoire explained that there had been fraud with regard to the electoral list in favour of the opposition; the Commission and the Government had been dissolved, and a new President of the Commission elected and a new Government formed. Two actions were needed to organize clean and credible elections, namely the removal from the electoral list of people fraudulently registered and a full audit of the provisional list.<sup>138</sup>

On 3 June 2010, the Council heard a briefing by the Special Representative, who introduced the twenty-fourth report of the Secretary-General on the latest situation in Côte d'Ivoire, including the impasse regarding the implementation of the peace process.<sup>139</sup> The Special Representative stated that UNOCI would have three priority objectives for the immediate future, namely, maintaining peace and stability, including the protection of civilians; safeguarding past achievements in both the elections and reunification domains and continuing to provide support towards the implementation of those two crucial processes; and helping to establish the definitive electoral list as expeditiously as possible.<sup>140</sup>

On 3 November 2010, the Council was briefed by the Special Representative, who introduced the progress report of the Secretary-General on UNOCI.<sup>141</sup> He reported that the electoral process had been conducted in a commendable manner and a peaceful environment and that the turnout had been over 80 per cent — one of the highest in the world.<sup>142</sup>

On 7 December 2010, the Council heard a briefing by the Special Representative, who introduced the twenty-sixth progress report of the Secretary-General.<sup>143</sup> As a certifier of the Ivorian elections, he had

completed the analysis and evaluation of 20,000 tally sheets provided to him by the Ivorian authorities for the purposes of certification. He concluded that Mr. Alassane Ouattara was the winner of the presidential election by a clear margin, even taking into account all complaints submitted to the Constitutional Council by the camp of the current President.<sup>144</sup>

### **30 June 2010 to 13 May 2011: strengthening of the mandate of UNOCI and redeployment of UNMIL troops**

On 30 June 2010, the Council adopted resolution [1933 \(2010\)](#), by which it decided on a revised and updated mandate for UNOCI until 31 December 2010. The Council decided that, in order to support the parties to implement the Ouagadougou Political Agreement more effectively, UNOCI should, inter alia, monitor the armed groups, protect civilians, monitor the arms embargo, assist in the field of human rights, and contribute to the electoral process.

On 29 September 2010, the Council adopted resolution [1942 \(2010\)](#), by which it decided to authorize, as recommended by the Secretary-General in his letter dated 14 September 2010,<sup>145</sup> a temporary increase of the authorized military and police personnel of UNOCI from 8,650 to 9,150.

On 24 November 2010, the Council adopted resolution [1951 \(2010\)](#), by which it authorized the Secretary-General to temporarily redeploy from UNMIL to UNOCI for a period of no more than four weeks a maximum of three infantry companies and one aviation unit comprising two military utility helicopters.

On 19 January 2011, the Council adopted resolution [1967 \(2011\)](#), by which it decided to authorize the deployment of an additional 2,000 military personnel to UNOCI until 30 June 2011, to authorize the transfer on a temporary basis of three armed helicopters with crews from UNMIL to UNOCI for a period of four weeks, as recommended by the Secretary-General, and to authorize the deployment of 60 formed police unit personnel to meet threats posed by unarmed crowds, who would replace 60 United Nations police officers.

On 13 May 2011, prior to the adoption of resolution [1981 \(2011\)](#), by which the Council extended the mandate of UNOCI and the temporary redeployment

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<sup>137</sup> [S/PV.6284](#), p. 2.

<sup>138</sup> *Ibid.*, p. 3.

<sup>139</sup> [S/2010/245](#)

<sup>140</sup> [S/PV.6329](#), pp. 2-3.

<sup>141</sup> [S/2010/537](#).

<sup>142</sup> [S/PV.6415](#), p. 2.

<sup>143</sup> [S/2010/600](#).

<sup>144</sup> [S/PV.6437](#), pp. 2-3.

<sup>145</sup> [S/2010/485](#).

of personnel and equipment from UNMIL to UNOCI, the representative of the United States stressed that the aviation assets on loan to UNOCI would be returned to UNMIL no later than 30 June 2011 in order to avoid destabilizing Liberia. She said that as Côte d'Ivoire emerged from crisis the Council must not neglect Liberia or jeopardize its fragile peace. It must honour its commitment to ensure that UNMIL had the tools to do its job as Liberia entered its electoral season. This was therefore the last extension her delegation would support.<sup>146</sup> The representative of France said that the situation in Côte d'Ivoire posed the main threat to subregional destabilization. It was not the Council's role to interfere in the management of logistical peacekeeping assets by the Department of Peacekeeping Operations, and UNMIL should continue to have the resources it needed in the context of the democratic transition that had begun four years previously.<sup>147</sup> While welcoming the adoption of the resolution, the representative of Côte d'Ivoire stressed that the security situation in his country remained volatile, particularly in the western part of the country where it needed to be strengthened; he called on the Security Council to act pragmatically and flexibly in allocating resources, particularly military.<sup>148</sup>

**20 December 2010 to 18 July 2011:  
post-electoral crisis**

On 20 December 2010, by resolution [1962 \(2010\)](#), the Council urged all the Ivorian parties and stakeholders to respect the will of the people and the outcome of the election in view of the recognition by the Economic Community of West African States (ECOWAS) and the African Union of Mr. Alassane Ouattara as President-elect of Côte d'Ivoire and representative of the freely expressed voice of the Ivorian people as proclaimed by the Independent Electoral Commission.

On 25 March 2011, the Assistant Secretary-General for Peacekeeping Operations stated that the security situation had further deteriorated, with security forces loyal to the former President, Laurent Gbagbo, using heavy weapons against civilians in Abidjan. He noted that fighting between elements of the defence and security forces loyal to Mr. Gbagbo and the Forces nouvelles was in violation of the Comprehensive

Ceasefire Agreement signed on 3 May 2003. He reported on the actions that UNOCI had taken to protect civilians, including increasing the number of patrols to vulnerable communities under attack as well as investigating and recording violations of human rights. In concluding, he said that leaders of ECOWAS, meeting over the past two days in response to the situation, had adopted a resolution stating that the time had come to ensure the transfer of power to Mr. Ouattara without any further delay. To that end, they had requested the Security Council to consider strengthening the mandate of UNOCI and to adopt more stringent international sanctions against Mr. Gbagbo and his associates.<sup>149</sup> The representative of Côte d'Ivoire stressed that the obligation and responsibility of protecting civilian populations in imminent danger was at the heart of current international concerns. He said that Mr. Gbagbo's forces had committed massive human rights violations and massacred more than 500 civilians in just three months despite the presence of UNOCI. He called on the Security Council to adopt robust measures against former President Gbagbo and all those who supported him.<sup>150</sup>

On 30 March 2011, the Council adopted resolution [1975 \(2011\)](#), by which it urged all Ivorian parties and other stakeholders to respect the will of the people and the election of Mr. Ouattara as the President of Côte d'Ivoire. The Council also recalled its authorization to UNOCI to use all means necessary to protect civilians under imminent threat of physical violence, including to prevent the use of heavy weapons against the civilian population.

On 13 April 2011, the Council heard a briefing by the Special Representative, who introduced the twenty-seventh progress report of the Secretary-General on UNOCI.<sup>151</sup> He said that former President Laurent Gbagbo had been taken into custody on 11 April by pro-Ouattara forces. He described the challenges that lay ahead, namely, the restoration of peace and law and order; the prevention of any further human rights abuses and violations, and the delivery of humanitarian assistance; national reconciliation; and national reconstruction. Among other concrete measures to be taken urgently were the swearing-in of President Ouattara and the organization of his Government; the implementation of the disarmament, demobilization and

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<sup>146</sup> [S/PV.6535](#), p. 2.

<sup>147</sup> *Ibid.*

<sup>148</sup> *Ibid.*, p. 3.

<sup>149</sup> [S/PV.6506](#), pp. 2-4.

<sup>150</sup> *Ibid.*, pp. 5-6.

<sup>151</sup> [S/2011/211](#).

reintegration and the security sector reform programmes; the question of reunification; and the organization of legislative elections.<sup>152</sup> The Under-Secretary-General for Humanitarian Affairs said that the humanitarian situation was deeply troubling. The humanitarian response had so far been severely impeded by the security situation, which had prevented aid agencies from scaling up their operations and accessing those most in need.<sup>153</sup> The United Nations High Commissioner for Human Rights informed the Council that her Office had conducted a mission mandated to assess the human rights situation and to remind all parties of their obligation to respect international human rights and humanitarian law and of the importance of bringing perpetrators to justice. The mission had found evidence of large-scale human rights violations, including extrajudicial killings, enforced disappearances, torture and sexual violence in Abidjan and the rest of the country in the course of the conflict. In response to the human rights crisis, the Human Rights Council had established an independent commission of inquiry mandated to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in the aftermath of the elections.<sup>154</sup>

On 18 July 2011, the Council heard a briefing by the Special Representative, who introduced the report of the Secretary-General assessing the post-election crisis in Côte d'Ivoire.<sup>155</sup> He informed the Council that efforts were under way to address the following four major post-crisis tasks: the restoration of law and order in the south; national reconciliation; legislative elections; and economic recovery. He applauded the appointment of the Chair of the Dialogue, Truth and Reconciliation Commission and the efforts of the Ivorian authorities to expedite the restoration of law and order.<sup>156</sup> The representative of Côte d'Ivoire said that a new Government had been formed which included all political entities with the exception of the party formerly in power, but stressed that progress must be made on the following fronts: stabilizing the security situation; disarmament, demobilization and reintegration; security sector reform; national reconciliation; the humanitarian situation; the human rights situation; organizing

elections; and economic recovery. Regarding the upcoming legislative elections, he requested that the certification role of UNOCI be maintained and that the mission continue to support the entire electoral process.<sup>157</sup>

#### **15 October 2010 to 28 April 2011: sanctions measures**

On 15 October 2010, in resolution [1946 \(2010\)](#), the Council underlined its readiness to impose targeted measures against persons determined, inter alia, to be a threat to the national reconciliation process in Côte d'Ivoire, or attacking or obstructing the action of UNOCI and its partners, or responsible for serious violations of human rights and international humanitarian law.

On 30 March 2011, by resolution [1975 \(2011\)](#), the Council decided to adopt targeted sanctions against those individuals who met the criteria set out in resolution [1572 \(2004\)](#) and subsequent resolutions, including those individuals who obstructed peace and reconciliation in Côte d'Ivoire, obstructed the work of UNOCI and other international actors in Côte d'Ivoire and committed serious violations of human rights and international humanitarian law.

Following the adoption of the resolution, most speakers stated that the text sent a strong message to those parties perpetrating the attacks against civilians and resisting the will of the Ivorian people. They also called for restraint by all parties, expressed grave concern over the humanitarian situation and supported the efforts of ECOWAS and the African Union to help bring about political reconciliation.<sup>158</sup>

On 28 April 2011, the Council adopted resolution [1980 \(2011\)](#), by which it decided, inter alia, to renew the sanctions regime and extend the mandate of the Group of Experts until 30 April 2012. Following the adoption of the resolution, the representative of Côte d'Ivoire, welcoming the extension of the sanctions regime until 2012, said that it was necessary to consolidate the end of the state of belligerence his country had suffered over the past four months. Côte d'Ivoire wished to strive for socioeconomic development in a climate of peace and security and could not allow those efforts to be undermined by an environment of large-scale illicit arms flows. He stressed that the most important challenge was

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<sup>152</sup> [S/PV.6513](#), pp. 2-3.

<sup>153</sup> *Ibid.*, pp. 3-4.

<sup>154</sup> *Ibid.*, pp. 5-7.

<sup>155</sup> [S/2011/387](#).

<sup>156</sup> [S/PV.6584](#), pp. 2-3.

<sup>157</sup> *Ibid.*, pp. 3-6.

<sup>158</sup> See [S/PV.6508](#).

that of national reconciliation, to address which the President had decided to establish a truth and reconciliation commission modelled on that created by

President Nelson Mandela in South Africa following the fall of apartheid.<sup>159</sup>

<sup>159</sup> [S/PV.6525](#), pp. 2-3

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

| <i>Meeting and date</i>                 | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|---|--|---|----------------------------|---|-----------------|---|
| <a href="#">6263</a><br>21 January 2010 | Twenty-third progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (UNOCI) ( <a href="#">S/2010/15</a> ) |   | Côte d'Ivoire              | Special Representative of the Secretary-General for Côte d'Ivoire and Head of UNOCI | All invitees    |   |
| <a href="#">6267</a><br>28 January 2010 | Twenty-third progress report of the Secretary-General on UNOCI ( <a href="#">S/2010/15</a> )   | Draft resolution submitted by France ( <a href="#">S/2010/41</a> )<br><br>Letter dated 15 January 2010 from the Secretary-General concerning the reinforcement of security arrangements in the context of the presidential election ( <a href="#">S/2010/42</a> ) | Côte d'Ivoire              |   |                 | Resolution <a href="#">1911 (2010)</a><br>15-0-0  |
| <a href="#">6284</a><br>17 March 2010   |  |   | Côte d'Ivoire              | Special Representative of the Secretary-General                                     | All invitees    |   |
| <a href="#">6323</a><br>27 May 2010     | Twenty-fourth report of the Secretary-General on UNOCI ( <a href="#">S/2010/245</a> )  | Letter dated 26 April 2010 from the Secretary-General concerning a one-month technical rollover of the mandate of UNOCI ( <a href="#">S/2010/220</a> )<br><br>Draft resolution submitted by France ( <a href="#">S/2010/253</a> )                                 | Côte d'Ivoire              |   |                 | Resolution <a href="#">1924 (2010)</a><br>15-0-0  |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>                   | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>            | <i>Speakers</i>                                 | <i>Decision and vote (for-against-abstaining)</i> |
|---|---|---|----------------------------|---|---|---|
| <a href="#">6329</a><br>3 June 2010       | Twenty-fourth report of the Secretary-General on UNOCI ( <a href="#">S/2010/245</a> )   |   | Côte d'Ivoire              | Special Representative of the Secretary-General | Special Representative of the Secretary-General |   |
| <a href="#">6350</a><br>30 June 2010      | Twenty-fourth report of the Secretary-General on UNOCI ( <a href="#">S/2010/245</a> )   | Draft resolution submitted by France ( <a href="#">S/2010/338</a> ) | Côte d'Ivoire              |   |   | Resolution <a href="#">1933 (2010)</a><br>15-0-0  |
| <a href="#">6393</a><br>29 September 2010 | Letter dated 14 September 2010 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2010/485</a> )<br><br>Letter dated 17 September 2010 from the President of the Security Council addressed to the Secretary-General ( <a href="#">S/2010/486</a> )<br><br>Letter dated 23 September 2010 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2010/493</a> ) | Draft resolution submitted by France ( <a href="#">S/2010/499</a> ) | Côte d'Ivoire              |   |   | Resolution <a href="#">1942 (2010)</a><br>15-0-0  |
| <a href="#">6402</a><br>15 October 2010   |   | Draft resolution submitted by France ( <a href="#">S/2010/525</a> ) | Côte d'Ivoire              |   |   | Resolution <a href="#">1946 (2010)</a><br>15-0-0  |
| <a href="#">6415</a><br>3 November 2010   | Progress report of the Secretary-General on UNOCI ( <a href="#">S/2010/537</a> )  |   | Côte d'Ivoire              | Special Representative of the Secretary-General | Special Representative of the Secretary-General |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>                    | <i>Speakers</i>                                   | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|--|--|----------------------------|---|---|---|
| 6431<br>24 November<br>2010 | Letter dated 22 November 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/601) | Draft resolution submitted by France, United States (S/2010/602)   | Côte d'Ivoire              |   |   | Resolution 1951 (2010)<br>15-0-0                  |
| 6437<br>7 December<br>2010  | Twenty-sixth progress report of the Secretary-General on UNOCI (S/2010/600)  |  | Côte d'Ivoire              | Special Representative of the Secretary-General         | Special Representative of the Secretary-General   |   |
| 6458<br>20 December<br>2010 | Twenty-sixth progress report of the Secretary-General on UNOCI (S/2010/600)  | Draft resolution submitted by Austria, Bosnia and Herzegovina, France, Gabon, Germany, Nigeria, Turkey, Uganda, United Kingdom, United States (S/2010/644) | Germany                    |   |   | Resolution 1962 (2010)<br>15-0-0                  |
| 6469<br>19 January 2011     | Letter dated 7 January 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/5)     | Draft resolution submitted by Bosnia and Herzegovina, France, Gabon, Germany, Lebanon, Nigeria, South Africa, United Kingdom, United States (S/2011/15)    | Côte d'Ivoire              |   |   | Resolution 1967 (2011)<br>15-0-0                  |
| 6482<br>16 February<br>2011 |  | Draft resolution submitted by France (S/2011/75)   | Côte d'Ivoire              |   |   | Resolution 1968 (2011)<br>15-0-0                  |
| 6506<br>25 March 2011       |  |  | Côte d'Ivoire              | Assistant Secretary-General for Peacekeeping Operations | All invitees                                      |   |
| 6508<br>30 March 2011       |  | Draft resolution submitted by France, Nigeria (S/2011/202)   | Côte d'Ivoire              |   | 10 Council members, <sup>a</sup><br>Côte d'Ivoire | Resolution 1975 (2011)<br>15-0-0                  |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                                 | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|--|----------------------------|--|---|---|
| 6513<br>13 April 2011   | Twenty-seventh progress report of the Secretary-General on UNOCI (S/2011/211)  |  | Côte d'Ivoire              | Special Representative of the Secretary-General, Under-Secretary-General for Humanitarian Affairs, United Nations High Commissioner for Human Rights | All invitees                                    |   |
| 6525<br>28 April 2011   | Letter dated 20 April 2011 from the Chair of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2011/271)<br><br>Letter dated 20 April 2011 from the Chair of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2011/272) | Draft resolution submitted by France (S/2011/273)  | Côte d'Ivoire              |  | Côte d'Ivoire                                   | Resolution 1980 (2011)<br>15-0-0                  |
| 6535<br>13 May 2011     | Letter dated 11 May 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/297)  | Draft resolution submitted by France, Lebanon (S/2011/299)<br><br>Letter dated 9 May 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/295) | Côte d'Ivoire              |  | 1 Council member (United States), Côte d'Ivoire | Resolution 1981 (2011)<br>15-0-0                  |

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>            | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|--|----------------------------|---|-----------------|---|
| 6570<br>29 June 2011    | Letter dated 10 June 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/351) | Draft resolution submitted by France (S/2011/394)                | Côte d'Ivoire              |   |                 | Resolution 1992 (2011)<br>15-0-0                  |
| 6584<br>18 July 2011    | Twenty-eighth report of the Secretary-General on UNOCI (S/2011/387)  |  | Côte d'Ivoire              | Special Representative of the Secretary-General | All invitees    |   |
| 6591<br>27 July 2011    | Twenty-eighth report of the Secretary-General on UNOCI (S/2011/387)  | Draft resolution submitted by France, United States (S/2011/458) | Côte d'Ivoire              |   | Côte d'Ivoire   | Resolution 2000 (2011)<br>15-0-0                  |

<sup>a</sup> Brazil, China, Colombia, Gabon, Germany, India, Nigeria, South Africa, United Kingdom and United States.

## 11. Central African region

### Overview

During the period under review, the Security Council held three meetings and adopted two presidential statements in connection with the Central African region. The Council focused on the activities of the newly established United Nations Regional Office for Central Africa (UNOCA),<sup>160</sup> the impact of illicit arms trafficking on peace and security, and the regional threat posed by the Lord's Resistance Army (LRA).

### 19 March 2010: impact of illicit arms trafficking on peace and security

On 19 March 2010, the Deputy Secretary-General stressed the importance of achieving a global arms trade treaty and the implementation of community-based disarmament and confidence-building projects. Peace and security in Central Africa required a strong commitment by States in the subregion, together with State suppliers of weapons, to expand their efforts to eradicate weapons trafficking. Urgent priorities included

stockpile management, the security of weapons and ammunition, and measures to control the import, export, transit and retransfer of weapons.<sup>161</sup> The Executive Director of the United Nations Office on Drugs and Crime reported that the illegal arms trade was estimated globally at \$200 million to \$300 million annually, and noted that Africa, the most profitable market, suffered the greatest number of casualties because of it.<sup>162</sup> The Secretary-General of the Economic Community of Central African States (ECCAS) stated that security threats posed by small arms and light weapons exceeded the ability of ECCAS to counter them. About 7 million such weapons had been in circulation in Central Africa in the past 15 years, most of which remained hidden. All sectors of society possessed those weapons, including women and children. He said that ECCAS would focus its efforts on finalizing a legal instrument on small arms and light weapons and its adoption by member States.<sup>163</sup> Speakers expressed grave concern over the wide-ranging humanitarian and socioeconomic consequences of small arms proliferation, which fuelled armed conflict. This in

<sup>160</sup> For more information on the mandate of UNOCA, see part X, sect. II, "Political and peacebuilding missions".

<sup>161</sup> S/PV.6288, p. 3.

<sup>162</sup> Ibid., p. 4.

<sup>163</sup> Ibid., pp. 6-8.



turn, exacerbated the risk of gender-based violence and recruitment of child soldiers, in addition to seriously undermining peace, reconciliation, safety, security, stability and sustainable development. Most members noted that illicit arms trafficking was of global concern, and called for the adoption of global instruments to complement legal frameworks already in place.

Following the debate, the Council adopted a presidential statement, in which it underlined the vital importance of effective regulations and controls of the trade in small arms and light weapons to prevent their illegal diversion or re-export, and encouraged the Central African countries to take measures towards the establishment of a subregional register of arms dealers as well as the elaboration of a legally binding instrument on the control of small arms and light weapons, their ammunition and the equipment that might serve for their manufacture. The Council also called upon the States of the subregion to strengthen efforts to establish mechanisms and regional networks for information-sharing to combat the illicit circulation of and trafficking in small arms and light weapons, and requested the Secretary-General to take into account in his biennial report, as a follow-up, the content of that presidential statement.<sup>164</sup>

#### **18 August and 14 November 2011: activities of the United Nations Regional Office for Central Africa**

On 18 August 2011, the Special Representative of the Secretary-General and Head of UNOCA reported that, with a view to establishing contact with government leaders, the United Nations country teams and other international partners in the subregion, UNOCA representatives had visited Cameroon, the Central African Republic, Chad and Equatorial Guinea. Preliminary observations from discussions held confirmed the need for enhanced United Nations support in the subregion to help Member States to address security, peacebuilding and conflict-prevention challenges. He said that the need to build capacity for tackling specific transborder security challenges, such as piracy in the Gulf of Guinea and the threats posed by such rebel groups as LRA and Baba Ladde in the Central African Republic, had become a shared concern of the United Nations, the African Union and the subregion. The Special Representative expressed his intention to

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<sup>164</sup> S/PRST/2010/6.

translate the mandate of UNOCA into cohesive subregional initiatives to facilitate coordination and information exchange between United Nations entities and other partners towards supporting peacebuilding and preventive diplomacy initiatives in the subregion. As part of that effort, he noted, the Secretary-General had transferred the secretariat functions of the United Nations Standing Advisory Committee on Security Questions in Central Africa from the Office for Disarmament Affairs to the Department of Political Affairs, so that they could be assumed by UNOCA.<sup>165</sup>

On 14 November 2011, the Special Representative introduced the first report of the Secretary-General on the activities of UNOCA.<sup>166</sup> He noted that States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa had signed in Brazzaville the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly, known as the Kinshasa Convention. UNOCA would work closely with the United Nations Regional Centre for Peace and Disarmament in Africa to promote the ratification of the Convention. He stated that the issue of piracy and maritime security remained of great concern, as criminals were using the Gulf of Guinea as a hub for the trans-shipment of narcotics. Recognizing the importance of enhanced cross-border security in that area, the countries of the subregion had adopted the Framework to Secure the Gulf of Guinea and a protocol creating the Regional Coordination Centre for Maritime Security in Central Africa.<sup>167</sup> Council members underlined the importance for UNOCA to promote cooperation among relevant actors, including ECCAS and the Africa Union as well as the United Nations missions and offices in the region, in tackling the challenges the subregion faced. Among regional challenges, they expressed particular concern with the threats posed by LRA, piracy in the Gulf of Guinea, the proliferation of small arms and light weapons and organized crime.

Following the debate, the Council adopted a presidential statement, in which it encouraged UNOCA to work with the United Nations missions and the African Union to develop a regional strategy for international humanitarian, development and

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<sup>165</sup> S/PV.6601, pp. 2-4.

<sup>166</sup> S/2011/704.

<sup>167</sup> S/PV.6657, p. 7.

peacebuilding assistance in the LRA-affected area, enhancing cross-border mechanisms to improve civilian protection, early warning capacity, humanitarian access and response, and appropriate reintegration support for those returning from displacement, abductees and ex-combatants, as well as strengthening the overall capacity of affected States to extend their authority throughout their respective territories.<sup>168</sup>

#### **14 November 2011: activities of the Lord's Resistance Army**

On 14 November 2011, the Special Representative of the Secretary-General introduced the report of the Secretary-General on the Lord's Resistance Army-affected areas.<sup>169</sup> He reported that LRA continued to perpetrate serious violations of humanitarian and human rights law with impunity, easily crossing the borders of the affected countries, taking a particularly heavy toll on the Democratic Republic of the Congo. As indicated in the Secretary-General's report, the United Nations system was taking several actions to address the LRA problem in a more effective and coherent manner through its political, peacekeeping, human rights, humanitarian and development efforts. In addition, the United Nations peacekeeping operations in the region were taking further steps to strengthen civilian protection within their mandates and capabilities in strategic locations in the LRA-affected areas to help deter attacks against civilians and facilitate humanitarian operations.<sup>170</sup> The Permanent Observer of the African Union said that the LRA issue was of great concern to

the African Union and that it assumed an alarming regional dimension. The African Union Commission had consulted with the countries concerned to designate a special envoy for LRA, and an integrated planning team had been established to conduct detailed operational planning.<sup>171</sup> The Secretary-General of ECCAS spoke of the need to focus on the training of armed forces in the context of the regional force being put together to deal with LRA.<sup>172</sup> Most members expressed concern over the increasing threat of LRA and called on the international community to step up its pressure in order to put an end to LRA attacks against the civilian population. At the same time, they commended the actions taken by the countries of the region and the initiatives of the African Union in combating LRA.

Following the debate, the Council adopted a presidential statement, in which it, inter alia, strongly condemned the ongoing attacks carried out by LRA in parts of Central Africa, demanded an immediate end to all attacks by LRA, particularly those on civilians, and commended the important efforts undertaken by the militaries of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda to address the threat posed by LRA. The Council commended, further, the enhanced engagement of the African Union through its regional cooperation initiative for the elimination of LRA and its efforts to establish a regional intervention force, and urged the prompt appointment of the proposed African Union Special Envoy for the LRA-affected areas.<sup>173</sup>

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<sup>168</sup> S/PRST/2011/21.

<sup>169</sup> S/2011/693.

<sup>170</sup> S/PV.6657, pp. 2-3.

<sup>171</sup> Ibid., pp. 3-4.

<sup>172</sup> Ibid., p. 6.

<sup>173</sup> S/PRST/2011/21.

Meetings: Central African region

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Rule 37 invitations</i>            | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-----------------------------|--|---------------------------------------|---|---|---|
| 6288<br>19 March<br>2010    | Impact of illicit arms trafficking on peace and security<br><br>Letter dated 15 March 2010 from the Permanent Representative of Gabon to the United Nations addressed to the Secretary-General (S/2010/143)  | 12 Member States <sup>a</sup>         | Executive Director of the United Nations Office on Drugs and Crime, High Representative for Disarmament Affairs, Secretary-General of the Economic Community of Central African States, Permanent Observer of the African Union to the United Nations, Acting Head of the European Union Delegation to the United Nations | Deputy Secretary-General, all Council members, all invitees               | S/PRST/2010/6   |
| 6601<br>18 August<br>2011   |  |                                       | Special Representative of the Secretary-General and Head of the United Nations Regional Office for Central Africa   | Special Representative of the Secretary-General                           |   |
| 6657<br>14 November<br>2011 | Report of the Secretary-General on the Lord's Resistance Army-affected areas pursuant to Security Council press statement (S/2011/693)<br><br>First report of the Secretary-General on the activities of the United Nations Office for Central Africa (S/2011/704) | Central African Republic, South Sudan | Special Representative of the Secretary-General, Permanent Observer of the African Union to the United Nations, Secretary-General of the Economic Community of Central African States   | All Council members, Central African Republic, all invitees under rule 39 | S/PRST/2011/21  |

<sup>a</sup> Australia, Botswana, Central African Republic, Chad, Congo, Costa Rica, Democratic Republic of the Congo, Germany, Morocco, Republic of Korea, South Africa and Switzerland.

## 12. Reports of the Secretary-General on the Sudan

### Overview

During the period under review, the Security Council held 48 meetings, including four closed meetings with the troop-contributing countries,<sup>174</sup> and adopted 11 resolutions and five presidential statements in connection with the Sudan. The Council focused on the referendum in South Sudan, the establishment of the Republic of South Sudan, and the status of Abyei, which were significant milestones in the implementation of the Comprehensive Peace Agreement. In addition, the Council followed the national elections held in 2010, the Doha peace process and the security and humanitarian situation in both the Sudan and South Sudan. It received several briefings by the Prosecutor of the International Criminal Court on the Court's activities pertaining to the indictment of several high-ranking Sudanese officials, including the President of the Sudan, Omar Al-Bashir.

The Council established two new missions, the United Nations Mission in South Sudan and the United Nations Interim Security Force for Abyei (UNISFA), and terminated the mandate of the United Nations Mission in the Sudan (UNMIS).<sup>175</sup>

The Council twice extended the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), for a period of one year each time, and the mandate of UNMIS twice, for a period of one year and another period of two months. The mandate of UNISFA was extended for a period of five months.<sup>176</sup> The Council also twice extended the mandate of the Panel of Experts, which had been set up to assist the Committee established pursuant to resolution 1591 (2005) in monitoring implementation of the sanctions concerning the Sudan.<sup>177</sup>

In October 2010 and May 2011, the Council visited the Sudan as part of its mission to Africa.<sup>178</sup>

### 11 February and 29 April 2010: national elections of 2010

On 11 February 2010, the Assistant Secretary-General for Peacekeeping Operations stated that the Sudan had reached a critical juncture and would face enormous challenges, as national elections were scheduled to take place in April 2010. He reported on the preparation of the elections, including the peaceful conduct of the registration process in November and December 2009. The National Elections Commission continued to face considerable technical challenges, including the establishment of hundreds of thousands of polling stations and the transportation of large quantities of electoral materials to remote locations.<sup>179</sup>

On 29 April 2010, the Council adopted resolution 1919 (2010) by which it, inter alia, took note of the nationwide elections conducted in April 2010, as elections were a component of the implementation of the Comprehensive Peace Agreement, and commended the people in the Sudan who were working toward democracy.

### 11 February 2010 to 25 October 2011: the Doha peace process

From 11 February 2010 to 25 October 2011, the Council held nine meetings at which it heard briefings from a number of speakers, including members of the Secretariat on the progress made in implementing the mandate of UNAMID across Darfur, as well as the status of the political process.<sup>180</sup>

On 20 May 2010, the Joint Special Representative for the African Union-United Nations Hybrid Operation in Darfur reported that significant challenges remained in the peace process, including the continuing insecurity, the lack of cohesion among the armed movements, the refusal of Abdul Wahid to participate in the peace talks, and the limited progress made towards the establishment of durable ceasefire arrangements. He outlined four priority goals for the mission, namely, enhancing the security and safety of United Nations and humanitarian personnel and the civilian population; providing more proactive support

<sup>174</sup> See S/PV.6296, S/PV.6361, S/PV.6420 and S/PV.6514.

<sup>175</sup> For more information on the mandates of these missions, see part X, sect. I, "Peacekeeping operations".

<sup>176</sup> The Council extended the mandate of UNAMID by resolutions 1935 (2010) and 2003 (2011); the mandate of UNMIS by resolutions 1919 (2010) and 1978 (2011); and the mandate of UNISFA by resolution 2032 (2011).

<sup>177</sup> Resolutions 1945 (2010) and 1982 (2011).

<sup>178</sup> For more information on Security Council missions, see part I, sect. 36, and part VI, sect. II. A, with regard to investigation of disputes and fact-finding

<sup>179</sup> S/PV.6269, pp. 2-3.

<sup>180</sup> See S/PV.6269, S/PV.6318, S/PV.6338, S/PV.6365, S/PV.6410, S/PV.6474, S/PV.6519, S/PV.6589 and S/PV.6638.

for the ongoing peace process; facilitating the ongoing normalization of relations between Chad and the Sudan; and facilitating support for recovery, reconstruction and development in Darfur.<sup>181</sup>

On 14 June 2010, the Chairperson of the African Union High-level Implementation Panel stated that the Panel fully supported the Doha negotiations, which were focused on concluding a peace agreement involving all the belligerents, and supported efforts to conclude those negotiations as speedily as possible. It would also immediately take steps to prepare for the convening of the Darfur-Darfur conference aimed at concluding a global political agreement.<sup>182</sup> The Joint African Union-United Nations Chief Mediator for Darfur stated that the mediation was currently focusing on three aspects, namely, direct dialogue and negotiations among the parties to the conflict, raising awareness and involving civil society in the peace process and improving relations between Chad and the Sudan. The Government and the Liberation and Justice Movement (LJM) had reaffirmed their commitment to the Doha peace process as the only forum for peace negotiations on Darfur. It was imperative for all armed movements to adhere to the peace negotiations and for the Justice and Equality Movement (JEM) to return to the negotiation table. He requested Council members to demand that the Government and JEM immediately cease hostilities and encourage all the armed movements and the Government to make dialogue the only way to resolve the crisis.<sup>183</sup> Speakers welcomed the mediation efforts and urged all parties to engage in the Doha peace process.

On 27 July 2010, the Joint African Union-United Nations Special Representative for Darfur reported that the Doha talks, which included the participation of the Government of the Sudan and LJM, were making steady progress and had received an important boost from the second civil society forum launched on 12 July 2010. He stated that the absence of JEM and the Sudan Liberation Movement of Abdul Wahid was extremely unfortunate, noting that the Joint Chief Mediator was urging the leaders of the two movements to join the process and discuss possible modalities for their participation.<sup>184</sup>

On 30 July 2010, by resolution [1935 \(2010\)](#), the Council extended the mandate of UNAMID for a further 12 months, and welcomed the priority given to the continuing efforts of the mission to promote the engagement of all Darfurian stakeholders in support of and to complement the work of the Joint Chief Mediator and the African Union/United Nations-led political process for Darfur. It demanded that all parties to the conflict, including all rebel groups, immediately engage fully and constructively in the peace process without preconditions, including by entering into talks under the mediation of the Joint Chief Mediator with a view to completing an inclusive and comprehensive agreement, underlined the importance of completing such an agreement in order to bring a stable and durable peace to the region, and welcomed the work of Qatar in this regard and the support of other countries in the region.

On 26 January 2011, the Assistant Secretary-General for Peacekeeping Operations said that there had been some progress in the ongoing negotiations in Doha. In November 2010, joint negotiating committees from LJM and the Government had concluded their work in the broad areas of power-sharing, justice and reconciliation, compensation, the return and resettlement of refugees and internally displaced persons, and security arrangements. However, important points of disagreement remained on the powers of a regional authority to implement the peace agreement in Darfur and a vice-presidency post for Darfur. Moreover, the African Union-United Nations Sudan Consultative Forum had agreed to begin planning for a Darfur political process, which would be based on the outcomes of the Doha process and work to build support within Darfurian communities for the key principles arising from the Doha negotiations.<sup>185</sup>

On 20 April 2011, the Assistant Secretary-General for Peacekeeping Operations stated that the peace process had entered a crucial phase, with the three signatories to the framework agreements — the Government of the Sudan, JEM and LJM — present and fully engaged in the negotiations in Doha. He said that the positions of the Government of the Sudan and LJM on the texts were “nearly reconcilable”, but JEM had made a number of fundamental comments and suggestions. He expressed appreciation for the international community’s full support for the

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<sup>181</sup> [S/PV.6318](#), pp. 3-4.

<sup>182</sup> [S/PV.6338](#), pp. 2-3.

<sup>183</sup> *Ibid.*, pp. 8-9.

<sup>184</sup> [S/PV.6365](#), pp. 2-3.

<sup>185</sup> [S/PV.6474](#), p. 2.

mediation, including its interventions with the parties to impress on them the need to seize the opportunity for a comprehensive peace, and called on the international community to send a clear message to JEM that it must fully engage on the basis of the draft provided to it and reach a comprehensive agreement in the time frame established by the mediation.<sup>186</sup>

On 22 July 2011, the Joint African Union-United Nations Special Representative for Darfur reported on the progress made during the All Darfur Stakeholders Conference held in Doha from 27 to 31 May. The parties had endorsed the draft Doha document for peace in Darfur as the basis for reaching a permanent ceasefire and a comprehensive and inclusive peace settlement in Darfur, and the document had been signed on 14 July by LJM and the Government. Daunting challenges remained, namely, how to continue engagement of the holdout armed movements, JEM, the Sudan Liberation Army (SLA)-Abdul Wahid and SLA-Minni Minawi, and obtain the agreement of the Government with respect to a cessation of hostilities and a commitment to discuss in good faith how to achieve an inclusive and comprehensive peace agreement.<sup>187</sup>

On 29 July 2011, the Council adopted resolution [2003 \(2011\)](#), by which it expressed its strong commitment and determination to support the African Union-United Nations Darfur peace process hosted by Qatar, deplored the fact that some groups continued to refuse to join this process, and strongly urged them to do so without further delay or preconditions. It welcomed the outcome of the All Darfur Stakeholders Conference, held in Doha from 27 to 31 May, and the signing on 14 July of the Agreement between the Government of the Sudan and LJM for the Adoption of the Doha Document for Peace in Darfur as an important step forward in the peace process.

#### **11 June 2010 to 15 December 2011: briefings by the Prosecutor of the International Criminal Court**

From 11 June 2010 to 15 December 2011, the Prosecutor of the International Criminal Court briefed the Council pursuant to resolution [1593 \(2005\)](#) on the activities of his Office with regard to Darfur. He commented on the lack of cooperation by the

Government of the Sudan in executing the arrest warrants in the cases against President Al-Bashir and the rebel commanders that had attacked African Union peacekeepers at their base in Haskanita in September 2007.<sup>188</sup> Each briefing was followed by a private meeting during which Council members expressed their positions on those issues.<sup>189</sup>

On 15 December 2011, the Prosecutor of the International Criminal Court informed members that on 28 November the High Court of Kenya had implemented an arrest warrant against President Al-Bashir following the decision of the International Criminal Court. President Al-Bashir had retaliated diplomatically against the Kenyan decision and threatened economic and trade sanctions. Malawi, on the other hand, had failed to comply with cooperation requests issued by the Court and refused to arrest President Al-Bashir.<sup>190</sup>

#### **25 October 2010 to 27 April 2011: referendum on the independence of South Sudan**

On 25 October 2010, the Under-Secretary-General for Peacekeeping Operations reported that there had been visible progress in the preparation of the referendum for Southern Sudan scheduled for 9 January 2011, though very little time remained. He stated that UNMIS continued to provide the Southern Sudan Referendum Commission with technical, logistical and advisory assistance, while UNAMID would assist by setting up voter registration and polling centres in Darfur.<sup>191</sup>

On 16 November 2010, the Council adopted a presidential statement, in which it urged the parties to the Comprehensive Peace Agreement, while working to make unity attractive and recognizing the right to self-determination of the people of Southern Sudan, to take urgent action to implement their commitment to ensure peaceful, credible, timely and free referendums that reflected the will of the people of Southern Sudan and Abyei, as provided for in the Agreement. In this regard, it welcomed the start of registration for the Southern Sudan referendum on 15 November and encouraged further efforts to ensure that the referendums were held on 9 January 2011 in

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<sup>186</sup> [S/PV.6519](#), p. 4.

<sup>187</sup> [S/PV.6589](#), p. 2.

<sup>188</sup> See [S/PV.6336](#), [S/PV.6440](#), [S/PV.6548](#) and [S/PV.6688](#).

<sup>189</sup> See [S/PV.6337](#), [S/PV.6441](#), [S/PV.6549](#) and [S/PV.6689](#).

<sup>190</sup> [S/PV.6688](#), pp. 3-4.

<sup>191</sup> [S/PV.6410](#), p. 2.

accordance with the Agreement and as scheduled in the timeline published for the Southern Sudan referendum by the Southern Sudan Referendum Commission. Expressing concern at the continued delays in releasing to the Commission the full funding needed for preparations to continue to move forward, the Council called upon the parties and all Member States to respect the outcome of credible referendums that reflected the will of the people of Southern Sudan and Abyei.<sup>192</sup>

Following the adoption of the statement, the Secretary-General noted that the referendum process was on track, and stressed the need to ensure that it was conducted in an orderly fashion and that the Sudanese people accepted its outcome. He said that it was imperative that the process be credible and transparent, reflecting the aspirations of the population.<sup>193</sup> The Chairperson of the African Union High-level Implementation Panel reported that the parties to the Comprehensive Peace Agreement had acceded to the code of conduct prepared by the Panel, which bound them to ensure a free and fair referendum, and had committed themselves to respecting its outcome. Negotiations on post-referendum arrangements had been launched and the parties had engaged on outstanding issues such as security, borders, citizenship, oil and water resources.<sup>194</sup> Noting that his Government's agreement to grant Southern Sudan its right to self-determination was among the "more daring" decisions taken anywhere in Africa, the Minister for Foreign Affairs of the Sudan reaffirmed Khartoum's commitment to holding the referendum as scheduled and to accepting its outcome, be it in favour of unity or secession.<sup>195</sup> The Secretary-General of the Sudan People's Liberation Movement noted that the Government of Southern Sudan would make sure that every logistical arrangement was in place and that the referendum would take place on time. Noting that all signs were indicating that the people of Southern Sudan were likely to vote for independence, he called on the international community to respect the outcome of the referendum.<sup>196</sup> While acknowledging the progress achieved in the preparation for the referendums,

including the start of voter registration for the Southern Sudan referendum, Council members expressed concern about delays in the preparations, particularly in Abyei. They called for further efforts in planning the way forward and to ensure that the referendums were held on 9 January 2011. Speakers also highlighted the need to resolve critical post-referendum arrangements in a peaceful manner, including the issues of border demarcation, oil-revenue distribution, security, citizenship rights, and civilian protection.

On 16 December 2010, the Council adopted a presidential statement, in which it welcomed the conclusion of a peaceful registration process for the Southern Sudan referendum, and encouraged the parties to continue that forward momentum towards peaceful and credible referendums on 9 January 2011. It urged the parties to ensure that citizenship and residency arrangements were in accordance with applicable international obligations and refrained from arbitrarily depriving an individual of citizenship.<sup>197</sup>

After the statement had been read out, the Under-Secretary-General for Peacekeeping Operations stated that voter registration for the referendum in Southern Sudan had gone well, without violent incidents. More than 115,000 people had been registered in the Sudan and 2.9 million in Southern Sudan according to preliminary counts. He stated that although the security situation in Southern Sudan was relatively calm it continued to be fragile. Given the uncertainties of the coming months, the parties, the United Nations and the international community were preparing to prevent, to the extent possible, and mitigate humanitarian crises. UNMIS and the United Nations country team had developed a referendum-related contingency plan for the period from November 2010 to June 2011.<sup>198</sup>

On 18 January 2011, the Special Representative of the Secretary-General for the Sudan reported on the peaceful conclusion of the referendum process, 83 per cent of registered voters having cast their ballots. He stated that the Southern Sudan Referendum Commission would announce preliminary results for the entire referendum on 2 February, the final results on 7 February and any appeals on 14 February.<sup>199</sup> The Chair of the Secretary-General's Panel on the Referenda in the Sudan reiterated that the referendum

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<sup>192</sup> S/PRST/2010/24.

<sup>193</sup> S/PV.6425, pp. 4-5.

<sup>194</sup> Ibid., p. 7.

<sup>195</sup> Ibid., p. 9.

<sup>196</sup> Ibid., p. 12.

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<sup>197</sup> S/PRST/2010/28.

<sup>198</sup> S/PV.6452, pp. 3-6.

<sup>199</sup> S/PV.6468, pp. 2-3.

process had been conducted in a peaceful and transparent manner, allowing the people of Southern Sudan to express their will freely.<sup>200</sup> Council members urged all parties to follow through on the referendum process in a peaceful manner, respecting all their obligations and pursuing earnest negotiations in pursuit of a sustainable solution to all outstanding issues.

On 9 February 2011, the Special Representative of the Secretary-General briefed the Council following the announcement on 7 February of the official results of the referendum in Southern Sudan, which showed that an overwhelming majority of the voters had opted for secession. He noted that President Al-Bashir had signed a decree confirming his Government's acceptance of the results as the legitimate expression of the will of the people of Southern Sudan, thus confirming the Government of the Sudan's readiness to recognize the formation of an independent South Sudan at the end of the Comprehensive Peace Agreement period on 9 July 2011. Regarding the post-referendum tasks, he stated that both parties were engaging seriously and making progress in areas such as border demarcation, good-neighbourly relations, non-interference in the affairs of the other and recognition of economic interdependence.<sup>201</sup> The representative of the Sudan said the Council and the international community should reward his Government for keeping its promise to accept the outcome of the referendum. There should be a new vision that would reconsider the position vis-à-vis "the hero of peace", President Al-Bashir. The secession of Southern Sudan did not mean that a geographic wall would sever the links between north and south, but only a new beginning of close cooperation that would reflect the linkage of interests and the reciprocal needs of both parties. He made a strong appeal for the economic sanctions imposed on his country to be lifted, stressing that economic stability in the north also meant stability for the south.<sup>202</sup> The Minister of Regional Cooperation of the Government of Southern Sudan stated that his Government was preparing for the responsibilities of statehood by continuing to work on good governance, institution-building and the establishment of a multiparty democracy. Following independence, it would establish a broad-based

Government of national unity, promulgate a new constitution and schedule national elections.<sup>203</sup>

At the end of the meeting, the Council, by a presidential statement, welcomed the announcement on 7 February 2011 by the Southern Sudan Referendum Commission of the final results of the referendum on self-determination for the people of Southern Sudan, which showed that 98.83 per cent of voters chose independence. It called upon all Member States to respect the outcome of the referendum, and looked forward to welcoming an independent South Sudan as a new member of the international community after 9 July.<sup>204</sup>

On 27 April 2011, by resolution [1978 \(2011\)](#), the Council, considering the results of the referendum of Southern Sudan and the request by the Government of Southern Sudan for a continued United Nations presence in South Sudan, announced its intention to establish a mission to succeed UNMIS and requested the Secretary-General to continue to consult with the parties to the Comprehensive Peace Agreement and to submit a report by 16 May.

#### **8 July to 15 November 2011: establishment of the Republic of South Sudan and UNMISS**

On 8 July 2011, by resolution [1996 \(2011\)](#), the Council welcomed the establishment of the Republic of South Sudan on 9 July 2011 upon its proclamation as an independent State. Acting under Chapter VII of the Charter of the United Nations, it decided, inter alia, to establish as of 9 July 2011 the United Nations Mission in South Sudan (UNMISS) for an initial period of one year. It decided that the mandate of UNMISS should be to consolidate peace and security and to help to establish the conditions for development in South Sudan, with a view to strengthening the capacity of the Government to govern effectively and democratically and establish good relations with its neighbours. It authorized UNMISS, inter alia, to foster longer-term State-building and economic development and to support the Government of South Sudan in exercising its responsibilities for conflict prevention, mitigation and resolution and protecting civilians.

On 13 July 2011, while congratulating the Governments of the Sudan and South Sudan, the Under-Secretary-General for Peacekeeping Operations

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<sup>200</sup> Ibid., p. 5.

<sup>201</sup> [S/PV.6478](#), p. 2.

<sup>202</sup> Ibid., pp. 7-9.

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<sup>203</sup> Ibid., p. 11.

<sup>204</sup> [S/PRST/2011/3](#).



said that South Sudan would face tremendous early challenges, including in the areas of domestic policy and security and in its relationship with the north. He noted that UNMISS would work closely with the Government of South Sudan to address those challenges, while supporting peacebuilding and extending its good offices. He reported that the transition towards the new Mission was well under way and that the Special Representative of the Secretary-General had taken office on 9 July.<sup>205</sup> The representative of South Sudan thanked members for recommending to the General Assembly that his country be admitted as the newest member of the United Nations and for adopting resolution 1996 (2011) mandating a new peace consolidation mission in his country.<sup>206</sup> The representative of the Sudan recalled that his Government was one of the first States to recognize the results of the referendum in January, and the first State to recognize the new State of South Sudan. He called for the end of unilateral sanctions and the forgiveness of the debt of his country.<sup>207</sup> Council members welcomed the independence of South Sudan and called on UNMISS to work closely with the Government in addressing economic, political and social challenges.

On 15 November 2011, presenting the first quarterly report of the Secretary-General on UNMISS,<sup>208</sup> the Special Representative of the Secretary-General and Head of UNMISS emphasized that the Mission and the international community should quickly mobilize the political will, resources and capacities to capitalize on the momentum from independence and ensure that priorities and spending decisions were aligned with the needs of citizens. Noting the first steps taken by Government of South Sudan to develop broader and more representative government institutions and a legislature, she expressed concern over how the Government would address the key challenges of the transitional period in the areas of governance, corruption and political inclusiveness. While pointing out that the mandate of UNMISS did not cover monitoring South Sudan's border with the Sudan or the relationship between the two countries, she underlined that peace and stability

in South Sudan depended on good relations with its neighbours, first and foremost the Sudan.<sup>209</sup>

### **31 May to 14 December 2011: status of Abyei and establishment of UNISFA**

On 31 May 2011, the Under-Secretary-General for Peacekeeping Operations noted that, while much had been achieved, a number of key issues under the Comprehensive Peace Agreement, such as the status of Abyei, remained unresolved. He reported that the parties had signed a joint position paper on border security and had agreed on the establishment of a common border zone and the architecture required to jointly manage the zone. However, an agreement on a third-party mechanism to assist the parties in implementing the agreement remained outstanding. Stating that the security situation in Abyei had been a concern for months, he noted that the Government of the Sudan had not withdrawn its "oil police", the Popular Defence Forces and Misseriya militias, and the Government of South Sudan had not withdrawn its police elements.<sup>210</sup> The representative of the Sudan stated that the Government of South Sudan had not complied with the two Kadulgi agreements, which stipulated the withdrawal of all forces from the Abyei area, and had instead kept its forces there; provocative attacks had followed, including the kidnapping of members of the Sudanese Armed Forces. He stressed that the Sudanese military presence in Abyei was not permanent, and would last only until an agreement was signed that guaranteed an end to such provocations and attacks.<sup>211</sup> While expressing concern about the situation in Abyei, the representative of Southern Sudan stated that the occupation of Abyei by the Sudanese Armed Forces was a serious violation of the Comprehensive Peace Agreement. Khartoum's actions over the past week represented a grave escalation that risked provoking a resumption of armed conflict between the two parties. He called on the Council to condemn the move by Khartoum to take Abyei and to demand that the Sudanese Armed Forces withdraw from Abyei immediately and unconditionally.<sup>212</sup>

On 3 June 2011, the Council adopted a presidential statement, in which it, inter alia, strongly condemned the Government of the Sudan's taking and

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<sup>205</sup> S/PV.6583, p. 2.

<sup>206</sup> Ibid., p. 4.

<sup>207</sup> Ibid., pp. 5-6.

<sup>208</sup> S/2011/678.

<sup>209</sup> S/PV.6660, pp. 2-4.

<sup>210</sup> S/PV.6542, p. 2.

<sup>211</sup> Ibid., p. 5.

<sup>212</sup> Ibid., p. 7.

continued maintenance of military control over the Abyei area and the resulting displacement of tens of thousands of residents of Abyei, and called on the Sudanese Armed Forces to ensure an immediate halt to all looting, burning and illegal resettlement. The Council demanded that the Government of the Sudan withdraw immediately from the Abyei area and further demanded the immediate withdrawal of all military elements from Abyei. It demanded that the Government of the Sudan and the Government of Southern Sudan cooperate fully with the Special Representative of the Secretary-General for the Sudan and Head of UNMIS and the African Union High-level Implementation Panel to establish immediately a viable security arrangement for Abyei, supported by UNMIS, in which all Sudanese Armed Forces, Sudan People's Liberation Army and allied forces would withdraw from the Abyei area.<sup>213</sup>

On 20 June 2011, the Chairperson of the African Union High-level Implementation Panel reported that the Government of the Sudan and the Sudan People's Liberation Movement had signed an agreement to demilitarize Abyei and replace all Sudanese military forces with Ethiopian forces. He hoped that the Security Council would look at the agreement and take all decisions necessary to ensure that its various provisions could be implemented.<sup>214</sup> The Special Representative of the Secretary-General for the Sudan added that, upon instruction of the Council, the United Nations would be ready to assist in the quick deployment of those Ethiopian troops to Abyei, so that the south could withdraw in a very short time and those who had been displaced from Abyei could return home.<sup>215</sup> Speakers welcomed the signing of the agreement on temporary arrangements for the administration and security of Abyei and the withdrawal of armed forces from the region. The representative of the United States underlined the urgency of immediately deploying Ethiopian troops and announced that her delegation would shortly circulate a draft resolution that would authorize their deployment.<sup>216</sup>

On 27 June 2011, the Council adopted resolution **1990 (2011)**, by which it decided, *inter alia*, to establish, for a period of six months, the United

Nations Interim Security Force for Abyei, taking into account the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area. Its mandate would be, *inter alia*, to monitor and verify the redeployment of any Sudanese Armed Forces and the Sudan People's Liberation Army, or its successor, from the Abyei area; to facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel in coordination with relevant Abyei area bodies; and to strengthen the capacity of the Abyei Police Service by providing support. Acting under Chapter VII of the Charter of the United Nations, the Council authorized UNISFA, within its capabilities and its area of deployment, to take the actions necessary to protect UNISFA personnel, facilities, installations and equipment; to ensure the security and freedom of movement of United Nations personnel, humanitarian personnel and members of the Joint Military Observation Committee and Joint Military Observer Teams; and to ensure security in the Abyei area.

On 27 July 2011, the Under-Secretary-General for Peacekeeping Operations said that the status of the disputed area of Abyei remained unresolved and was a major source of tension between the Government of the Sudan and the Sudan People's Liberation Movement. He stated that, while the deployment of UNISFA was encountering a variety of difficulties, the Department of Peacekeeping Operations was working closely with the Government of the Sudan to overcome those challenges. For instance, the lack of sufficient accommodation for troops limited the speed of deployment and would necessitate the construction of additional accommodation once the rainy season ended. He further stated that, while the security situation in Abyei remained tense, both sides appeared committed to avoiding an escalation of violence and ready to cooperate with UNISFA. The Sudanese Armed Forces retained a considerable presence north of the Kiir/Bahr el-Arab river, but had indicated their intention to withdraw once UNISFA was deployed.<sup>217</sup>

On 11 November 2011, the Under-Secretary-General for Peacekeeping Operations reported on his visit to Abyei and said that he was deeply concerned by the extent of the destruction in the wake of the occupation by the Sudanese Armed Forces in May.

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<sup>213</sup> [S/PRST/2011/12](#).

<sup>214</sup> [S/PV.6559](#), p. 2.

<sup>215</sup> *Ibid.*, p. 4.

<sup>216</sup> *Ibid.*, p. 8.

<sup>217</sup> [S/PV.6593](#), p. 2.

Meanwhile, UNISFA had been fully deployed, with 2,894 military personnel.<sup>218</sup>

On 14 December 2011, the Council adopted resolution [2024 \(2011\)](#), in which it recognized the urgent need for the Sudan and South Sudan to commence the process of border normalization, and recognized further that the situation along the border between the Sudan and South Sudan constituted a threat to international peace and security. It decided that the mandate of UNISFA should include additional tasks, inter alia, to assist the parties in ensuring the observance within the Safe Demilitarized Border Zone of the security commitments agreed upon by them, to support the operational activities of the Joint Border Verification and Monitoring Mechanism, and to assist the Mechanism to maintain the necessary chart, geographical and mapping references.

#### **11 July 2011: termination of the mandate of UNMIS**

On 11 July 2011, by resolution [1997 \(2011\)](#), the Council took note of a letter dated 27 May 2011 from the Minister for Foreign Affairs of the Sudan to the Secretary-General, informing the President of the Security Council of his Government's wish to terminate UNMIS on 9 July,<sup>219</sup> and decided to withdraw UNMIS effective 11 July 2011.

After the adoption of the resolution, several Council members expressed deep regret that UNMIS was being closed at the very moment when its proven abilities to ease tensions were particularly needed with regard to the growing humanitarian crisis in Southern Kordofan and Blue Nile States.<sup>220</sup>

#### **11 and 15 November 2011: border tension between the Sudan and South Sudan**

On 11 November 2011, the Under-Secretary-General for Peacekeeping Operations reported that with respect to Southern Kordofan and Blue Nile States, the Government of the Sudan had accused South Sudan of fuelling the fighting and providing

direct support to the Sudan People's Liberation Army (SPLA)-North, warning that continued support would have grave consequences for bilateral relations. President Kiir had denied support for SPLA-North and had accused the Government of the Sudan of supporting insurgent groups in South Sudan. The situation between the two countries was at a difficult juncture, with very low trust between the countries, heightened rhetoric, and mutual accusations of support to insurgencies in the territory of the other.<sup>221</sup> The representative of the Sudan stated that the violence consisted entirely of incitements on the part of the Government of South Sudan. In the Blue Nile region, the elected Governor, Malik Aggar, had initiated the rebellion and taken up weapons, thereby destabilizing the State which, after intervention by Sudanese forces, was returning to normal life, stability and security. He did not expect that the Sudanese Armed Forces would have to take military action, including aerial bombing, to deal with acts perpetrated by rebel movements, which had been contained in the past few days.<sup>222</sup> The representative of South Sudan called on the Sudan to desist from further military activity north or south of the border, and to avoid unnecessary escalation. He denied all accusations made by the Sudan and reiterated that his Government's policy was one of total non-interference in the affairs of other States.<sup>223</sup>

On 15 November 2011, the Under-Secretary-General for Peacekeeping Operations stated that the escalation of rhetoric between the Government of the Sudan and the Government of South Sudan, particularly in regard to cross-border support to their respective rebel groups and incursions into one another's territory, was extremely worrying. He informed the Council that the African Union High-level Implementation Panel had called for a meeting of the Joint Political and Security Mechanism between the two Governments on 18 November. He urged both Governments to seize that opportunity to de-escalate the situation and move swiftly towards establishing the joint border-monitoring mechanism upon which they had agreed on 30 July.<sup>224</sup>

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<sup>218</sup> [S/PV.6656](#), p. 2.

<sup>219</sup> [S/2011/333](#).

<sup>220</sup> [S/PV.6579](#), p. 2 (United States); p. 3 (United Kingdom, France); and pp. 3-4 (Germany).

<sup>221</sup> [S/PV.6656](#), pp. 2-3.

<sup>222</sup> *Ibid.*, pp. 8-9.

<sup>223</sup> *Ibid.*, p. 9.

<sup>224</sup> [S/PV.6660](#), p. 4.

**Meetings: reports of the Secretary-General on the Sudan**

| <i>Meeting and date</i>       | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>                             | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-------------------------------|---|---|--------------------------------|--|---|---|
| 6269<br>11 February<br>2010   | Report of the<br>Secretary-<br>General on the<br>African Union-<br>United Nations<br>Hybrid Operation<br>in Darfur<br>(UNAMID)<br>(S/2010/50) |   |                                | Assistant<br>Secretary-<br>General for<br>Peacekeeping<br>Operations | Assistant<br>Secretary-<br>General<br>for Peacekeeping<br>Operations        |   |
| 6304<br>29 April 2010         | Report of the<br>Secretary-<br>General on the<br>United Nations<br>Mission in<br>the Sudan<br>(S/2010/168 and<br>Add.1)                       | Draft resolution<br>submitted by<br>United States<br>(S/2010/215)   |                                |  |   | Resolution 1919<br>(2010)<br>15-0-0                   |
| 6318<br>20 May 2010           | Report of the<br>Secretary-<br>General on<br>UNAMID<br>(S/2010/213)   |   |                                | Joint Special<br>Representative<br>for UNAMID                        | Joint Special<br>Representative<br>for UNAMID                               |   |
| 6336<br>11 June 2010          |   | Letter dated<br>28 May 2010<br>from the<br>Secretary-<br>General<br>transmitting the<br>decision of the<br>International<br>Criminal Court<br>about the lack of<br>cooperation by<br>the Republic of<br>the Sudan<br>(S/2010/265,<br>enclosure) |                                | Prosecutor of<br>the International<br>Criminal Court                 | Prosecutor of the<br>International<br>Criminal Court                        |   |
| 6337 (closed)<br>11 June 2010 |   |   |                                | Prosecutor of<br>the International<br>Criminal Court                 | Council<br>members,<br>Prosecutor of the<br>International<br>Criminal Court |   |

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| <i>Meeting and date</i> | <i>Sub-item</i>   | <i>Other documents</i>                                   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|---|--|----------------------------|--|--|---|
| 6338<br>14 June 2010    |   |  |                            | Chairperson of the African Union High-level Panel, Joint African Union-United Nations Chief Mediator for Darfur, Joint African Union-United Nations Special Representative for Darfur, Special Representative of the Secretary-General for the Sudan | All Council members and all invitees                                 |   |
| 6365<br>27 July 2010    | Report of the Secretary-General on UNAMID (S/2010/382)  |  |                            | Joint African Union-United Nations Special Representative for Darfur   | Joint African Union-United Nations Special Representative for Darfur |   |
| 6366<br>30 July 2010    | Report of the Secretary-General on UNAMID (S/2010/382)  |  |                            |  |  | Resolution 1935 (2010)<br>15-0-0                  |
| 6401<br>14 October 2010 |   | Draft resolution submitted by United States (S/2010/520) |                            |  | 1 Council member (China)   | Resolution 1945 (2010)<br>14-0-1 <sup>a</sup>     |
| 6410<br>25 October 2010 | Report of the Secretary-General on UNAMID (S/2010/543)<br><br>Report of the Secretary-General on the Sudan (S/2010/528) |  | Sudan                      | Under-Secretary-General for Peacekeeping Operations  | All invitees   |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>             | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37<br/>invitations</i>                | <i>Rule 39 and other<br/>invitations</i>  | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-------------------------------------|-----------------|------------------------|---|---|--|---|
| 6425<br>16 November<br>2010         |                 |                        | Sudan<br>(Minister<br>for Foreign<br>Affairs) | Secretary-<br>General of the<br>Sudan People's<br>Liberation<br>Movement,<br>Chairperson of<br>the African<br>Union High-<br>level<br>Implementation<br>Panel   | Secretary-General,<br>all Council<br>members, all<br>invitees            | <a href="#">S/PRST/2010/24</a>                        |
| 6440<br>9 December<br>2010          |                 |                        |   | Prosecutor of<br>the International<br>Criminal Court  | Prosecutor of the<br>International<br>Criminal Court                     |   |
| 6441 (closed)<br>9 December<br>2010 |                 |                        | 30 Member<br>States <sup>b</sup>              | Prosecutor of<br>the International<br>Criminal Court  | Council members,<br>Prosecutor of the<br>International<br>Criminal Court |   |
| 6452<br>16 December<br>2010         |                 |                        | Sudan   | Under-<br>Secretary-<br>General for<br>Peacekeeping<br>Operations,<br>Chair of the<br>Secretary-<br>General's Panel<br>on the<br>Referenda in<br>the Sudan,<br>Secretary-<br>General of the<br>Sudan People's<br>Liberation<br>Movement | All Council<br>members and all<br>invitees                               | <a href="#">S/PRST/2010/28</a>                        |
| 6468<br>18 January<br>2011          |                 |                        | Sudan   | Special<br>Representative<br>of the<br>Secretary-<br>General for the<br>Sudan, Chair of<br>the Secretary-<br>General's Panel<br>on the<br>Referenda in<br>the Sudan   | All Council<br>members and all<br>invitees                               |   |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>           | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------------|--|------------------------|----------------------------|--|--------------------------------------|---|
| 6474<br>26 January<br>2011        | Report of the Secretary-General on the Sudan (S/2010/681)<br><br>Report of the Secretary-General on UNAMID (S/2011/22) |                        |                            | Joint African Union-United Nations Special Representative for Darfur, Assistant Secretary-General for Peacekeeping Operations  | All invitees                         |   |
| 6478<br>9 February<br>2011        |  |                        | Sudan                      | Special Representative of the Secretary-General for the Sudan, Chair of the Secretary-General's Panel on the Referenda in the Sudan, Head of the African Union Liaison Office in the Sudan, Minister of Regional Cooperation of the Government of Southern Sudan | All Council members and all invitees | S/PRST/2011/3                                     |
| 6499 (closed)<br>21 March<br>2011 |  |                        | Sudan                      | Secretary-General of the Sudan People's Liberation Movement, Assistant Secretary-General for Peacekeeping Operations   | All Council members and all invitees |   |
| 6517<br>20 April 2011             | Report of the Secretary-General on the Sudan (S/2011/239)  |                        | Sudan                      | Assistant Secretary-General for Peacekeeping Operations  | All invitees                         |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>      | <i>Sub-item</i>   | <i>Other documents</i>                                   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i>                                | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|------------------------------|---|--|--------------------------------|--|--|---|
| 6519<br>20 April 2011        | Report of the Secretary-General on UNAMID (S/2011/244)    |  | Sudan                          | Assistant Secretary-General for Peacekeeping Operations  | All invitees                                   |   |
| 6521<br>21 April 2011        |   |  |                                |  |  | S/PRST/2011/8   |
| 6522<br>27 April 2011        | Report of the Secretary-General on the Sudan (S/2011/239) | Draft resolution submitted by United States (S/2011/267) | Sudan                          | Mr. David Buom Choat (Government of Southern Sudan)  |  | Resolution 1978 (2011)<br>15-0-0                      |
| 6537<br>17 May 2011          |   | Draft resolution submitted by United States (S/2011/305) |                                |  |  | Resolution 1982 (2011)<br>15-0-0                      |
| 6542<br>31 May 2011          | Report of the Secretary-General on the Sudan (S/2011/314) |  | Sudan                          | Under-Secretary-General for Peacekeeping Operations, Special Representative of the Secretary-General for the Sudan, Mr. Ezekiel Lol Gatkuoth (on behalf of the Government of Southern Sudan) | All invitees                                   |   |
| 6544<br>3 June 2011          |   |  |                                |  |  | S/PRST/2011/12  |
| 6548<br>8 June 2011          |   |  |                                | Prosecutor of the International Criminal Court   | Prosecutor of the International Criminal Court |   |
| 6549 (closed)<br>8 June 2011 |   |  | 37 Member States <sup>c</sup>  | Prosecutor of the International Criminal Court   | All Council members                            |   |



## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i> | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|---|---|----------------------------|---|--|---|
| 6559<br>20 June 2011    |   |   | Sudan                      | Chairperson of the African Union High-level Implementation Panel, Special Representative of the Secretary-General for the Sudan, Mr. Ezekiel Lol Gatkuoth (on behalf of the Government of Southern Sudan) | All Council members and all invitees                               |   |
| 6567<br>27 June 2011    |   | Draft resolution submitted by Colombia, Gabon, Nigeria, South Africa, United States (S/2011/389)                                  |                            |   | 1 Council member (France)  | Resolution 1990 (2011)<br>15-0-0                  |
| 6576<br>8 July 2011     |   | Draft resolution submitted by France, Gabon, Germany, Nigeria, Portugal, South Africa, United Kingdom, United States (S/2011/416) |                            |   |  | Resolution 1996 (2011)<br>15-0-0                  |
| 6579<br>11 July 2011    |   | Draft resolution (S/2011/417)   |                            |   | 4 Council members (France, Germany, United Kingdom, United States) | Resolution 1997 (2011)<br>15-0-0                  |
| 6583<br>13 July 2011    | Special report of the Secretary-General on the Sudan (S/2011/314) |   | Sudan                      | Under-Secretary-General for Peacekeeping Operations, Vice-President of South Sudan  | Secretary-General, all Council members, all invitees               |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>  | <i>Sub-item</i>  | <i>Other documents</i>                                    | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>  | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|--------------------------|--|---|--------------------------------|---|--|---|
| 6589<br>22 July 2011     | Report of the Secretary-General on UNAMID (S/2011/422)                 |   |                                | Joint African Union-United Nations Special Representative for Darfur  | Joint African Union-United Nations Special Representative for Darfur                                       |   |
| 6593<br>27 July 2011     | Report of the Secretary-General on the situation in Abyei (S/2011/451) |   |                                | Under-Secretary-General for Peacekeeping Operations   | Under-Secretary-General for Peacekeeping Operations  |   |
| 6597<br>29 July 2011     | Report of the Secretary-General on UNAMID (S/2011/422)                 | Draft resolution submitted by United Kingdom (S/2011/471) |                                |   | 7 Council members (China, Gabon, Nigeria, Russian Federation, South Africa, United Kingdom, United States) | Resolution 2003 (2011) 15-0-0                         |
| 6628<br>6 October 2011   | Report of the Secretary-General on the situation in Abyei (S/2011/603) |   | South Sudan, Sudan             | Under-Secretary-General for Peacekeeping Operations   | All invitees   |   |
| 6638<br>25 October 2011  | Report of the Secretary-General on UNAMID (S/2011/643)                 |   | Sudan                          | Under-Secretary-General for Peacekeeping Operations   | All invitees   |   |
| 6656<br>11 November 2011 |  |   | South Sudan, Sudan             | Under-Secretary-General for Peacekeeping Operations, Special Representative of the Secretary-General and Head of the United Nations Mission in South Sudan (UNMISS) | All invitees   |   |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>              | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------------------|--|--|-------------------------------|---|---|---|
| 6660<br>15 November<br>2011          | Report of the Secretary-General on South Sudan (S/2011/678)            |  | South Sudan, Sudan            | Under-Secretary-General for Peacekeeping Operations, Special Representative of the Secretary-General and Head of UNMISS | All invitees  |   |
| 6679<br>8 December<br>2011           | Report of the Secretary-General on the situation in Abyei (S/2011/741) |  | South Sudan, Sudan            | Under-Secretary-General for Peacekeeping Operations   | All invitees  |   |
| 6683<br>14 December<br>2011          | Report of the Secretary-General on the situation in Abyei (S/2011/741) | Draft resolution submitted by France, United Kingdom, United States (S/2011/770) | South Sudan, Sudan            |   |   | Resolution 2024 (2011)<br>15-0-0                  |
| 6688<br>15 December<br>2011          |  |  | Sudan                         | Prosecutor of the International Criminal Court  | All invitees  |   |
| 6689 (closed)<br>15 December<br>2011 |  |  | 20 Member States <sup>d</sup> | Prosecutor of the International Criminal Court  | Council members, Prosecutor of the International Criminal Court |   |
| 6699<br>22 December<br>2011          | Report of the Secretary-General on the situation in Abyei (S/2011/741) | Draft resolution submitted by United States (S/2011/794)                         | South Sudan, Sudan            |   |   | Resolution 2032 (2011)<br>15-0-0                  |

<sup>a</sup> *For*: Austria, Bosnia and Herzegovina, Brazil, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States; *abstaining*: China.

<sup>b</sup> Argentina, Australia, Bahrain, Belgium, Canada, Czech Republic, Denmark, Egypt, Estonia, Finland, Hungary, Indonesia, Iraq, Iran (Islamic Republic of), Ireland, Italy, Kenya, Liechtenstein, Netherlands, New Zealand, Norway, Oman, Poland, Serbia, Seychelles, Slovakia, Sudan, Sweden, United Arab Emirates and Zimbabwe.

<sup>c</sup> Argentina, Armenia, Austria, Bahrain, Belgium, Burkina Faso, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Ethiopia, Finland, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Kuwait, Liechtenstein, Malaysia, Mexico, Netherlands, Norway, Poland, Romania, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, Sudan, Sweden and Turkey.

<sup>d</sup> Argentina, Australia, Austria, Belgium, Cyprus, Czech Republic, Denmark, Hungary, Israel, Italy, Japan, Liechtenstein, Malaysia, Norway, Poland, Qatar, Spain, Sudan, Swaziland and Switzerland.

### 13. Peace consolidation in West Africa

#### Overview

During the period under review, the Security Council held five meetings on peace consolidation in West Africa and adopted one presidential statement concerning Guinea. The Council heard four briefings by the Special Representative of the Secretary-General and Head of the United Nations Office for West Africa (UNOWA), who presented the reports of the Secretary-General on the activities of the Office.<sup>225</sup> The discussions were focused on the challenges facing the subregion, including security sector reform, economic issues, electoral assistance, human rights violations, drug trafficking and governance, and the role of UNOWA in addressing these issues.

#### 12 January 2010 to 8 July 2011: briefings by the Special Representative of the Secretary-General

On 12 January 2010, the Council received a briefing by the Special Representative of the Secretary-General on the activities of UNOWA. He noted that, while there had been improvements in West Africa in the areas of conflict prevention, recovery and peacebuilding, a number of challenges still remained, such as election-related instability, economic issues, natural disasters, security sector reform, drug trafficking and organized crime. He noted that UNOWA had established close cooperation with the Economic Community of West African States (ECOWAS) and the African Union to address the challenge of establishing peace and security in the subregion. Referring to events in Guinea, he cautioned that the crisis there, if left unaddressed, could spill over to the subregion.<sup>226</sup>

On 13 July 2010, the Special Representative of the Secretary-General, in his briefing, underlined the progress made in crisis prevention and peacebuilding in West Africa, amid daunting difficulties and persistent challenges. He highlighted as examples the peaceful conduct of national elections in Togo, as well as the continued commitment of the authorities of the Niger to the transition programme scheduled to end in March 2011. He spoke of efforts to address the crisis in Guinea and noted that the first round of presidential

elections was organized peacefully on 27 June 2010. On the role of women in consolidating peace and stability in the subregion, he reported that UNOWA had engaged women's associations and leaders in Guinea in support of the transition process.<sup>227</sup>

On 17 December 2010, the Special Representative of the Secretary-General, reporting to the Council, noted that the acute food crisis in the Niger had been efficiently curbed due to efforts by the Government of the Niger and the international community. He added that in Mauritania the Government had initiated a process of political dialogue with the opposition, and he commended the Guinean people and leaders on the election of a new legitimate President. He said that UNOWA would remain engaged in supporting democratic transition in the subregion. It would also continue to promote synergies within United Nations entities in the subregion with a view to enhancing the contribution of the United Nations to peace and development.<sup>228</sup>

On 8 July 2011, the Council was briefed by the Special Representative of the Secretary-General, who welcomed the peaceful end of the post-election crisis in Côte d'Ivoire, the outcome of the Guinean crisis, and the restoration of constitutional order in the Niger. He noted that the invitation extended to those three countries to attend the Group of Eight summit in Deauville and the political and financial decisions taken at that time was a strong signal of support from the international community. Stability was nevertheless fragile and many challenges remained, including chronic food insecurity in the Niger and the implementation of reforms already undertaken in Guinea and elsewhere. Referring to the crisis in Libya, he expressed concern about the impact of thousands of migrants from Libya returning to Mali and the Niger, and the significant increase in arms and explosives circulating in those countries and the Sahel in general. Instability associated with elections remained a significant challenge, especially considering the number of elections to be held in the coming few years; and the scourges of drug trafficking and organized crime must be fought if the actions taken to

<sup>225</sup> For more information on the mandate of UNOWA, see part X, sect. II, "Political and peacebuilding missions".

<sup>226</sup> S/PV.6256, pp. 2-3.

<sup>227</sup> S/PV.6358, pp. 2-3.

<sup>228</sup> S/PV.6455, pp. 2-3.

promote security and stability in the subregion were to produce results.<sup>229</sup>

**16 February 2010: presidential statement concerning Guinea**

On 16 February 2010, the Council adopted a presidential statement, by which it inter alia welcomed the recent positive developments in Guinea, and the appointment of a Prime Minister and designation of a National Unity Government. The Council welcomed the Joint Declaration of Ouagadougou of 15 January 2010, which provided in particular for the establishment of a National Unity Government led by a civilian Prime Minister designated by the opposition, the holding of elections within six months, the commitment that the Head of State of the transition, members of the Conseil national pour la démocratie

<sup>229</sup> [S/PV.6577](#), pp. 2-4.

et le développement, the Prime Minister, members of the National Unity Government and the defence and security forces in active service would not stand in the forthcoming presidential elections. It commended the work of the International Commission of Inquiry established by the Secretary-General to investigate the facts and circumstances of the events of 28 September 2009 in Guinea,<sup>230</sup> and took note positively of the submission by the Commission of its report.<sup>231</sup> The Council requested the Secretary-General to continue to update it as appropriate on the situation on the ground, the potential implications for the subregion, the fight against impunity, the efforts of ECOWAS and the African Union, and the actions of the United Nations Secretariat.<sup>232</sup>

<sup>230</sup> [S/2009/556](#).

<sup>231</sup> [S/2009/693](#).

<sup>232</sup> [S/PRST/2010/3](#).

**Meetings: peace consolidation in West Africa**

| <i>Meeting and date</i>                     | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 39 and other invitations</i>                              | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|---|--|--|---|---|---|
| <a href="#">6256</a><br>12 January<br>2010  | Report of the Secretary-General on the United Nations Office in West Africa (UNOWA) ( <a href="#">S/2009/682</a> ) |  | Special Representative of the Secretary-General and Head of UNOWA | Special Representative of the Secretary-General and Head of UNOWA |   |
| <a href="#">6272</a><br>16 February<br>2010 |  | Letter dated 28 October 2009 from the Secretary-General informing the Security Council of the establishment of a Commission of Inquiry to investigate the events of 28 September 2009 in Guinea ( <a href="#">S/2009/556</a> ) |   |   | <a href="#">S/PRST/2010/3</a>                     |

| <i>Meeting and date</i>                  | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 39 and other invitations</i>            | <i>Speakers</i>                                 | <i>Decision and vote (for-against-abstaining)</i> |
|--|---|--|---|---|---|
|  |   | Letter dated 18 December 2009 from the Secretary-General transmitting the report of the Commission of Inquiry ( <a href="#">S/2009/693</a> ) |   |   |   |
| <a href="#">6358</a><br>13 July 2010     | Report of the Secretary-General on UNOWA ( <a href="#">S/2010/324</a> ) |  | Special Representative of the Secretary-General | Special Representative of the Secretary-General |   |
| <a href="#">6455</a><br>17 December 2010 | Report of the Secretary-General on UNOWA ( <a href="#">S/2010/614</a> ) |  | Special Representative of the Secretary-General | Special Representative of the Secretary-General |   |
| <a href="#">6577</a><br>8 July 2011      | Report of the Secretary-General on UNOWA ( <a href="#">S/2011/388</a> ) |  | Special Representative of the Secretary-General | Special Representative of the Secretary-General |   |

## 14. The situation in Chad, the Central African Republic and the subregion

### Overview

In the period under review, the Security Council held 10 meetings, including three closed meetings with the troop-contributing countries,<sup>233</sup> and adopted three resolutions and one presidential statement in connection with the situation in Chad, the Central African Republic and the subregion. The Council focused on the withdrawal of the United Nations Mission in the Central African Republic and Chad (MINURCAT), following a request by the President of Chad in a letter addressed to the President of the Security Council.<sup>234</sup> In addition, the Council heard briefings by the Special Representative of the Secretary-General and Head of MINURCAT on the different stages of drawdown and options to address the challenges that arose from the withdrawal of MINURCAT.

<sup>233</sup> See [S/PV.6282](#), [S/PV.6307](#) and [S/PV.6443](#).

<sup>234</sup> [S/2010/115](#).

The Council extended three times the mandate of MINURCAT to facilitate the smooth withdrawal of the Mission.<sup>235</sup> The Mission was terminated on 31 December 2010.

### 12 March to 25 May 2010: extension of the mandate of MINURCAT

On 12 March 2010, by resolution [1913 \(2010\)](#), the Council, considering the letter dated 3 March 2010 from the representative of Chad to the United Nations<sup>236</sup> and the letter dated 11 March 2010 from the Secretary-General<sup>237</sup> indicating that discussions on the future of MINURCAT were still ongoing, decided to

<sup>235</sup> Resolutions [1913 \(2010\)](#); [1922 \(2010\)](#); and [1923 \(2010\)](#).

For information on the mandate of MINURCAT, see part X, sect. I, "Peacekeeping operations".

<sup>236</sup> [S/2010/115](#).

<sup>237</sup> [S/2010/129](#).

extend until 15 May 2010 the mandate of MINURCAT as set out in resolution [1861 \(2009\)](#).

On 12 May 2010, the Council adopted resolution [1922 \(2010\)](#), by which, considering the need to examine thoroughly the recommendations for a revised mandate of the Mission included in the report of the Secretary-General,<sup>238</sup> it extended the mandate of MINURCAT until 26 May 2010.

On 25 May 2010, the Council adopted resolution [1923 \(2010\)](#) by which it decided, *inter alia*, to extend the mandate of MINURCAT until 31 December 2010 and reduce its military component to 2,200 military personnel (1,900 in Chad and 300 in the Central African Republic). The Council took note of the commitment of the Government of Chad to assume full responsibility for the security and protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities. The Council requested the establishment of a joint Government of Chad/United Nations High-level Working Group to assess on a monthly basis the situation on the ground with respect to the protection of civilians. It decided that the Mission would, *inter alia*, select, mentor, monitor, train, advise and facilitate support to elements of the Chadian *Détachement intégré de sécurité*.

Following the adoption of the resolution, the representative of Austria stated that his country had voted in favour of the resolution although it would have preferred a more gradual approach in the drawdown of MINURCAT, and the continuation of a protection of civilians mandate for the Mission. He trusted that the Government of Chad would do its utmost to fulfil its responsibilities and use all available capabilities for the protection of the population of eastern Chad.<sup>239</sup>

#### **10 August to 14 December 2010: briefings by the Special Representative of the Secretary-General on the drawdown of MINURCAT**

On 10 August 2010, the Council heard a briefing by the Special Representative, who introduced the report of the Secretary-General,<sup>240</sup> which contained an assessment of the security and humanitarian situation in eastern Chad and the north-eastern Central African

Republic, as well as progress towards the implementation of the mandate of MINURCAT. The Special Representative said that, as from 27 May 2010, the Government of Chad had taken over full responsibility for the security and protection of civilians and humanitarian workers in eastern Chad despite the complexities of the situation and logistical and other limitations. In view of the imminent withdrawal of MINURCAT, the Government of Chad and the United Nations had established a joint technical working group that had been working since June 2010 on a plan for the sustainability of the *Détachement intégré de sécurité*. Turning to the Central African Republic, he said that the lack of progress in combating security threats in the north-east was mainly the result of the weak presence of the country's armed forces and their lack of logistical and other means. To redress that situation, he recalled the proposals of the Secretary-General, which provided for a United Nations peacekeeping force in the north-eastern region of the country, or for strengthening the armed forces of the Central African Republic complemented by the deployment of joint border patrol forces between the Government of the Central African Republic and those of Chad and the Sudan.<sup>241</sup> The representative of the Central African Republic stated that, with the end of the mandate of MINURCAT, there was a need to protect the future of the still precarious north-eastern region of the country, which could relapse into violence because of many destabilizing factors such as transborder insecurity, banditry, pockets of rebellion, inter-ethnic conflict, the limited presence of defence and security forces and other emerging challenges. He said that his Government was working to reactivate agreements relating to joint transborder patrols and intended to increase the number of its armed forces in the north-east.<sup>242</sup> The representative of Chad reiterated his Government's commitment to protecting civilians, especially refugees and internally displaced persons, until their voluntary return to their places of origin. That would involve the *Détachement intégré de sécurité*, which would need to be maintained and strengthened in terms of personnel, resources and the support for the Chadian security and defence forces. With regard to ensuring security in the eastern part of

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<sup>238</sup> [S/2010/217](#).

<sup>239</sup> [S/PV.6321](#), p. 2.

<sup>240</sup> [S/2010/409](#).

<sup>241</sup> [S/PV.6371](#), pp. 2-4.

<sup>242</sup> *Ibid.*, pp. 5-6.

Chad, he hoped the international community would pursue its efforts to ease his country's burden.<sup>243</sup>

On 20 October 2010, the Council heard a briefing by the Special Representative, who introduced the report of the Secretary-General.<sup>244</sup> He informed members that the security situation in eastern Chad remained calm, owing in part to the presence of the Chadian-Sudanese Joint Border Monitoring Force, which would soon reach 4,000 personnel. However, the humanitarian situation in Chad continued to be of concern. With regard to the north-eastern Central African Republic, he stated that the security situation there remained volatile. Given the imminent withdrawal of MINURCAT, the alleged attacks by elements associated with the Lord's Resistance Army were of concern.<sup>245</sup> The representative of the Central African Republic stated that, at the end of the MINURCAT mandate on 31 December 2010, his country's defence and security forces would ensure the changeover from the international forces to prevent a security vacuum in the north-east of the country. He said however that the Central African armed forces lacked the materiel and equipment to complete their mission to ensure security in the region, and requested the support of the international community to bolster the operational capacity of his country's armed forces. In conclusion, he noted that the withdrawal of MINURCAT provided an opportunity for security sector reform in the Central African Republic.<sup>246</sup> The representative of Chad announced the recent submission to the Council, pursuant to paragraph 5 of resolution 1923 (2010), of his Government's plan to make permanent the *Détachement intégré de sécurité*, the implementation of which would ensure continued security in the refugee camps, displaced persons sites and surrounding areas, as well as the provision of security escorts.<sup>247</sup>

On 14 December 2010, the Council heard a briefing by the Special Representative, who introduced the Secretary-General's final report on MINURCAT.<sup>248</sup> He reported that all of the Mission's administrative, management and operational responsibilities had been transferred to the *Détachement intégré de sécurité*

under the supervision of United Nations police. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Development Programme (UNDP) would assist the Government of Chad to sustain the *Détachement intégré de sécurité* through the creation of a UNDP-managed basket fund and operational assistance provided by UNHCR. He added that the Mission's civilian programmes would be officially handed over on 21 December to the Government of Chad and the United Nations country team, marking the end of the activities of MINURCAT. Moreover, pursuant to resolution 1923 (2010), all MINURCAT uniformed personnel would have left Chad and the Central African Republic by 31 December. Lastly, he noted that the key findings of a lessons-learned study commissioned by MINURCAT included the necessity of securing and sustaining the consent of the host nations and the creation of a nationally owned, internationally supported security entity for the protection of civilians.<sup>249</sup> The representative of the Central African Republic reiterated his appeal for the international community to support the national armed forces so that they could accomplish their mission.<sup>250</sup> The representative of Chad stressed that the non-renewal of the mandate of MINURCAT was fully justified and welcomed the successful implementation of the agreement between Chad and the United Nations on the drawdown of the Mission from eastern Chad and the transfer of responsibilities to the Government of Chad.<sup>251</sup>

#### **20 December 2010: termination of the mandate of MINURCAT**

By a presidential statement of 20 December 2010, the Council, in the context of the expiration of the mandate of MINURCAT on 31 December 2010, commended the Mission for its contribution to providing security for refugees, internally displaced persons and humanitarian actors in eastern Chad and its efforts to enhance the capacity of the *Détachement intégré de sécurité*. The Council called upon Member States to ensure that the necessary donor funds were made available to meet the budgetary requirements of the *Détachement intégré de sécurité*, and urged the Government of Chad to assume full responsibility for

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<sup>243</sup> *Ibid.*, p. 7.

<sup>244</sup> S/2010/529.

<sup>245</sup> S/PV.6406, pp. 2-4.

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

<sup>247</sup> *Ibid.*, p. 5.

<sup>248</sup> S/2010/611.

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<sup>249</sup> S/PV.6449, pp. 2-3.

<sup>250</sup> *Ibid.*, p. 4.

<sup>251</sup> *Ibid.*, p. 5.



the sustainment of the *Détachement intégré de sécurité* as soon as possible. It requested the Secretary-General to report by the conclusion of the liquidation phase of the Mission on 30 April 2011 on the progress made in eastern Chad on the protection of civilians, and encouraged further cooperation between the Governments of the Central African Republic, Chad and the Sudan in order to secure their common borders.<sup>252</sup>

<sup>252</sup> [S/PRST/2012/29](#).

### 29 April 2011: post-MINURCAT report

Pursuant to the presidential statement of 20 December 2010, in which the Council called upon the Secretary-General to report on the progress made in eastern Chad on the protection of civilians, the Secretary-General issued his report on the protection of civilians in Chad on 29 April 2011.<sup>253</sup> The report was discussed in informal consultations on 13 May 2011.

<sup>253</sup> [S/2011/278](#).

### Meetings: the situation in Chad, the Central African Republic and the subregion

| <i>Meeting and date</i>  | <i>Sub-item</i> | <i>Other documents</i>   | <i>Rule 37 invitations</i>     | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i>   |
|--------------------------|-----------------|--|--------------------------------|--------------------------------------|-----------------|---|
| 6283<br>12 March<br>2010 |                 | Draft resolution submitted by Austria, Brazil, France, Gabon, Japan, Lebanon, Mexico, Nigeria, United Kingdom, United States<br><a href="#">(S/2010/130)</a> | Central African Republic, Chad |                                      |                 | Resolution 1913<br><a href="#">(2010)</a><br>15-0-0 |
|                          |                 | Letter dated 3 March 2010 from the representative of Chad concerning a technical extension of the mandate of MINURCAT<br><a href="#">(S/2010/115)</a>        |                                |                                      |                 |   |
|                          |                 | Letter dated 11 March 2010 from the Secretary-General concerning a two-month technical roll-over of the mandate of MINURCAT<br><a href="#">(S/2010/129)</a>  |                                |                                      |                 |   |

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| <i>Meeting and date</i>                 | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>   | <i>Rule 39 and other invitations</i>  | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|---|--|---|--|---|-----------------|--|
| <a href="#">6312</a><br>12 May 2010     | Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad (MINURCAT) ( <a href="#">S/2010/217</a> ) | Draft resolution submitted by France ( <a href="#">S/2010/237</a> )   | Central African Republic   |   |                 | Resolution <a href="#">1922 (2010)</a><br>15-0-0           |
| <a href="#">6321</a><br>25 May 2010     | Report of the Secretary-General on MINURCAT ( <a href="#">S/2010/217</a> )   | Draft resolution submitted by France ( <a href="#">S/2010/251</a> )<br><br>Letter dated 21 May 2010 from the representative of Chad transmitting a memorandum on the future of MINURCAT and the post-MINURCAT period ( <a href="#">S/2010/250</a> ) | Chad   |   | Austria         | Resolution <a href="#">1923 (2010)</a><br>15-0-0           |
| <a href="#">6371</a><br>10 August 2010  | Report of the Secretary-General on MINURCAT ( <a href="#">S/2010/409</a> )   |   | Central African Republic (Minister for Foreign Affairs, Regional Integration and Francophonie), Chad | Special Representative of the Secretary-General for the Central African Republic and Head of MINURCAT | All invitees    |  |
| <a href="#">6406</a><br>20 October 2010 | Report of the Secretary-General on MINURCAT ( <a href="#">S/2010/529</a> )   | Letter dated 7 September 2010 from the representative of Chad transmitting a plan for the sustainment of the Détachement intégré de sécurité ( <a href="#">S/2010/470</a> )   | Central African Republic (Minister for Foreign Affairs, Regional Integration and Francophonie), Chad | Special Representative of the Secretary-General   | All invitees    |  |

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| <i>Meeting and date</i>                  | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i>     | <i>Rule 39 and other invitations</i>            | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--|--|--|--------------------------------|---|-----------------|---|
|  |  | Letter dated 12 October 2010 from the representative of the Central African Republic transmitting the requirements statement of the Central African Republic's armed forces (S/2010/530) |                                |   |                 |   |
|  |  | Letter dated 15 October 2010 from the representative of Chad transmitting an updated plan for the sustainment of the Détachement intégré de sécurité (S/2010/536)                        |                                |   |                 |   |
| <a href="#">6449</a><br>14 December 2010 | Report of the Secretary-General on MINURCAT (S/2010/611) |  | Central African Republic, Chad | Special Representative of the Secretary-General | All invitees    |   |
| <a href="#">6460</a><br>20 December 2010 | Report of the Secretary-General on MINURCAT (S/2010/611) |  | Central African Republic, Chad |   |                 | <a href="#">S/PRST/2010/29</a>                    |

## 15. Peace and security in Africa

### Overview

During 2010 and 2011, the Security Council held seven meetings concerning peace and security in Africa, and adopted two resolutions and one presidential statement. Issues discussed during the period under review included Djibouti and the Horn of Africa, including Eritrea; African Union peacekeeping and strategic partnerships with the United Nations; piracy in the Gulf of Guinea; and Libya.<sup>254</sup>

### 19 May 2010 to 5 December 2011: Djibouti and the Horn of Africa

On 19 May 2010, the Council heard a briefing by the President of Djibouti on several issues pertaining to the Horn of Africa, including the border dispute between Djibouti and Eritrea. He warned that the escalating tensions and conflicts and the breakdown of law and order so widespread in the Horn of Africa could be merely a prelude to a much worse situation in the region.<sup>255</sup> Council members commended Djibouti's efforts to restore peace and anti-piracy efforts in Somalia and its implementation of Council resolutions, and urged Eritrea to fulfil its obligations under resolution 1907 (2009) with respect to the border dispute with Djibouti. While emphasizing the importance of dialogue, many speakers warned that any person or entity attempting to undermine the peace process, disrupt humanitarian deliveries or provide support to insurgents risked facing sanctions. In reference to the imposition of targeted sanctions against Eritrea, the representative of the Russian Federation noted that they must be accompanied by reliable evidence of the involvement of specific individuals in unlawful acts.<sup>256</sup>

On 20 July 2010, the Council heard a briefing from the Under-Secretary-General for Political Affairs, who commended recent steps taken by the Governments of Eritrea and Djibouti on the border issue, with the active mediation efforts of Qatar. He urged all parties to facilitate the work of the newly re-established Monitoring Group on Somalia and Eritrea,<sup>257</sup> which would report on Eritrea's compliance with relevant resolutions of the Council.<sup>258</sup> The representative of Eritrea stated that the agreement signed under the leadership of Qatar was a significant development. Notwithstanding resolution 1907 (2009), which had been unjustly and selectively imposed on Eritrea, his country would not be deterred from participating in meaningful discussions. In the light of the steps taken by Eritrea, he appealed to the Council to lift the sanctions.<sup>259</sup> The representative of Djibouti said that resolution 1907 (2009) had been decisive for the recent progress. His Government had faith in the leadership of Qatar and was convinced it would lead to a good solution.<sup>260</sup>

On 5 December 2011, the Council met with representatives of the States of the Horn of Africa and other members of the Intergovernmental Authority on Development via videoconference — including Djibouti, Ethiopia, Kenya, Somalia and Uganda — who expressed concern about Eritrea's destabilizing activities in the subregion.<sup>261</sup> Many speakers pointed out that despite the appeals of the international community and the African Union, Eritrea had failed to comply with or implement resolution 1907 (2009). In particular, the Council's attention was drawn to the potential use of Eritrea's mining sector as a financial source in destabilizing the East African region, as well as its alleged support for armed opposition and terrorism groups and its practice of extorting funds from its diaspora.

<sup>254</sup> In February 2011, the Council considered issues pertaining to the Libyan Arab Jamahiriya at its 6486th, 6490th and 6491st meetings, under the item entitled "Peace and security in Africa". Pursuant to a note by the President of the Security Council dated 16 March 2011 (S/2011/141), as from that date the earlier consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya was subsumed under the item entitled "The situation in Libya". For information on those meetings held under the item "Peace and security in Africa", see part I, sect. 16.

<sup>255</sup> S/PV.6316, pp. 2-6.

<sup>256</sup> Ibid., p. 7.

<sup>257</sup> The Monitoring Group for Somalia and Eritrea was established pursuant to resolution 1853 (2008), and re-established for a further 12 months by resolution 1916 (2010). For more information, see part VII, sect. III, with regard to decisions adopted in accordance with Article 41 of the Charter.

<sup>258</sup> S/PV.6362, p. 3.

<sup>259</sup> Ibid., pp. 4-5.

<sup>260</sup> Ibid., p. 5.

<sup>261</sup> See S/PV.6674.

At the same meeting, the Council imposed stronger measures against Eritrea by resolution [2023 \(2011\)](#), adopted under Chapter VII of the Charter by 13 votes to none, with 2 abstentions (China, Russian Federation). The Council stressed the obligation of all States to comply with resolution [1907 \(2009\)](#), and demanded that Eritrea make available information pertaining to Djiboutian combatants missing in action since 2008. It also demanded that Eritrea cease all direct or indirect efforts to destabilize States. It decided that States should promote the exercise of vigilance by their nationals, or persons or firms subject to their jurisdiction, doing business in the mining sector in Eritrea, and requested the sanctions Committee concerning Somalia and Eritrea to draft guidelines for the use of Member States.

### **22 October 2010 and 21 June 2011: support to African Union peacekeeping**

On 22 October 2010, the Council held an open debate in connection with support to African Union peacekeeping operations authorized by the United Nations.<sup>262</sup> Presenting his report on support to African Union peacekeeping operations authorized by the United Nations,<sup>263</sup> the Secretary-General stated that the work of regional organizations under Chapter VIII of the Charter of the United Nations was indispensable. He commended the African Union and subregional organizations for their efforts to prevent, mediate and resolve conflicts on the continent. The African Union however faced difficulties in securing the necessary resources to support its peacekeeping undertakings, and African Union peacekeeping operations ought to receive the same support as all United Nations peacekeepers.<sup>264</sup> The Council also heard a briefing by the Commissioner for Peace and Security of the African Union, who similarly welcomed the progress made in strengthening the strategic partnership between the United Nations and the African Union, while stressing the importance of finding a lasting solution for the funding for African Union-led peace support operations.<sup>265</sup>

The Council adopted a presidential statement in which it, *inter alia*, reaffirmed the importance of and its

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<sup>262</sup> For information on the role of regional organizations in peace and security, see part VIII.

<sup>263</sup> [S/2010/514](#).

<sup>264</sup> [S/PV.6409](#), pp. 3-4.

<sup>265</sup> *Ibid.*, pp. 5-7.

commitment to strengthening its partnership with the Peace and Security Council of the African Union, consistent with Chapter VIII of the Charter, by reviewing the degree of cooperation between them with regard to conflict prevention and resolution, peacekeeping, peacebuilding, including the maintenance of constitutional order, and the promotion of human rights, democracy and the rule of law in Africa. It further expressed its determination to continue working towards a more predictable and sustainable solution to the funding challenges.<sup>266</sup>

On 21 June 2011, the Council heard a briefing by the Special Representative of the Secretary-General to the African Union and Head of the United Nations Office to the African Union<sup>267</sup> on efforts under way to enhance the strategic partnership between the United Nations and the African Union on peace and security issues. He reported that the Office, with the support of the Department of Field Support, was nearing completion of its transition from three former separate offices to a lean and self-sufficient operation. He went on to describe measures taken by the Office to improve coordination of peace and security initiatives between the African Union and the United Nations, particularly in Somalia and Darfur. Cooperation between the two organizations showed that they did better in addressing crises when speaking with one voice, since conflict mediation was a challenging business, particularly when one was faced with a multiplicity of actors. Consequently, one of the roles of the Office was to strengthen coordination within African Union institutions and enhance their capacity to deliver peace in Africa.<sup>268</sup>

Speakers welcomed the growing partnership between the United Nations and the African Union, and stressed that bolstering the relationship further would lead to tangible benefits in Africa and beyond, several speakers highlighting important work being carried out by the African Union in guiding the United Nations

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<sup>266</sup> [S/PRST/2010/21](#).

<sup>267</sup> The Office was created by the General Assembly in 2010 and integrates all activities of the former United Nations Liaison Office to the African Union, the former African Union Peacekeeping Support Team and the former United Nations planning team for the African Union Mission in Somalia, together with the administrative function of the Joint Support and Coordination Mechanism of the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

<sup>268</sup> [S/PV.6561](#), pp. 2-3.

peacekeeping troops in Africa. Speakers also underscored the need to strengthen cooperation between the African Union and the United Nations with respect to preventive diplomacy and the promotion of human rights and the rule of law. The representative of Nigeria warned that, whereas the African Union had the political will, it was insufficiently resourced to undertake long-term peacekeeping operations. Consequently, she stressed, the deployment of expert civilian personnel was central to the partnership, and hoped it would lead to a more systematic, less reactive approach to joint peacekeeping.<sup>269</sup> The representative of India said that, as about three quarters of the Council's time was spent on African issues, it was important for it to hear Africa's voice, so that its activities were not only based on Africa's needs but would also complement the activities that African countries and organizations were undertaking.<sup>270</sup>

<sup>269</sup> Ibid., pp. 6-7.

<sup>270</sup> Ibid., p. 12.

### **31 October 2011: piracy in the Gulf of Guinea**

On 31 October 2011, the Council held an open meeting at which it unanimously adopted resolution [2018 \(2011\)](#), in which it condemned all acts of piracy and armed robbery at sea committed off the coast of the States of the Gulf of Guinea. It called upon States members of the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission, in conjunction with flag States and States of nationality of victims or of perpetrators, to cooperate in the prosecution of alleged perpetrators, including facilitators and financiers. The Council welcomed the intention of the Secretary-General to deploy a United Nations assessment mission to examine the threat of piracy and armed robbery at sea in the Gulf of Guinea and explore options on how best to address the problem.

### **Meetings: peace and security in Africa<sup>a</sup>**

| <i>Meeting and date</i>                | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>                     | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|--|--|--|-------------------------------|--|--|---|
| <b>Djibouti and the Horn of Africa</b> |  |  |                               |  |  |   |
| <a href="#">6316</a><br>19 May 2010    |  |  | Djibouti<br>(President)       |  | All Council<br>members,<br>Djibouti  |   |
| <a href="#">6362</a><br>20 July 2010   | Report of the<br>Secretary-General<br>on Eritrea<br>( <a href="#">S/2010/327</a> ) | Letter dated<br>7 June 2010<br>from the<br>representative of<br>Qatar<br>transmitting an<br>agreement<br>between Eritrea<br>and Djibouti<br>( <a href="#">S/2010/291</a> ) | Djibouti,<br>Eritrea, Somalia | Under-<br>Secretary-<br>General for<br>Political Affairs | Djibouti,<br>Eritrea, Under-<br>Secretary-<br>General for<br>Political Affairs |   |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>                      | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i>  | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|--|---|---|---|--|---|---|
|  | Letter dated 12 July 2010 from the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council (S/2010/372) | Letter dated 30 June 2010 from the representative of Eritrea concerning the report of the Secretary-General on Eritrea (S/2010/350) |   |  |   |   |
| 6674<br>5 December 2011                      |   | Draft resolution submitted by Gabon, Nigeria (S/2011/744)   | Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Uganda <sup>b</sup>            |  | 10 Council members, <sup>c</sup> Djibouti, Ethiopia, Kenya, Somalia, Uganda | Resolution 2023 (2011) 13-0-2 <sup>d</sup>        |
| <b>Support to African Union peacekeeping</b> |   |   |   |  |   |   |
| 6409<br>22 October 2010                      | Report of the Secretary-General on support to African Union peacekeeping operations authorized by the United Nations (S/2010/514)   |   | Algeria, Australia, Ethiopia, Finland, Kenya, Portugal, South Africa, Sudan | Commissioner for Peace and Security of the African Union, Acting Head of the European Union Delegation to the United Nations | Secretary-General, all Council members, all invitees <sup>e</sup>           | S/PRST/2010/21                                    |
| 6561<br>21 June 2011                         | Briefing by the United Nations Office to the African Union (UNOAU)  |   |   | Special Representative of the Secretary-General to the African Union and Head of UNOAU                                       | All Council members, Special Representative of the Secretary-General        |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>             | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|-------------------------------------|--|---|----------------------------|---|---|--|
| <b>Piracy in the Gulf of Guinea</b> |  |   |                            |   |   |  |
| 6633<br>19 October<br>2011          | Letter dated<br>17 October 2011<br>from the<br>Permanent<br>Representative of<br>Nigeria to the<br>United Nations<br>addressed to the<br>Secretary-General<br>(S/2011/644) |   | Benin                      | Commissioner<br>for Political<br>Affairs, Peace<br>and Security of<br>the Economic<br>Community of<br>West African<br>States, Deputy<br>Executive<br>Secretary for<br>Political Affairs<br>of the Gulf of<br>Guinea<br>Commission | Secretary-<br>General, all<br>Council<br>members, all<br>invitees |  |
| 6645<br>31 October<br>2011          |  | Draft resolution<br>submitted by<br>France, Gabon,<br>Germany, India,<br>Lebanon,<br>Nigeria,<br>Portugal, South<br>Africa, United<br>Kingdom,<br>United States<br>(S/2011/673) |                            |   |   | Resolution 2018<br>(2011)<br>15-0-0                        |

<sup>a</sup> In February 2011, the Council considered issues pertaining to the Libyan Arab Jamahiriya at its 6486th, 6490th and 6491st meetings, under the item entitled "Peace and security in Africa". Pursuant to a note by the President of the Security Council dated 16 March 2011 (S/2011/141), as from that date the earlier consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya was subsumed under the item entitled "The situation in Libya". For information on those meetings held under the item "Peace and security in Africa", see part I, sect. 16.

<sup>b</sup> Djibouti and Somalia were represented by their respective Presidents; the representative of Ethiopia spoke in his capacity both as Prime Minister of his country and as Chairperson of the Intergovernmental Authority on Development; Kenya was represented by its Minister for Foreign Affairs; and Uganda by its representative to the African Union. All appeared via videoconference from Addis Ababa.

<sup>c</sup> China, France, Gabon, Germany, Lebanon, Nigeria, Russian Federation, South Africa, United Kingdom and United States.

<sup>d</sup> For: Bosnia and Herzegovina, Brazil, Colombia, France, Gabon, Germany, India, Lebanon, Nigeria, Portugal, South Africa, United Kingdom, United States; *abstaining*: China, Russian Federation.

<sup>e</sup> Uganda was represented by its First Deputy Prime Minister and Minister for East African Community Affairs and Nigeria by its Minister for Foreign Affairs. The Minister for Foreign Affairs of the Transitional Federal Government of Somalia also participated in the meeting.



## 16. The situation in Libya

### Overview

In 2010 and 2011, the Council held 24 meetings regarding the situation in Libya, including one private meeting, and adopted six resolutions under Chapter VII of the Charter.<sup>271</sup> The Council's actions ranged from calling for an immediate end to the violence against civilians to authorizing measures against the Libyan regime and referring the matter to the International Criminal Court.<sup>272</sup> In March 2011, reiterating its demand for an immediate ceasefire, the Council authorized Member States to take all necessary measures to protect civilians, including the enforcement of a no-flight zone. The Council also addressed the facilitation of humanitarian assistance, disarmament and non-proliferation of arms and related material.

By resolution [1970 \(2011\)](#), the Council established a Security Council Committee; it subsequently created a Panel of Experts to assist the Committee.<sup>273</sup> In September 2011, the Council established the United Nations Support Mission in Libya<sup>274</sup> and in December 2011 extended its mandate for three months, until March 2012.<sup>275</sup>

### 26 February 2011: adoption of resolution [1970 \(2011\)](#)

Following the protests in Benghazi on 15 February 2011 and the subsequent outbreak of violence throughout the Libyan Arab Jamahiriya, Council held a closed meeting on 22 February 2011 to hear a briefing by the Under-Secretary-General for

Political Affairs and the representative of the Libyan Arab Jamahiriya, who had requested the meeting.<sup>276</sup>

On 25 February 2011, the Council heard a briefing from the Secretary-General, who warned that fundamental issues of peace and security were at stake in the Libyan Arab Jamahiriya. He said that everything possible should be done to ensure the immediate protection of civilians, and that it was time for the Security Council to consider concrete action.<sup>277</sup> The Council also heard from the representative of the Libyan Arab Jamahiriya, who implored the Council to say no to bloodshed and adopt a swift, decisive and courageous resolution.<sup>278</sup>

On 26 February 2011, the Council, expressing grave concern at the situation in the Libyan Arab Jamahiriya and condemning the violence and use of force against civilians, unanimously adopted resolution [1970 \(2011\)](#) under Chapter VII of the Charter. The Council demanded an immediate end to the violence and stressed the need to hold to account those responsible for attacks on civilians. Citing Article 41 of the Charter, the Council referred the situation to the International Criminal Court, imposed an arms embargo against the Libyan Arab Jamahiriya as well as a travel ban and an asset freeze against Muammar Qadhafi, his family and other individuals, as listed in the annex to the resolution. The Council also decided to establish a Security Council Committee to monitor the implementation of the imposed measures, and called on the Committee to take appropriate action on information regarding alleged violations of non-compliance and to designate individuals subject to the measures. The Council called upon Member States to make available humanitarian assistance to the Libyan Arab Jamahiriya, and expressed its readiness to consider taking additional appropriate measures in that regard.

Following the adoption of the resolution, speakers welcomed the unanimity of the Council's action, expressed solidarity with the people of the Libyan Arab Jamahiriya and hope that the resolution would help bring them relief. The representative of Nigeria expressed her support for the measures authorized by the resolution to the extent that their

<sup>271</sup> In February 2011, the Council considered issues pertaining to the Libyan Arab Jamahiriya at its 6486th, 6490th and 6491st meetings, under the item entitled "Peace and security in Africa". Pursuant to a note by the President of the Security Council dated 16 March 2011 ([S/2011/141](#)), as from that date the earlier consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya was subsumed under the item entitled "The situation in Libya". The official name of the country in the United Nations was changed from "Libyan Arab Jamahiriya" to "Libya" from 16 September 2011 at the request of the National Transitional Council of Libya.

<sup>272</sup> Resolution [1970 \(2011\)](#).

<sup>273</sup> Resolution [1973 \(2011\)](#).

<sup>274</sup> Resolution [2009 \(2011\)](#).

<sup>275</sup> Resolution [2022 \(2011\)](#).

<sup>276</sup> 6486th meeting.

<sup>277</sup> [S/PV.6490](#), pp. 2-3.

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

impact was targeted and did not exacerbate the burden upon Libyan citizens.<sup>279</sup> The representative of the United States stated that the resolution was a strong one, and that Libya's leaders would be held accountable for violating the universal rights of the Libyan people, and for failing to meet their most basic responsibilities to their people.<sup>280</sup> The representative of India, itself not a signatory to the Rome Statute of the International Criminal Court, said that India had gone along with the consensus in the Council although it would have preferred a more calibrated approach to the issue. He drew attention to the provisions in the resolution regarding nationals of States not parties to the Statute.<sup>281</sup> The representative of China said that his country had voted in favour of the resolution taking into consideration the special situation in the Libyan Arab Jamahiriya at the time and the concerns and views of the Arab and African countries.<sup>282</sup> The representative of France stated that the resolution recalled the responsibility of each State to protect its own population and of the international community to intervene when States failed in that duty.<sup>283</sup> The representatives of Lebanon and the Russian Federation both stressed the importance of preserving the sovereignty and territorial integrity of the Libyan Arab Jamahiriya.<sup>284</sup> Finally, the Secretary-General commended the Council's decisive action, looked forward to similarly decisive steps from the General Assembly and the international community as a whole, and warned that even bolder action might be necessary in the coming days.<sup>285</sup>

### **17 March 2011: adoption of resolution 1973 (2011)**

On 17 March 2011, the Council, deploring the failure of the Libyan authorities to comply with resolution 1970 (2011) and expressing grave concern at the escalation of violence and the heavy civilian casualties, adopted resolution 1973 (2011) under Chapter VII of the Charter, by 10 votes to none, with 5 abstentions. In the resolution, the Council demanded the immediate establishment of a ceasefire and an end to all attacks against civilians, which it considered might amount to crimes against humanity. It further

strengthened and expanded measures under Article 41, including measures to enforce the arms embargo imposed by resolution 1970 (2011). It authorized Member States, acting nationally or through regional arrangements, to take all necessary measures to protect Libyan civilians and civilian-populated areas under threat of attack, while excluding a foreign occupation force of any form on any part of Libyan territory, and requested the cooperation of States members of the League of Arab States in this regard. It established a ban on all flights in the airspace of the Libyan Arab Jamahiriya, as called for by the League of Arab States in order to help to protect civilians.<sup>286</sup> Finally, it created a Panel of Experts to assist the Committee established pursuant to resolution 1970 (2011), *inter alia*, in gathering, examining and analysing information in connection with the measures imposed, for an initial period of one year.

Speaking before the vote, France stated that the draft resolution provided the Council with the means to protect the civilian population in Libya, declaring that his country was prepared to act with Member States — in particular Arab States — that wished to support this initiative.<sup>287</sup>

Speaking after the vote, several representatives who had supported the text agreed that strong action was necessary because of the Libyan regime's failure to heed the provisions of the previous resolution and considering the impending threat of further violence against Libyan civilians. The representative of the United Kingdom welcomed the fact that the Council had acted swiftly and comprehensively in response to the situation in Libya, and the representative of the United States stated that resolution 1973 (2011) represented a powerful response to the call of the League of Arab States to protect Libyan civilians.<sup>288</sup> The representative of Nigeria expressed the belief that the resolution would support the political path to conflict resolution, and stressed her country's determination to respect the territorial integrity of Libya.<sup>289</sup>

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<sup>279</sup> S/PV.6491, p. 3.

<sup>280</sup> *Ibid.*, pp. 3-4.

<sup>281</sup> *Ibid.*, p. 2.

<sup>282</sup> *Ibid.*, p. 4.

<sup>283</sup> *Ibid.*, p. 5.

<sup>284</sup> *Ibid.*, p. 4.

<sup>285</sup> *Ibid.*, p. 8.

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<sup>286</sup> For more information on measures imposed under Articles 41 and 42 of the Charter, see part VII, sects. III and IV. For more information on the Committee and the Panel of Experts, see part IX, sect. I. B.1, with regard to Security Council committees overseeing specific sanctions measures.

<sup>287</sup> S/PV.6498, p. 3.

<sup>288</sup> *Ibid.*, p. 4 (United Kingdom); and p. 5 (United States).

<sup>289</sup> *Ibid.*, p. 9.

The representative of Germany expressed concern about the plight of the Libyan people and the widespread attacks they were suffering, and said that Germany fully supported the package of economic and financial sanctions in resolution 1973 (2011). It had, however, decided not to support the option of using military force, as foreseen particularly in paragraphs 4 and 8 of the resolution, and had abstained from the voting. He cautioned the Council against entering into a military confrontation on the optimistic assumption that quick results with few casualties could be achieved.<sup>290</sup> The representative of India, who also abstained despite grave concerns about the deteriorating humanitarian situation in Libya and calling for a ceasefire, stated that in adopting resolution 1973 (2011), the Council was authorizing far-reaching measures under Chapter VII, with relatively little credible information on the situation on the ground.<sup>291</sup> The representative of Brazil expressed concern that the use of military force in Libya might have the unintended effect of exacerbating tensions on the ground and causing more harm than good. She considered that diplomacy and dialogue were required.<sup>292</sup> The representative of China said that his country had abstained in the voting in consideration of the position of the Arab League and the African Union and the special circumstances surrounding the situation in Libya. However, it had serious difficulty with parts of resolution 1973 (2011) and had posed specific questions that had not been answered.<sup>293</sup> The representative of the Russian Federation was concerned that the resolution failed to stipulate the rules of engagement, the limits on the use of force, and how the no-fly zone would be enforced.<sup>294</sup>

**24 March to 27 June 2011: briefings on the political, legal, military and humanitarian situation in Libya**

On 24 March 2011, the Secretary-General briefed the Council on the situation in Libya and discussed the events in the wake of the Council's adoption of resolution 1973 (2011). He informed members that military strikes initiated on 19 March 2011 by the United States and European forces had effectively established a no-fly zone over the territory of Libya,

and that the campaign was ongoing. In relation to the progress of implementation of resolution 1973 (2011), he warned Council members that, despite repeated claims by the Libyan authorities that they had instituted a ceasefire, there was no evidence of that, or that they had taken steps to carry out their obligations under the resolution. He informed the Council that his Special Envoy to Libya had visited Tripoli and had undertaken broad consultations with Libyan officials, warning the Libyan authorities that, unless they complied with resolution 1973 (2011), the Council might be prepared to take additional measures. Finally, the Secretary-General expressed his continued concern about the protection of civilians, abuses of human rights, violations of international humanitarian law, and the access of the civilian population to basic commodities and services in areas under siege. He called on the international community to continue to exercise full diligence in avoiding civilian casualties and to speak with one voice in dealing with the humanitarian situation.<sup>295</sup>

On 28 March 2011, the representative of Portugal, in his capacity as Chair of the Committee established pursuant to resolution 1970 (2011), briefed the Council on the work of the Committee in relation to the arms and flight embargoes and updates to its lists of individuals and entities subject to the travel ban and asset freeze. He called on Member States to fully engage with the Committee in order to ensure the efficient implementation of the sanctions.<sup>296</sup>

On 4 April 2011, the Council heard a briefing by the Special Envoy of the Secretary-General to Libya on the situation in the country following his second visit. The Special Envoy informed the Council that, despite the effectiveness of the efforts made by coalition members to implement a no-fly zone and to protect civilians, the fighting had continued between the opposition forces and forces loyal to Colonel Muammar Qadhafi. He emphasized the need for the international community to come together and support the quest for a solution to the conflict. He also made reference to the meetings held on 31 March 2011 with Libyan officials, at which he had reiterated demands for the full implementation of resolutions 1970 (2011) and 1973 (2011). He stated that, while information about the humanitarian situation remained limited due to a lack of access to different parts of the country, the

<sup>290</sup> Ibid., p. 5.

<sup>291</sup> Ibid., p. 6.

<sup>292</sup> Ibid.

<sup>293</sup> Ibid., p. 10.

<sup>294</sup> Ibid., p. 8.

<sup>295</sup> S/PV.6505, pp. 2-3.

<sup>296</sup> S/PV.6507.

overall situation, especially in and around areas where there was fighting, remained grave, particularly regarding medical and protection needs.<sup>297</sup>

During his briefing on 3 May 2011, the Special Envoy of the Secretary-General to Libya reported on the results of his mediation efforts concerning the implementation of resolutions 1970 (2011) and 1973 (2011). He informed the Council that both the Libyan authorities and the Transitional National Council were ready to implement a ceasefire, but on different conditions. He said that he had emphasized to both sides that a real and verifiable ceasefire should be part of wider measures that included lifting the siege on all cities and withdrawing military forces from all cities, allowing humanitarian access and assistance, releasing all detainees, resuming delivery of basic supplies, and securing the passage of foreign workers stranded in cities. In all his meetings and discussions with Libyan officials, the Special Envoy had strongly and continuously reiterated the calls of the international community for full implementation of the two resolutions, and had condemned the use of force against civilians.<sup>298</sup>

The Prosecutor of the International Criminal Court presented his first report to the Council on 4 May 2011, pursuant to resolution 1970 (2011).<sup>299</sup> He informed the Council of his intention to seek arrest warrants for three individuals bearing the greatest criminal responsibility for crimes against humanity committed in the territory of Libya since 15 February 2011. He further informed the Council that, if the Pre-Trial Chamber accepted his application for the warrants, the arrests would require serious planning and preparation, and that the international community should take steps early to assist with practical planning.<sup>300</sup>

Following the briefing, Council members expressed appreciation for the speed and diligence with which the Prosecutor's Office had launched its investigation. The representative of India said that, although not a signatory to the Rome Statute or a member of the International Criminal Court, India had voted in favour of resolution 1970 (2011) because

several members of the Council, including members from Africa and the Middle East, believed that the referral of the situation in Libya to the Court would have the effect of causing the cessation of violence and the restoration of calm. He urged the Prosecutor to carry out a thorough and impartial investigation.<sup>301</sup> The representative of the Russian Federation, expressing alarm at the growing number of civilian casualties, noted that some of them were the result of air strikes carried out by the North Atlantic Treaty Organization (NATO). He said that his country supported the efforts by the International Criminal Court to carry out a fair and impartial investigation into the actions of all parties to the conflict.<sup>302</sup>

On 9 May 2011, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator briefed the Council on the deteriorating humanitarian situation in Libya, where hundreds of thousands of people were fleeing the fighting both within Libya and across its borders; there was no accurate figure of the number of casualties. She reminded the Council of the agreement reached between the United Nations and the Libyan authorities on 17 April 2011, which included a commitment that the establishment of a United Nations humanitarian presence in Tripoli would be fully supported. Unfortunately, she explained, the humanitarian team had been forced to relocate for security reasons, after the ransacking of the United Nations offices. She reminded the Council that humanitarian agencies must have access to all people, regardless of where they were or under whose control they happened to be, and called on Member States' continued support for the humanitarian effort in Libya.<sup>303</sup>

On 31 May 2011, the Under-Secretary-General for Political Affairs presented to the Council the Secretary-General's monthly report on Libya, as requested in resolution 1973 (2011). He informed the Council that fighting between the Government and opposition forces was continuing and that the parties remained far apart on even beginning negotiations to resolve the conflict, despite the efforts of the Secretary-General, his Special Envoy to Libya, the African Union and other stakeholders to narrow the differences and begin a credible negotiating process. He stated that the human rights situation remained

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<sup>297</sup> S/PV.6509.

<sup>298</sup> S/PV.6527.

<sup>299</sup> The report of the Prosecutor was not issued as a document of the Security Council.

<sup>300</sup> S/PV.6528, pp. 2-4.

<sup>301</sup> Ibid., p. 7.

<sup>302</sup> Ibid., pp. 8-9.

<sup>303</sup> See S/PV.6530.

deeply troubling. He also reiterated the Secretary-General's appeal for increased support for humanitarian assistance to affected populations, both in Libya and in neighbouring countries; many were stranded at border points in Egypt, Tunisia and the Niger or living in settlements in the east of the country. Finally, he outlined three main priorities for the United Nations team, namely, the protection of civilians in areas where fighting continued; securing a commitment from the parties to engage in indirect negotiations based on the proposals presented to them by the Special Envoy; and making contingency plans for post-conflict peacebuilding.<sup>304</sup>

On 15 June 2011, the Council held a meeting with the African Union Ad Hoc High-level Committee on Libya, comprising the Congo, Mali, Mauritania, South Africa and Uganda and chaired by Mauritania. In a statement made on behalf of the Committee, the Minister for Foreign Affairs and Cooperation of Mauritania reaffirmed the regional body's full support of resolutions 1970 (2011) and 1973 (2011), although it lamented the marginalization of the African Union in the management of a conflict that concerned it first and foremost. He expressed the Committee's support for the road map outlined by the African Union Peace and Security Council, the key elements of which were the immediate cessation of hostilities, the facilitation of humanitarian aid, the protection of foreigners and political reform.<sup>305</sup>

On 27 June 2011, the Under-Secretary-General for Political Affairs briefed the Council on the military, political and humanitarian situation in Libya, stating that the United Nations was continuing its efforts to implement the provisions of resolutions 1970 (2011) and 1973 (2011). The Special Envoy of the Secretary-General was working with the parties on a political solution; while an agreement was far from being concluded, the beginning of a negotiation process was under way, and must be given space to grow and bear fruit. In that regard, he urged the international community to deliver a consistent, clear and coherent message on a political solution to both parties. He said that the Secretary-General had continued his discussions with the Libyan authorities, the African Union, the European Union, the League of Arab States, the Organization of the Islamic Conference, NATO and other parties. The Under-Secretary-General also

reported that, earlier that day, the International Criminal Court had issued warrants for the arrests of Colonel Muammar Qadhafi, his son Saif al-Islam Qadhafi, and Abdullah al-Senussi, head of Libyan intelligence, on charges of crimes against humanity.<sup>306</sup>

The representative of Portugal, in his capacity as Chair of the Committee established pursuant to resolution 1970 (2011), also briefed the Council, reporting on the work of the Committee from 29 March to 27 June 2011. During that period, the Committee had convened one informal meeting to meet the newly appointed Panel of Experts, which was currently on mission to several countries in Europe, to be followed by travel to countries in Africa, in order to gather information regarding the implementation of the measures imposed in resolutions 1970 (2011) and 1973 (2011). He further reported that the Committee had dealt with a number of communications from Member States relating to the asset freeze and the arms embargo imposed by resolution 1970 (2011), and had designated two individuals as subject to the travel ban and one entity as subject to the asset freeze.<sup>307</sup>

#### **28 July and 30 August 2011: briefings by the Secretary-General and the Under-Secretary-General for Political Affairs**

On 28 July 2011, the Council heard a briefing by the Under-Secretary-General for Political Affairs about the recent developments in Libya. Stating that there had been no dramatic changes in the overall situation, he outlined the efforts of the Secretary-General and his Special Envoy in pressing ahead with the parallel approach proposed to the parties during discussions held in Tripoli and Benghazi on 25 and 26 July, designed to simultaneously establish a credible ceasefire and create an institutional mechanism for the management of the transition. Although both parties had expressed their readiness to study the proposal, posturing by both sides had prevented progress, and he reiterated that a ceasefire tied to transitional arrangements was the only sustainable political solution to the crisis. He also updated the Council on the humanitarian situation, saying that the Government of Libya had repeatedly complained about the shortage of medical supplies; in addition, a lack of fuel was affecting the movement of people and goods,

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<sup>304</sup> See [S/PV.6541](#).

<sup>305</sup> See [S/PV.6555](#).

<sup>306</sup> [S/PV.6566](#), pp. 2-3.

<sup>307</sup> *Ibid.*, p. 5.

electricity and water supply, hospitals, agriculture and other industries.<sup>308</sup>

The representative of South Africa noted that it had been more than four months since the adoption of resolution 1973 (2011) and reminded Member States that the intention of the resolution had been to ensure the protection of civilians and not regime change. Taking sides in any internal conflict, he warned, set a dangerous precedent that might damage the credibility of the Council and its resolutions.<sup>309</sup>

On 30 August 2011, the Secretary-General reported to the Council that, although fighting continued in some parts of the country, he was encouraged by recent trends, and expressed his hope for a quick conclusion to the conflict and an end to the suffering of the Libyan people. He stated that the most important job was to ensure that multilateral, regional and bilateral efforts were complementary and corresponded to Libyan wishes, stressing that the first principle was national ownership. He stated that his aim was to put United Nations personnel on the ground as quickly as possible, under a robust Security Council mandate. His Special Adviser was consulting daily with Libyan stakeholders and he and his team were engaged in a preparatory process to enable the United Nations to respond swiftly to the requests of the Libyan authorities. He updated the Council on the improvements in the humanitarian situation, warning, however, that water supplies were critically short and that, in the coming days, urgent international assistance would probably be requested. The Security Council Committee had recently authorized the release of \$1.5 billion in frozen Libyan assets for humanitarian purposes, and he appealed to the Council to be responsive to the requests of the transitional authorities for funding. He also reported on recent cases of summary executions, torture and human rights violations, which the International Commission of Inquiry for Libya would need to examine.<sup>310</sup>

#### **16 September 2011: establishment of UNSMIL**

On 16 September 2011, by resolution 2009 (2011), adopted unanimously, the Council established the United Nations Support Mission in Libya (UNSMIL). The Mission, authorized for an initial

period of three months, would assist and support Libyan national efforts to restore public security and promote the rule of law, undertake inclusive political dialogue, promote national reconciliation and embark upon the constitution-making and electoral process. It would also support national efforts to extend State authority, including by strengthening institutions and the restoration of public services, promote and protect human rights and support transitional justice, and take steps to initiate economic recovery. In support of those objectives, the Council authorized exemptions to the arms embargo solely for security or disarmament assistance to the Libyan authorities and for the use of United Nations and humanitarian personnel. It also authorized modification of the asset freeze targeting entities connected to the regime, for humanitarian and other purposes. The Council emphasized its intention to keep under review the measures concerning a no-fly zone imposed by resolution 1973 (2011) and, when circumstances permitted and in consultation with the Libyan authorities, to lift those measures and terminate the authorization given to Member States.

Following the adoption of the resolution, the representatives of the Russian Federation and South Africa expressed disappointment that the no-fly zone was not to be lifted in the near future, given that the threats that had initially warranted it no longer existed.<sup>311</sup> They also expressed concern about the situation of African nationals in Libya, and called for those involved in the killings, arbitrary arrests and detentions of migrant workers be held accountable for their actions.<sup>312</sup>

Council members welcomed and congratulated the representative of Libya, who took his seat as the representative of the new National Transitional Council. Stating that the day was indeed an historic one for the Libyan people, the representative of Libya paid tribute to those States and organizations that had stood with the Libyan people. He highlighted the important role played by the United Nations, as represented by the Secretary-General and the Security Council which, by adopting resolutions 1970 (2011) and 1973 (2011), had saved the lives of thousands of Libyans by operationalizing the responsibility to protect. He thanked the Council for the establishment of UNSMIL, stating that he looked forward to a

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<sup>308</sup> S/PV.6595, pp. 2-4.

<sup>309</sup> Ibid., pp. 4-5.

<sup>310</sup> See S/PV.6606.

<sup>311</sup> S/PV.6620, p. 3 (Russian Federation); and p. 6 (South Africa).

<sup>312</sup> Ibid.

mission based on national ownership. He expressed the hope that everyone would respect the choices made by the Libyan people and not interfere in their affairs during this “delicate period”.<sup>313</sup>

In his briefing to the Council on 26 September 2011, the Under-Secretary-General for Political Affairs updated Council members on the situation in Libya and the work of the Mission since the adoption of resolution 2009 (2011). He informed the Council of a recent meeting with the President of the National Transitional Council, and said that body had publicly embraced the essential principles of tolerance, moderation, reconciliation, human rights and the rule of law. He also highlighted the main challenges ahead, including reconciliation, arms control, transitional justice and the welfare of migrants. Nonetheless, he expressed confidence that the challenges could be overcome with international support and assistance. UNSMIL had begun coordinating activities between actors; it had already deployed essential personnel in Tripoli, and human rights and electoral experts were expected to begin their activities in the coming days.<sup>314</sup>

The Council also heard a briefing by the Chair of the Committee established pursuant to resolution 1970 (2011), on the work of the Committee for the period from 28 June to 26 September 2011. He noted that by resolution 2009 (2011) the Council had modified the measures previously imposed on Libya. He said that the Committee would be monitoring those measures as modified. It had requested the Panel of Experts to look both backward and forward in investigating incidents of non-compliance. He confirmed that pursuant to resolution 2009 (2011) the Committee had released a portion of the previously frozen assets for the benefit of the Libyan people.<sup>315</sup>

The representative of Libya and Chairman of the Executive Office of the National Transitional Council also briefed the Council. He voiced his appreciation for the partial unfreezing of funds, but said that the inability of the Transitional Council to provide basic services for lack of funding could affect its legitimacy, and he requested the Security Council to lift the asset freeze completely as soon as possible.<sup>316</sup>

### **26 to 31 October 2011: briefing and adoption of resolutions 2016 (2011) and 2017 (2011)**

On 26 October 2011, the Special Representative of the Secretary-General and Head of UNSMIL briefed the Council on developments in Libya, following the death of Muammar Qadhafi on 20 October 2011 and Libya’s declaration of liberation on 23 October. He stated that the declaration marked a new beginning for the people of Libya, who could now move forward to build a modern nation-State based on the principles embraced by the revolution — democracy, human rights, the rule of law, accountability, respect for minority rights, the empowerment of women and the promotion of civil society. He outlined the three commitments the National Transitional Council had made in its constitutional declaration, namely the establishment of an interim Government within 30 days, the adoption of electoral legislation and establishment of an electoral management body within 90 days, and, within 240 days, the holding of an election for a national congress to give democratic legitimacy to a new Government. He stressed that it was critical for the international community to remain focused and measured in its engagement with the Libyan authorities during the transitional period, and not to impose over-ambitious expectations or longer-term programmes. He stated that a key priority was the start of a national reconciliation process and a coherent approach to the human rights and transitional justice issues that had surfaced in the preceding weeks. In relation to UNSMIL, he reported that the Mission continued to facilitate coordination among Libyan authorities, relevant international organizations and Member States in confronting the legacy of the extraordinary quantity of weaponry and munitions, along with chemical weapons, nuclear materials and other non-conventional weapons. The Mission’s human rights advisers had begun to assist in reviewing cases of detention and abuse of detainees by the former regime.<sup>317</sup>

Following the briefing, the representative of Libya expressed gratitude to the United Nations and all States that had supported his country during the past few months, without which, he claimed, Libya would not have achieved what it had. He noted, however, that Libyans considered that foreign control of their airspace infringed on their sovereignty, particularly

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<sup>313</sup> Ibid., pp. 7-8.

<sup>314</sup> S/PV.6622, pp. 2-4.

<sup>315</sup> Ibid., pp. 4-5.

<sup>316</sup> Ibid., pp. 6-7.

<sup>317</sup> S/PV.6639, pp. 2-5.

since the recent declaration of independence. He expressed the desire to see the termination of the no-fly zone over Libya, suggesting the end of October as a logical date on which to terminate the mandate.<sup>318</sup>

Welcoming the positive developments in Libya and taking note of the declaration of liberation of 23 October 2011, the Council unanimously adopted resolution 2016 (2011) on 27 October 2011, by which it terminated the protection of civilians mandate and the provisions for a no-fly zone adopted under resolution 1973 (2011). The Council also modified the arms embargo and asset freeze. The Council strongly urged the Libyan authorities to refrain from reprisals, including arbitrary detentions, and underscored their responsibility for the protection of the population, including foreign nationals and African migrants. The Council also stated that it looked forward to the swift establishment of an inclusive, representative transitional Government and reiterated the need for the transitional period to be underpinned by a commitment to democracy.

On 31 October 2011, the Council unanimously adopted resolution 2017 (2011), in which it called upon the Libyan authorities to take steps to prevent the proliferation of all arms and related materiel, in particular man-portable surface-to-air missiles, and called upon States in the region to consider measures to this end. The Council requested the Committee established pursuant to resolution 1970 (2011), with assistance from its Panel of Experts and in cooperation with other relevant bodies, to assess the threats and challenges, in particular related to terrorism, posed by the proliferation of all arms and related materiel, and to submit a report to the Council on proposals to counter those threats.

Following the adoption of the resolution, the representative of Germany expressed disappointment that the Panel of Experts was required to report through the Committee, rather than directly to the Council, which it argued was the usual practice and was meant to preserve the independence of such panels.<sup>319</sup> The representative of the Russian Federation reiterated the need to curb the proliferation of weapons in Libya, but stressed that the Libyan authorities must assume the main responsibility for that task, which would require the constructive cooperation of its

neighbours and the international community as a whole. Furthermore, recognizing the danger that man-portable air defence systems posed to civil aviation, the representative of the Russian Federation noted that the resolution had assigned an active role to the Counter-Terrorism Committee Executive Directorate and the International Civil Aviation Organization (ICAO).<sup>320</sup>

## **2 November to 22 December 2011: briefings and extension of the mandate of UNSMIL**

On 2 November 2011, the Prosecutor of the International Criminal Court briefed the Council on the activities of his Office in furtherance of resolution 1970 (2011), and on the current situation of the three indictees, against whom arrest warrants had been issued on 27 June 2011. He informed the Council that, following the death of Muammar Qadhafi on 20 October 2011, the Pre-Trial Chamber could decide to withdraw the arrest warrant and end the case against him. Concerning Saif al-Islam Qadhafi and Abdullah al-Senussi, the Prosecutor said that his Office was galvanizing efforts to ensure that they faced justice. He told the Council that information had been received regarding a group of mercenaries who might be endeavouring to facilitate the escape from Libya of Saif al-Islam Qadhafi. He called upon the Council and all States to do all they could to disrupt such an operation and ensure that the two indictees faced justice for the crimes for which they were charged. The Prosecutor stated that there were also allegations of crimes committed by the NATO forces and forces of the National Transitional Council, including the alleged detention of civilians suspected to be mercenaries and the alleged killing of detained combatants. He assured the Council that those allegations would be examined impartially and independently by his Office, but that the possibility of carrying out all those investigations would depend on the available budget.<sup>321</sup>

There was broad agreement among Council members that the decision to refer the Libyan case to the Prosecutor's Office reflected the importance that the international community attached to ensuring accountability for the systematic attacks and violence against Libyan civilians. The representative of France expressed approval of the Court's swift actions in gathering legal evidence and putting pressure on those

<sup>318</sup> Ibid., pp. 6-7.

<sup>319</sup> S/PV.6644, p. 2.

<sup>320</sup> Ibid., pp. 2-3.

<sup>321</sup> S/PV.6647, pp. 2-4.



organizing and committing crimes in Libya, and urged the Council to act also with regard to the Syrian Arab Republic and Yemen.<sup>322</sup> The representative of Germany agreed that, in adopting resolution 1970 (2011), the Council had taken an historic decision, the core message of which was the protection of civilians; the significance of the message went beyond the context of Libya, and should be heard in other places where gross violations of human rights occurred.<sup>323</sup> The representatives of the Russian Federation and India noted that the Prosecutor was expected to carry out a thorough and impartial investigation into all alleged crimes committed by all parties to the conflict in Libya.<sup>324</sup> Finally, the representative of Libya assured Council members that the new authorities in Libya would give the highest priority to the achievement of justice as, without justice, there could be no security, democracy or development; no one in the new Libya would have impunity for any crimes committed.<sup>325</sup>

On 28 November 2011, the Special Representative of the Secretary-General and Head of UNSMIL presented the report of the Secretary-General on UNSMIL,<sup>326</sup> stating that the first and foremost of the immediate challenges facing Libya was in the area of security, and the security situation could not be separated from the country's urgent need for liquid funds. He requested that assets not be withheld for any longer than was required by resolutions 1970 (2011) and 1973 (2011), as the stabilization of the country and the success of the Government were at stake. Other challenges included disarmament and dealing with the proliferation of weapons, including chemical weapons and man-portable air defence systems, national reconciliation and the legacy of human rights violations, and preparations for the elections to be held the following year. He reiterated the recommendation contained in the Secretary-General's report for a three-month extension of UNSMIL.<sup>327</sup>

On 2 December 2011, the Council unanimously adopted resolution 2022 (2011), by which it extended the mandate of UNSMIL for a further period of three months, until 16 March 2012. The Council also

decided that the Mission's mandate should include, in coordination and consultation with the transitional Government of Libya, assisting and supporting national efforts to address the threats of proliferation of all arms and related materiel, in particular man-portable surface-to-air missiles.

On 22 December 2011, the Special Representative of the Secretary-General and Head of UNSMIL updated the Council, via videoconference from Tripoli, on the situation in Libya since his briefing on 28 November 2011. He reported on United Nations support for the interim Government of Libya which, four weeks after its formation, was formulating plans to respond to its pressing priorities. He said that the new authorities, in an uncertain security climate, faced the dual challenge of meeting the immediate needs of the Libyan people amid high expectations, and of reforming and building accountable institutions. He noted that the decision of the Committee to delist Libyan banks had been warmly welcomed by the Government and described other efforts under way to solve the liquidity crisis.

In relation to the work of UNSMIL, the Special Representative informed the Council that the Mission had been working intensively with the Elections Committee of the National Transitional Council, providing technical advice and guidance on best practice. UNSMIL was coordinating support for the rehabilitation of the Libyan police force, and it continued to monitor the situation of detainees and to press upon the authorities the need to bring all places of detention within a framework of law. UNSMIL was also coordinating assistance to the Government in addressing the potential proliferation of looted arms, and had agreed to establish with other partners an operational task force on man-portable air defence systems to coordinate identification, collection and disabling efforts. While humanitarian operations would come to a close at the end of 2011, he stated that the United Nations would continue to support the national authorities to assist those Libyans who remained displaced within the country.<sup>328</sup>

The Council also heard a briefing from the Deputy Permanent Representative of Portugal, on behalf of the Chair of the Committee established pursuant to resolution 1970 (2011), who reported on the work of the Committee for the period from

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<sup>322</sup> Ibid., pp. 7-8.

<sup>323</sup> Ibid., p. 12.

<sup>324</sup> Ibid., p. 6.

<sup>325</sup> Ibid., pp. 14-15.

<sup>326</sup> S/2011/727.

<sup>327</sup> See S/PV.6669.

<sup>328</sup> S/PV.6698, pp. 2-6.

27 September to 22 December 2011. He spoke of the delisting on 16 December of Libyan banks, at the request of the Libyan authorities, and said that the Committee would continue to work towards ensuring that all assets frozen pursuant to resolutions 1970 (2011) and 1973 (2011) would be made available to and for the benefit of the Libyan people as soon as possible. He said that the members of the Committee

had met in informal consultations on 12 December, where they had heard briefings from the Panel of Experts, the Counter-Terrorism Committee, ICAO and UNSMIL, and had agreed that the working document on the implementation of resolution 2017 (2011) would be consolidated by the Panel in February 2012.<sup>329</sup>

<sup>329</sup> Ibid., pp. 6-7.

### Meetings: the situation in Libya<sup>a</sup>

| <i>Meeting and date</i>              | <i>Sub-item</i> | <i>Other documents</i>  | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>          | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------------------|-----------------|---|-------------------------------|---|---|---|
| 6486 (closed)<br>22 February<br>2011 |                 |   | 74 Member States <sup>b</sup> | Under-Secretary-General for Political Affairs | Libyan Arab Jamahiriya, Under-Secretary-General for Political Affairs |   |
| 6490<br>25 February<br>2011          |                 |   | Libyan Arab Jamahiriya        |   | Secretary-General, Libyan Arab Jamahiriya                             |   |
| 6491<br>26 February<br>2011          |                 | Draft resolution submitted by Bosnia and Herzegovina, Colombia, France, Gabon, Germany, Lebanon, Nigeria, Portugal, South Africa, United Kingdom, United States (S/2011/95) | Libyan Arab Jamahiriya        |   | Secretary-General, all Council members, Libyan Arab Jamahiriya        | Resolution 1970 (2011) 15-0-0                     |
| 6498<br>17 March<br>2011             |                 | Draft resolution submitted by France, Lebanon, United Kingdom, United States (S/2011/142)   |                               |   | 14 Council members <sup>c</sup>                                       | Resolution 1973 (2011) 10-0-5 <sup>d</sup>        |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>  | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------|---|------------------------|----------------------------|---|---|---|
| 6505<br>24 March<br>2011 | Briefing by the Secretary-General pursuant to paragraph 12 of resolution 1973 (2011)                      |                        |                            |   | Secretary-General   |   |
| 6507<br>28 March<br>2011 | Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1970 (2011) |                        |                            | Chairman of the Security Council Committee  | Chairman of the Security Council Committee                          |   |
| 6509<br>4 April 2011     |   |                        |                            | Special Envoy of the Secretary-General to Libya                                   | Special Envoy of the Secretary-General to Libya                     |   |
| 6527<br>3 May 2011       |   |                        |                            | Special Envoy of the Secretary-General to Libya                                   | Special Envoy of the Secretary-General to Libya                     |   |
| 6528<br>4 May 2011       |   |                        |                            | Prosecutor of the International Criminal Court                                    | All Council members, Prosecutor of the International Criminal Court |   |
| 6530<br>9 May 2011       |   |                        |                            | Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator | Under-Secretary-General for Humanitarian Affairs                    |   |
| 6541<br>31 May 2011      |   |                        |                            | Under-Secretary-General for Political Affairs                                     | Under-Secretary-General for Political Affairs                       |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>   | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>  | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|---------------------------|---|---|--------------------------------|---|---|--|
| 6555<br>15 June 2011      |   |   |                                | Minister for Foreign Affairs and Cooperation of Mauritania and representative of the African Union Ad Hoc High-level Committee on Libya | Minister for Foreign Affairs and Cooperation of Mauritania and representative of the African Union Ad Hoc High-level Committee on Libya |  |
| 6566<br>27 June 2011      |   |   |                                | Under-Secretary-General for Political Affairs   | 2 Council members (Portugal, <sup>e</sup> South Africa), Under-Secretary-General for Political Affairs                                  |  |
| 6595<br>28 July 2011      |   |   |                                | Under-Secretary-General for Political Affairs   | 1 Council member (South Africa), Under-Secretary-General for Political Affairs  |  |
| 6606<br>30 August 2011    |   |   |                                |   | Secretary-General   |  |
| 6620<br>16 September 2011 | Letter dated 15 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/578) | Draft resolution submitted by Bosnia and Herzegovina, Colombia, France, Gabon, Germany, Lebanon, Portugal, South Africa, United Kingdom, United States (S/2011/580) | Libya                          |   | 11 Council members, <sup>f</sup> Libya  | Resolution 2009 (2011) 15-0-0                              |

Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>      | <i>Sub-item</i> | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|------------------------------|-----------------|---|----------------------------|--|--|---|
| 6622<br>26 September<br>2011 |                 |   | Libya                      | Under-Secretary-General for Political Affairs  | 1 Council member (Portugal), <sup>e</sup> Libya, Under-Secretary-General for Political Affairs |   |
| 6639<br>26 October<br>2011   |                 |   | Libya                      | Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya (UNSMIL) | Libya, Special Representative of the Secretary-General   |   |
| 6640<br>27 October<br>2011   |                 | Draft resolution submitted by Bosnia and Herzegovina, France, Germany, Lebanon, Nigeria, Portugal, Russian Federation, United Kingdom, United States (S/2011/669) | Libya                      |  |  | Resolution 2016 (2011) 15-0-0                     |
| 6644<br>31 October<br>2011   |                 | Draft resolution submitted by France, Nigeria, Portugal, Russian Federation, United Kingdom, United States (S/2011/670)   | Libya                      |  | 2 Council members (Germany, Russian Federation)  | Resolution 2017 (2011) 15-0-0                     |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>                                  | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|-----------------------------|--|---|--------------------------------|---|--|--|
| 6647<br>2 November<br>2011  |  |   | Libya                          | Prosecutor<br>of the<br>International<br>Criminal<br>Court                | All Council<br>members,<br>Prosecutor<br>of the<br>International<br>Criminal<br>Tribunal |  |
| 6669<br>28 November<br>2011 | Report of the<br>Secretary-General on<br>UNSMIL (S/2011/727)   |   | Libya                          | Special<br>Representative<br>of the<br>Secretary-<br>General              | Special<br>Representative<br>of the<br>Secretary-<br>General                             |  |
| 6673<br>2 December<br>2011  | Report of the<br>Secretary-General on<br>UNSMIL (S/2011/727)   | Draft resolution<br>submitted by<br>France,<br>Germany,<br>Lebanon,<br>Portugal,<br>United<br>Kingdom,<br>United States<br>(S/2011/752) | Libya                          |   |  | Resolution<br>2022 (2011)<br>15-0-0                        |
| 6698<br>22 December<br>2011 | Report of the<br>Secretary-General on<br>UNSMIL (S/2011/727)<br><br>Briefing by the<br>Chairman of the<br>Security Council<br>Committee established<br>pursuant to resolution<br>1970 (2011)<br>concerning Libya |   | Libya                          | Special<br>Representative<br>of the<br>Secretary-<br>General,<br>Portugal | All invitees <sup>e</sup>  |  |

<sup>a</sup> Pursuant to the note by the President of the Security Council dated 16 March 2011 (S/2011/141), as from that date, the earlier consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya under the item entitled "Peace and security in Africa" was subsumed under the item entitled "The situation in Libya".

<sup>b</sup> Afghanistan, Algeria, Argentina, Australia, Bahrain, Belgium, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Bulgaria, Chad, Comoros, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Democratic People's Republic of Korea, Ecuador, Egypt, Estonia, Finland, Georgia, Ghana, Greece, Guatemala, Hungary, Iceland, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kuwait, Libyan Arab Jamahiriya, Liechtenstein, Malaysia, Maldives, Malta, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Poland, Qatar, Republic of Korea, Romania, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Sudan, Syrian Arab Republic, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

<sup>c</sup> Bosnia and Herzegovina, Brazil, China, Colombia, France (Minister for Foreign Affairs), Germany, India, Lebanon, Nigeria, Portugal, Russian Federation, South Africa, United Kingdom and United States.

<sup>d</sup> For: Bosnia and Herzegovina, Colombia, France, Gabon, Lebanon, Nigeria, Portugal, South Africa, United Kingdom, United States; abstaining: Brazil, China, Germany, India, Russian Federation.

<sup>e</sup> The representative of Portugal spoke in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya.

<sup>f</sup> Bosnia and Herzegovina, China, Colombia, France, Germany, Lebanon, Portugal, Russian Federation, South Africa, United Kingdom and United States.

## Americas

### 17. The question concerning Haiti

#### Overview

During the period under review, the Security Council held 12 meetings, including 2 closed meetings with troop-contributing countries,<sup>330</sup> on the question concerning Haiti. Following the earthquake of 12 January 2010, the Council focused on issues of immediate humanitarian assistance, recovery, security and coordination of the work of relief agencies, and expressed its support for the political process. The Council held a high-level meeting on 6 April 2011, following the presidential and parliamentary elections.

The Council twice extended the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH).<sup>331</sup> It also increased the force level of MINUSTAH twice in 2010.<sup>332</sup> In addition, the mandate of MINUSTAH was adjusted to provide electoral support, security and recovery in Haiti.<sup>333</sup> In 2011, the Council authorized a drawdown of the surge capacity of MINUSTAH.<sup>334</sup>

#### 19 January to 4 June 2010: response to earthquake of 12 January 2010 and increase in number of police in MINUSTAH

Following the earthquake of 12 January 2010, in resolution [1908 \(2010\)](#) of 19 January 2010, the Council authorized an increase in the military and police components of MINUSTAH to carry out an expanded mandate that included supporting the immediate recovery, reconstruction and stability efforts in Haiti.<sup>335</sup>

On 19 February 2010, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator briefed the Council on his assessment of the humanitarian needs following his trip to Haiti and the Dominican Republic. He stated that although the humanitarian situation was improving, he was under no illusion about the scale of the challenges still ahead for the next weeks and

months. He noted that the cluster approach, developed since the Asian tsunami five years earlier, was proving its worth in improving coordination and the effectiveness of the response of the international humanitarian community.<sup>336</sup> The Under-Secretary-General for Peacekeeping Operations reported that since the earthquake, MINUSTAH had focused on three main objectives: supporting and facilitating relief operations; ensuring law and order and security; and restoring the capacities of the Mission. In particular, he noted that the security situation in Haiti was stable but potentially fragile, since the deterioration in living conditions had led to an increase in crime. He stressed the importance of both improving physical security and addressing the question of political stability in the country.<sup>337</sup> The representative of Haiti expressed his concern regarding the increase in incidents of crime around the country and emphasized that the Haitian National Police were working with MINUSTAH to apprehend those responsible.<sup>338</sup>

On 28 April 2010, the Special Representative of the Secretary-General for Haiti and Head of MINUSTAH reported that while the humanitarian crisis was far from over, Haiti had made significant progress in assisting the most vulnerable, including displaced persons in Port-au-Prince living in areas at risk of flooding and mudslides. He highlighted the recommendations contained in the report of the Secretary-General<sup>339</sup> that MINUSTAH undertake a surge of effort across five areas of work: fostering political stability; coordinating and enabling the post-earthquake relief effort; maintaining a secure and stable environment, and strengthening police and judicial institutions; supporting the Government in the implementation of its vision for strengthened State capacity and decentralization; and helping Haiti begin building its human capital through promotion of a balanced social agenda.<sup>340</sup> The Prime Minister of Haiti stated that a temporary adjustment of the mandate of MINUSTAH would be desirable to ensure that support

<sup>330</sup> See [S/PV.6380](#) and [S/PV.6615](#).

<sup>331</sup> Resolutions [1944 \(2010\)](#) and [2012 \(2011\)](#).

<sup>332</sup> Resolutions [1908 \(2010\)](#) and [1927 \(2010\)](#).

<sup>333</sup> Resolution [1927 \(2010\)](#).

<sup>334</sup> Resolution [2012 \(2011\)](#).

<sup>335</sup> See also [S/PV.6261](#).

<sup>336</sup> [S/PV.6274](#), pp. 2-4.

<sup>337</sup> *Ibid.*, pp. 4-6.

<sup>338</sup> *Ibid.*, p. 7.

<sup>339</sup> [S/2010/200](#).

<sup>340</sup> [S/PV.6303](#), pp. 2-5.

for the Government would, in the short term, more efficiently and directly meet the needs of the post-disaster situation.<sup>341</sup> The Assistant Secretary-General of the Organization of American States (OAS) stated that its role was focused in three areas: governance; the strengthening and modernizing of State institutions; and capacity-building.<sup>342</sup> He stressed, *inter alia*, the role of OAS in supporting the electoral process. The representative of the European Union, while welcoming the integrated approach adopted by MINUSTAH, emphasized that a more expansive view needed to be taken to find the balance between the immediate priorities identified in the report of the Secretary-General and the medium- and long-term priorities set out by the Government of Haiti in its Action Plan for National Recovery and Development.<sup>343</sup>

Council members generally agreed with the recommendations of the Secretary-General regarding the role of MINUSTAH. A number of speakers explicitly supported an increase in the police contingent of the Mission,<sup>344</sup> while others called for further comprehensive consideration by the Council before additional personnel were authorized.<sup>345</sup> The representative of the Russian Federation stated his concern over the involvement of MINUSTAH in social issues, as recommended in the report of the Secretary-General. He suggested that MINUSTAH might not have the necessary knowledge and experience in this field, which lay within the competence of other specialized bodies.<sup>346</sup>

On 4 June 2010, the Council adopted resolution 1927 (2010), in which it decided to authorize the deployment of an additional 680 police as a temporary surge capacity with clearly defined objectives, with a particular focus on building the capacity of the Haitian National Police. In the resolution the Council, *inter alia*, also recognized the need for MINUSTAH to assist the Government of Haiti in providing adequate protection of the population, and requested that the Mission continue to support the humanitarian and recovery efforts.

<sup>341</sup> *Ibid.*, pp. 5-6.

<sup>342</sup> *Ibid.*, pp. 23-25.

<sup>343</sup> *Ibid.*, pp. 25-26.

<sup>344</sup> *Ibid.*, p. 7 (Brazil); p. 9 (Mexico); p. 10 (United States); p. 18 (Nigeria); p. 19 (Austria); p. 20 (Turkey); p. 21 (Uganda); p. 22 (Japan); p. 28 (Canada); p. 29 (Colombia); and p. 34 (Norway).

<sup>345</sup> *Ibid.*, p. 12 (China); and p. 14 (Russian Federation).

<sup>346</sup> *Ibid.*, p. 14.

### 13 September 2010 to 14 October 2011: extension of mandate and reduction in troop and personnel levels of MINUSTAH

On 13 September 2010, the Special Representative of the Secretary-General for Haiti reported that progress had been made in moving the political process forward, maintaining the security gains of recent years and supporting humanitarian and recovery efforts. While welcoming the decision by the Government of Haiti to hold legislative and presidential elections on 28 November 2010, he pointed to both the short-term and long-term challenges facing the Government of Haiti, including the organization of the elections, maintaining order in camps, reconstruction and the relocation of displaced persons.<sup>347</sup> The representative of Haiti requested donor countries to fulfil their pledges to avoid a delay in reconstruction and an outbreak of violence due to a failure to meet the population's legitimate expectations of better conditions.<sup>348</sup>

Most speakers agreed that ensuring credible, free, fair and peaceful elections was essential for achieving long-term stability in Haiti, and pointed to the critical role that MINUSTAH played in providing logistical, security and technical support towards the electoral processes. Many speakers also emphasized their concerns regarding the situation of vulnerable groups, especially women, children and victims of sexual and gender-based violence in the internally displaced person camps. A number of speakers highlighted security issues related to organized crimes, such as gang violence and the flow of drugs and weapons into the country, which necessitated the capacity-building of security and rule of law institutions, in particular the Haitian National Police.<sup>349</sup> Regarding recovery and reconstruction, several speakers stressed the importance of meeting the pledges that had been made and coordinating among donors and all actors on the ground.<sup>350</sup> The representative of the United Kingdom emphasized that while the Council had authorized additional engineering contingents for MINUSTAH, the primary focus of the Mission should remain the provision and maintenance of a peaceful and secure environment, and that

<sup>347</sup> S/PV.6382, pp. 2-5.

<sup>348</sup> *Ibid.*, pp. 5-6.

<sup>349</sup> *Ibid.*, pp. 6-7 (United States); p. 7 (Brazil); pp. 11-12 (Nigeria); p. 14 (Japan); p. 16 (Lebanon); pp. 17-18 (Uganda); and pp. 18-19 (Turkey).

<sup>350</sup> *Ibid.*, pp. 7-8 (Brazil); pp. 8-9 (France); pp. 9-10 (Gabon); p. 16 (Lebanon); p. 19 (Turkey); and pp. 19-20 (Uruguay, on behalf of the Group of Friends of Haiti).



peacekeeping missions should not make a long-term commitment to reconstruction work.<sup>351</sup> Regarding the issue of the drawdown of the surge capacity of MINUSTAH, several speakers stated that the current level should be maintained and that the security conditions on the ground, the completion of the elections and the peaceful transfer of power should be the basis for any further discussion of capacity drawdown.<sup>352</sup>

On 14 October 2010, the Council adopted resolution 1944 (2010), in which it extended the mandate of MINUSTAH until 15 October 2011, while maintaining its current force levels. In the resolution the Council, *inter alia*, called upon MINUSTAH to ensure the holding of credible and legitimate presidential and legislative elections, due to take place on 28 November 2010.

On 16 September 2011, the Special Representative of the Secretary-General reported that the presidential election had been concluded successfully, and that while challenges to the political process remained, a reduction and reconfiguration in the force levels of MINUSTAH could now be considered. While endorsing the recommendations of the Secretary-General for a reduction in the military component of MINUSTAH by 1,600 military and 1,150 police personnel, he stressed a further deterioration in the security situation was possible should the efforts of MINUSTAH in the area of reconstruction and development be reduced. He urged Council members as well as the international community to help stimulate investment and development efforts and make resources available to that end.<sup>353</sup>

Most speakers supported the renewal of the mandate of MINUSTAH and a gradual reduction of its personnel, provided that such a reduction would not endanger the ability of the Mission to fulfil its mandate or the stability and security of the country. Several speakers mentioned the alleged sexual exploitation and abuse by United Nations personnel, and took note of the

public commitment by Uruguay to conduct a full investigation in cooperation with the United Nations.<sup>354</sup>

On 14 October 2011, the Council adopted resolution 2012 (2011), in which it extended the mandate of MINUSTAH until 15 October 2012, decided to reduce the military component to 7,340 troops and the police component to 3,241 police, and affirmed that future adjustments to its force configuration should be based on the overall security situation on the ground. The Council also requested that MINUSTAH, *inter alia*, continue to provide support to the efforts by the Government of Haiti to build institutional capacity in security and rule of law at all levels.

### **20 January 2011: briefing by the Under-Secretary-General for Peacekeeping Operations**

On 20 January 2011, the Under-Secretary-General for Peacekeeping Operations reported on major political developments since the first round of voting in Haiti's presidential elections in November 2010. He stated that since the announcement of the preliminary results of the elections on 7 December, Haiti had been paralysed by political uncertainty, and efforts had been made by the joint OAS-Caribbean Community electoral observation mission to end the crisis.<sup>355</sup> The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator reported on the progress achieved during the past year in responding to post-earthquake humanitarian needs. She highlighted the efforts made to combat the ongoing cholera epidemic, emphasizing the need for stability and freedom of movement of aid workers and supplies and for quickly scaling up the response to the 2011 humanitarian appeal.<sup>356</sup> The representative of Haiti called upon donor countries to make all pledged funds available, and requested the panel investigating the origin of the cholera pandemic to make their conclusion known soon in order to end speculation.<sup>357</sup>

During the debate that followed, Council members underlined the need for transparent and credible electoral processes as the basis for solving the political paralysis. Council members also recognized the importance of continued humanitarian assistance, with

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<sup>351</sup> *Ibid.*, p. 18.

<sup>352</sup> *Ibid.*, p. 7 (United States); pp. 10-11 (Mexico); p. 13 (Russian Federation); pp. 19-20 (Uruguay, on behalf of the Group of Friends of Haiti); p. 22 (Canada); p. 24 (Colombia); and p. 26 (Argentina).

<sup>353</sup> S/PV.6618, pp. 2-6.

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<sup>354</sup> *Ibid.*, p. 10 (South Africa); p. 16 (United States); pp. 27-29 (Uruguay, on behalf of the Group of Friends of Haiti); and p. 30 (European Union).

<sup>355</sup> S/PV.6471, pp. 2-3.

<sup>356</sup> *Ibid.*, p. 4.

<sup>357</sup> *Ibid.*, pp. 5-6.

special attention paid to mitigating the consequences of the cholera outbreak. Several speakers called upon donors to coordinate their activities and fulfil their pledges, stressing the importance of national ownership in the process of recovery and reconstruction as well as underlining the need to strengthen State institutions and capacities.<sup>358</sup> Speakers also expressed concerns over the security situation, emphasizing the importance of protecting vulnerable segments of the population.

#### **6 April 2011: high-level meeting concerning Haiti**

On 6 April 2011, the Council held a high-level meeting following the second round of presidential and parliamentary elections in March 2011. The Secretary-General briefed the Council on achievements and challenges in the areas of ensuring political election and stability, assisting the judicial system, providing security, advancing recovery and reconstruction, and combating the cholera epidemic.<sup>359</sup> The United Nations Special Envoy for Haiti reported on the achievements and challenges of the Interim Haiti Reconstruction Commission and on a variety of partnerships aimed at the recovery and reconstruction of the country. He presented several recommendations in such areas as national capacity-building, disbursement of funds and expenditure, and involvement of non-governmental organizations.<sup>360</sup> The President of Haiti called on the future executive and legislative leaders of Haiti to govern in a spirit of peace, openness, inclusion, dialogue and respect for the rights of association and expression. He urged donors to hasten disbursements, while emphasizing that drug trafficking, a source of political instability in his country, needed to be tackled globally.<sup>361</sup> The Secretary-General of OAS reported that the post-election challenges had divided the executive and legislative branches in the country, and stressed the need for ongoing political dialogue among all relevant actors. He also noted that there was an apparent shift in the approach of donors that was aimed more towards bilateral planning and use of resources than towards multilateral coordination. He called on the international donor community to provide the funds that were pledged to the Reconstruction Fund, and to harmonize their

bilateral activities.<sup>362</sup> The President of the Inter-American Development Bank (IADB) highlighted its role in the development of education programmes, assistance with infrastructure building and development of the private sector.<sup>363</sup> The Special Representative of the Caribbean Community (CARICOM) for Haiti emphasized that strong, robust and flexible institutional capacity was a sine qua non for sustainable development, good governance and security. He emphasized the need for coordination to fulfil the urgent needs of the population.<sup>364</sup> The representative of the European Union urged the national authorities and political stakeholders to make further efforts towards achieving political stability. He also emphasized the issue of security and expressed support for MINUSTAH and the work of the Haitian National Police in guaranteeing the rule of law. He further pledged European assistance in development and called for coordination of international assistance while stressing national leadership in reconstruction efforts.<sup>365</sup>

During the debate, speakers focused on how the international community could better contribute towards the reconstruction, security, and development of the country. Speakers urged the political stakeholders in Haiti to step up their efforts so that the electoral process could rapidly reach a successful conclusion. Many speakers emphasized the importance of national ownership of the reconstruction and development efforts through the strengthening of capacity and institution-building. Several speakers stressed the need to address the security situation, especially the protection of vulnerable groups, and expressed continued support for the work of MINUSTAH with the Haitian National Police to ensure law and order.

At the end of the meeting, the Council adopted a presidential statement in which it, inter alia, stressed the importance of completing the electoral process in a peaceful, credible, and legitimate way. It underlined the connection between development and security, including the strengthening of democratic institutions in Haiti, and expressed its concern at the situation of vulnerable groups. The Council also called upon the donor community to fulfil without delay all pledges and encouraged all reconstruction donors to channel

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<sup>358</sup> Ibid., p. 7 (United States); p. 11 (Lebanon); p. 15 (South Africa); p. 17 (Nigeria); and p. 19 (Bosnia and Herzegovina).

<sup>359</sup> S/PV.6510, p. 5.

<sup>360</sup> Ibid., pp. 6-9.

<sup>361</sup> Ibid., pp. 9-11.

<sup>362</sup> S/PV.6510 (Resumption 1), pp. 6-8.

<sup>363</sup> Ibid., pp. 8-9.

<sup>364</sup> Ibid., pp. 9-11.

<sup>365</sup> Ibid., pp. 15-16.

their efforts through the Interim Haiti Recovery Commission.<sup>366</sup>

<sup>366</sup> S/PRST/2011/7.

### Meetings: the question concerning Haiti

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>                                | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>                                   | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|--|---|---|---|---|---|
| 6261<br>19 January<br>2010  |  | Draft resolution submitted by all Council members and Argentina, Canada, Chile, Guatemala, Peru, Uruguay (S/2010/29)<br><br>Letter dated 18 January 2010 from Mexico concerning the situation in Haiti following the earthquake (S/2010/27) | Argentina, Canada, Chile, Guatemala, Haiti, Peru, Uruguay |   |   | Resolution 1908 (2010)<br>15-0-0                  |
| 6274<br>19 February<br>2010 |  |   | Haiti   | Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Under-Secretary-General for Peacekeeping Operations  | All invitees                                      |   |
| 6303<br>28 April 2010       | Report of the Secretary-General on MINUSTAH (S/2010/200) |   | 10 Member States <sup>a</sup>                             | Special Representative of the Secretary-General for Haiti and Head of MINUSTAH, Assistant Secretary-General of the Organization of American States, Acting Head of the Delegation of the European Union to the United Nations | All Council members and all invitees <sup>b</sup> |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>                   | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i>  | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i>                                      | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|---|--|--|---|--|--|---|
| <a href="#">6330</a><br>4 June 2010       |  | Draft resolution submitted by 13 Member States <sup>c</sup> ( <a href="#">S/2010/277</a> ) | Argentina, Canada, Chile, Guatemala, Haiti, Peru, Spain, Uruguay          |  | Haiti  | Resolution <a href="#">1927 (2010)</a><br>15-0-0      |
| <a href="#">6382</a><br>13 September 2010 | Report of the Secretary-General on MINUSTAH ( <a href="#">S/2010/446</a> )   |  | 8 Member States <sup>d</sup>  | Special Representative of the Secretary-General, Deputy Head of the Delegation of the European Union   | All Council members and all invitees <sup>e</sup>    |   |
| <a href="#">6399</a><br>14 October 2010   | Report of the Secretary-General on MINUSTAH ( <a href="#">S/2010/446</a> )   | Draft resolution submitted by 13 Member States <sup>f</sup> ( <a href="#">S/2010/519</a> ) | Argentina, Canada, Chile, Ecuador, Guatemala, Haiti, Peru, Spain, Uruguay |  | Haiti  | Resolution <a href="#">1944 (2010)</a><br>15-0-0      |
| <a href="#">6471</a><br>20 January 2011   |  |  | Haiti   | Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator   | All Council members and all invitees                 |   |
| <a href="#">6510</a><br>6 April 2011      | Haiti: A renewed commitment by the international community<br><br>Letter dated 31 March 2011 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General ( <a href="#">S/2011/218</a> ) |  | 20 Member States <sup>g</sup>   | United Nations Special Envoy for Haiti, Secretary-General of the Organization of American States, President of the Inter-American Development Bank, Special Representative of the Caribbean Community for Haiti, Acting Head of the Delegation of the European Union | Secretary-General, all Council members, all invitees | <a href="#">S/PRST/2011/7</a>                         |

| <i>Meeting and date</i>   | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i>                                 | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|---------------------------|--|--|--|--|--------------------------------------|---|
|                           | Report of the Secretary-General on MINUSTAH (S/2011/183) |  |  |  |                                      |   |
| 6618<br>16 September 2011 | Report of the Secretary-General on MINUSTAH (S/2011/540) |  | Argentina, Canada, Chile, Guatemala, Haiti, Spain, Uruguay | Special Representative of the Secretary-General, Acting Head of the Delegation of the European Union | All Council members and all invitees |   |
| 6631<br>14 October 2011   | Report of the Secretary-General on MINUSTAH (S/2011/540) | Draft resolution submitted by 11 Member States <sup>h</sup> (S/2011/637) | Argentina, Canada, Guatemala, Haiti, Peru, Spain, Uruguay  |  |                                      | Resolution 2012 (2011) 15-0-0                     |

<sup>a</sup> Argentina, Canada, Dominican Republic, Colombia, Guatemala, Haiti (Prime Minister), Norway, Peru, Spain and Uruguay.

<sup>b</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti (comprising Argentina, Brazil, Canada, Chile, France, Mexico, Peru, United States and Uruguay).

<sup>c</sup> Argentina, Austria, Brazil, Canada, Chile, France, Guatemala, Japan, Mexico, Peru, Spain, United States and Uruguay.

<sup>d</sup> Argentina, Canada, Chile, Colombia, Haiti, Norway, Peru and Uruguay.

<sup>e</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti (comprising Argentina, Brazil, Canada, Chile, France, Mexico, Peru, United States and Uruguay).

<sup>f</sup> Argentina, Brazil, Canada, Chile, Ecuador, France, Guatemala, Japan, Mexico, Peru, Spain, United States and Uruguay.

<sup>g</sup> Argentina, Australia, Bahamas, Canada, Chile, Cuba, Dominican Republic, Guatemala, Haiti (President), Honduras, Israel, Japan, Mexico, Nicaragua, Norway, Peru, Republic of Korea, Spain, Uruguay and Venezuela (Bolivarian Republic of).

<sup>h</sup> Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, Spain, United States and Uruguay.

## Asia

### 18. The situation in Timor-Leste

#### Overview

During the period under review, the Security Council held eight meetings in connection with the situation in Timor-Leste, including two closed meetings with the troop-contributing countries,<sup>367</sup> and adopted two resolutions. On 26 February 2010, in resolution 1912 (2010), the Council decided to extend the mandate of the United Nations Integrated Mission

in Timor-Leste (UNMIT)<sup>368</sup> for one year, and welcomed the report of the Secretary-General, including the findings and recommendations in respect of the phased resumption of policing responsibilities by the National Police of Timor-Leste.<sup>369</sup> On 24 February 2011, in resolution 1969 (2011), the Council extended the mandate of UNMIT for one year and, inter alia, requested UNMIT to support, within its current mandate, the preparation of parliamentary and

<sup>367</sup> 6275th and 6332nd meetings.

<sup>368</sup> For more information on the mandate of UNMIT, see part X, sect. I, "Peacekeeping operations".

<sup>369</sup> S/2010/85.

presidential elections planned for 2012, and the further institutional development and capacity-building of the National Police of Timor-Leste.

During the period, the Council received briefings from the Special Representative of the Secretary-General for Timor-Leste and Head of UNMIT on the activities of the mission, including the resumption of policing responsibilities by the National Police of Timor-Leste and the technical and logistical support provided in preparation for the presidential and parliamentary elections due in 2012.

**23 February 2010 and 19 October 2010:  
briefings on the resumption of policing  
responsibilities by the National Police of  
Timor-Leste**

On 23 February 2010, the Special Representative of the Secretary-General reported that Timor-Leste had made remarkable progress since the events of 2006, and that the country had reached a new stage where there was an intensified focus on measures needed to sustain stability, deepen democracy and the rule of law, reduce poverty and strengthen institutions. She stated that the long-term security and stability of Timor-Leste depended on the resumption of the primary policing responsibilities by the National Police of Timor-Leste. She emphasized that reconfiguring and reorienting the UNMIT police component would be one of her main priorities, which would include supporting further skills development for the National Police of Timor-Leste, and increased community policing and criminal investigations. Regarding the overall security sector, she stated that the clear definition and delineation of roles and responsibilities of the National Police of Timor-Leste and the Falintil-Forças de Defesa de Timor-Leste (F-FDTL), and the strengthening of civilian oversight and management capacities, were particularly critical outstanding issues.<sup>370</sup>

The Deputy Prime Minister of Timor-Leste stated that stability and a peaceful political environment in Timor-Leste were realities, demonstrating that the Council's decisions had been right and that United Nations intervention in Timor-Leste had been very successful. He reported that the economy of Timor-Leste was seeing strong growth, and the Government was making efforts in the area of accountability and transparency of its finances, strengthening its judicial

institutions and the rule of law and improving relations with countries in the region. He stated that there was a consensus in Timor-Leste that UNMIT should remain in the country until 2012, as recommended by the Secretary-General.<sup>371</sup>

Speakers generally welcomed the fact that the security situation in Timor-Leste had remained stable during the period. Several speakers stressed the need for clearly delineated roles and responsibilities between the National Police of Timor-Leste and F-FDTL, as the ongoing uncertainty in the relationship between them was a possible destabilizing factor.<sup>372</sup> While welcoming the resumption of policing responsibilities by the National Police of Timor-Leste, several speakers also emphasized the need for sufficient capacity-building and adequate training of National Police personnel.<sup>373</sup>

On 19 October 2010, the Special Representative of the Secretary-General reported that the security and political situation in Timor-Leste continued to be stable, allowing State institutions to focus on the long-term challenges of the country. She noted that many plans, strategies and institutions had been developed with a longer-term focus in mind, including a strategic plan for the justice sector and a package of national security laws. Regarding the National Police of Timor-Leste, she stated that the Government was working in close cooperation with UNMIT on strategies to guide the challenges of building its capacity and strengthening its institutions, and also to prepare for its resumption of policing responsibilities. Regarding the justice sector, she stressed that steady progress had been made, including the transition of international legal actors from line functions to advisory roles, with an increasing number of national actors. She stated that an agreement had been reached with the Government of Timor-Leste on establishing a joint mechanism to ensure that the transition process was consistent with the Government's strategies, and that there had been a

<sup>371</sup> *Ibid.*, pp. 5-8.

<sup>372</sup> *Ibid.*, p. 12 (United Kingdom); p. 13 (Uganda); p. 14 (Mexico); p. 17 (Brazil); and p. 18 (Bosnia and Herzegovina).

<sup>373</sup> *Ibid.*, p. 8 (Japan); p. 11 (Russian Federation); p. 12 (United Kingdom); p. 14 (Mexico); p. 15 (United States); p. 16 (Turkey); p. 17 (Brazil); p. 18 (Bosnia and Herzegovina); p. 20 (Nigeria); p. 24 (South Africa); and pp. 28- 29 (Portugal).

<sup>370</sup> S/PV.6276, pp. 2-5.

smooth transfer of UNMIT functions to State institutions.<sup>374</sup>

The representative of Timor-Leste stressed the progress made in such key areas as the ongoing resumption of policing responsibilities by the National Police of Timor-Leste, the promulgation of the national security legislation package and finalization of the national strategic plan. However, she stated that Timor-Leste continued to face many challenges, and in the current phase of its nation-building agenda, the areas of peace and stability, economic growth and poverty reduction, and justice and the promotion of human rights were considered priorities for the country. Looking beyond the resumption process, she stated that the strengthening of the National Police of Timor-Leste was at a new stage, with intensified efforts to develop a sustainable national capacity and institutions. She called upon members of the Council and the international community to continue their engagement and to provide the necessary assistance in building a stable and prosperous Timor-Leste.<sup>375</sup>

Speakers welcomed the continuing stability in Timor-Leste and the efforts of the Government towards national reconciliation, economic development, and building capacity of its institutions. Several speakers noted that the gradual resumption of policing responsibilities by the National Police had not led to an increase in crime.<sup>376</sup> The representative of the Russian Federation expressed the view that the timetable for the transfer of policing responsibilities should be based on the preparedness of the police units, rather than on an artificially set schedule.<sup>377</sup> The representative of Turkey stressed that the mandate of UNMIT and force composition should not be further altered until the 2012 elections, and that further efforts must be focused on building the capacity of the police and other State institutions.<sup>378</sup>

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<sup>374</sup> S/PV.6405, pp. 2-5.

<sup>375</sup> Ibid., pp. 5-8.

<sup>376</sup> Ibid., p. 10 (United Kingdom); p. 11 (Brazil); p. 20 (Turkey); p. 25 (Philippines); and p. 28 (European Union).

<sup>377</sup> Ibid., p. 17.

<sup>378</sup> Ibid., p. 20.

### **22 February and 22 November 2011: briefings concerning measures to support Timor-Leste in preparations for 2012 elections**

On 22 February 2011, the Special Representative of the Secretary-General expressed confidence that the completion of the resumption of primary policing responsibilities by the National Police of Timor-Leste in all districts could be finalized in the coming months. This would be followed by the reconstitution phase, during which UNMIT police would primarily focus on further institutional strengthening and capacity-building of the National Police. She emphasized that one of the critical tasks for UNMIT would be to help to ensure that the National Police established itself as a professional and impartial national police service that had the trust of the Timorese people and was capable of guaranteeing public security, with due respect for human rights and the rule of law. She stated that the main political challenges ahead included the national presidential and parliamentary elections in 2012, for which the Government had indicated that it would require continued United Nations electoral support.<sup>379</sup>

The Prime Minister and Minister of Defence and Security of Timor-Leste outlined the achievements made in various sectors by the five-party coalition Government since its entry into office in August 2007. He stated that the Government was formalizing its application for membership in the Association of Southeast Asian Nations (ASEAN). He emphasized that the restoration of peace and stability was primarily a result of the reforms started in the National Police and F-FDTL, which had overcome their differences. While the transfer of executive responsibility from the United Nations Police to the National Police of Timor-Leste was to be completed by 27 March 2011, the National Police would continue to require the assistance of the United Nations Police in advisory and capacity-building functions. Regarding the election period, he stressed that his country would draw up a special agreement with UNMIT to enable the United Nations Police to participate jointly with the National Police in the maintenance of public order in the country.<sup>380</sup>

Most speakers expressed their appreciation to UNMIT and the United Nations country team for assisting the transition of Timor-Leste towards lasting

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<sup>379</sup> S/PV.6485, pp. 2-6.

<sup>380</sup> Ibid., pp. 6-10.

stability and democracy. Several speakers welcomed the efforts of UNMIT to support the National Police of Timor-Leste in training, capacity-building and institutional development.<sup>381</sup> Several speakers stressed that long-term stability could be achieved only if the Government took a firm stance against impunity and brought perpetrators of war crimes, crimes against humanity and genocide to justice.<sup>382</sup>

On 22 November 2011, the Special Representative of the Secretary-General reported that on 27 March 2011, the National Police of Timor-Leste had resumed responsibility for the conduct, command and control of all police operations in the country. She noted that UNMIT had intensified its focus on providing support for further institutional development and capacity-building of the National Police, and would maintain that capacity throughout the 2012 electoral period. Regarding the parliamentary and presidential elections in 2012, she noted that United Nations support to the elections would be provided through the joint UNMIT and United Nations Development Programme electoral support team. She further encouraged international partners to send observers for the elections and to provide financial support for United Nations electoral activities.<sup>383</sup>

The Minister for Foreign Affairs and Cooperation of Timor-Leste underlined the significant progress

made in several areas, including economic development, political and social stability, and reform of the defence and security sectors. He stated that following the elections, Timor-Leste would begin a new phase with the gradual withdrawal of UNMIT and the integration of the country into ASEAN.<sup>384</sup>

Speakers welcomed the progress made by Timor-Leste, in particular its economic growth, and stressed the importance of the elections in 2012 being conducted in a transparent and peaceful manner. Many speakers welcomed the significant level of collaboration between UNMIT and the Government of Timor-Leste in developing the joint transition plan and the successful transfer of all policing responsibilities from UNMIT to the National Police.<sup>385</sup> The representative of the United Kingdom emphasized that the withdrawal of UNMIT should be conducted carefully and efficiently, and underlined the need to articulate a clearer timetable for the post-election withdrawal of UNMIT personnel.<sup>386</sup> The representative of the Russian Federation stated that the final decision on the withdrawal of UNMIT should be taken after the presidential and parliamentary elections had been held, taking into account the prevailing political and security situation, and that the arrangements for a subsequent United Nations presence should be subject to substantive discussions with the newly elected Government.<sup>387</sup>

<sup>381</sup> Ibid., p. 10 (India); pp. 11-12 (United States); p. 13 (Bosnia and Herzegovina); and p. 29 (Australia).

<sup>382</sup> Ibid., p. 12 (United States); p. 14 (France); p. 17 (United Kingdom); p. 21 (Columbia); p. 22 (Lebanon); p. 23 (Germany); and p. 31 (European Union).

<sup>383</sup> S/PV.6664, pp. 2-5.

<sup>384</sup> Ibid., pp. 5-8.

<sup>385</sup> Ibid., p. 9 (Brazil); p. 11 (United States); pp. 12-13 (South Africa); p. 13 (France); p. 15 (India); p. 17 (United Kingdom); p. 18 (Russian Federation); p. 20 (Germany); and p. 21 (Portugal).

<sup>386</sup> Ibid., p. 17.

<sup>387</sup> Ibid., p. 18.

### Meetings: the situation in Timor-Leste

| <i>Meeting and date</i>     | <i>Sub-item</i>                                      | <i>Other documents</i> | <i>Rule 37 invitations</i>   | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|--|------------------------|--|--|--------------------------------------|---|
| 6276<br>23 February<br>2010 | Report of the Secretary-General on UNMIT (S/2010/85) |                        | Australia, Ireland, Malaysia, New Zealand, Portugal, South Africa, Timor-Leste (Deputy Prime Minister) | Special Representative of the Secretary-General for Timor-Leste and Head of UNMIT, Acting Head of the Delegation of the European Union to the United Nations | All Council members and all invitees |   |



## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>   | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|--|---|--|--|---|---|
| 6278<br>26 February<br>2010 | Report of the Secretary-General on UNMIT (S/2010/85)   | Draft resolution submitted by 21 Member States <sup>a</sup> (S/2010/95) | Australia, Malaysia, New Zealand, Philippines, Portugal, South Africa, Timor-Leste   |  |   | Resolution 1912 (2010) 15-0-0                     |
| 6405<br>19 October<br>2010  | Report of the Secretary-General on UNMIT (S/2010/522)  |   | Australia, Malaysia, New Zealand, Philippines, Portugal, South Africa, Timor-Leste   | Special Representative of the Secretary-General, Head of the Delegation of the European Union        | All Council members and all invitees  |   |
| 6485<br>22 February<br>2011 | Report of the Secretary-General on UNMIT (for the period from 21 September 2010 to 7 January 2011) (S/2011/32) |   | Australia, Japan, New Zealand, Philippines, Timor-Leste (Prime Minister and Minister of Defence and Security)  | Special Representative of the Secretary-General, Acting Head of the Delegation of the European Union | All Council members and all invitees  |   |
| 6487<br>24 February<br>2011 | Report of the Secretary-General on UNMIT (for the period from 21 September 2010 to 7 January 2011) (S/2011/32) | Draft resolution submitted by 20 Member States <sup>b</sup> (S/2011/86) | Australia, Japan, Malaysia, New Zealand, Philippines, Timor-Leste  |  |   | Resolution 1969 (2011) 15-0-0                     |
| 6664<br>22 November<br>2011 | Report of the Secretary-General on UNMIT (S/2011/641)  |   | Angola, Australia, Japan, Nauru, New Zealand, Papua New Guinea, <sup>c</sup> Philippines, Timor-Leste (Minister for Foreign Affairs and Cooperation) | Special Representative of the Secretary-General, Deputy Head of the Delegation of the European Union | All Council members, all invitees under rule 39, 7 under rule 37 <sup>d</sup> |   |

<sup>a</sup> Australia, Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Malaysia, Mexico, New Zealand, Nigeria, Philippines, Portugal, Russian Federation, South Africa, Turkey, Uganda, United Kingdom and United States.

<sup>b</sup> Australia, Bosnia and Herzegovina, Brazil, China, Colombia, France, Gabon, Germany, India, Japan, Lebanon, Malaysia, New Zealand, Nigeria, Philippines, Portugal, Russian Federation, South Africa, United Kingdom and United States.

<sup>c</sup> Papua New Guinea spoke on behalf of the Pacific small island developing States: Fiji, Marshall Islands, Micronesia, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

<sup>d</sup> The representative of Nauru did not make a statement.

## 19. The situation in Afghanistan

### Overview

During the period under review, the Security Council held 13 meetings in connection with the situation in Afghanistan, adopting four resolutions and one presidential statement. The Council focused on the gradual transition to full Afghan responsibility for providing security, governance and development. It considered the holding of parliamentary elections as well as the work and the mandates of the United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations-authorized International Security Assistance Force (ISAF).

The Council extended the mandate of UNAMA twice for periods of one year each.<sup>388</sup> Under Chapter VII of the Charter, it also twice extended the authorization of ISAF for a period of one year each time, including authorization for the Member States participating in ISAF to take all necessary measures to fulfil its mandate.<sup>389</sup>

By resolution 1988 (2011), the Council established a new sanctions regime, requested all States to take measures in connection with any individuals, groups, undertakings and entities associated with the Taliban and established a separate committee to oversee measures imposed in connection with the Taliban. By resolution 1989 (2011), the Council changed the scope of the mandate of the Committee established pursuant to resolution 1267 (1999) to focus exclusively on Al-Qaida and associated individuals, groups, undertakings and entities.<sup>390</sup> The Council also went on a mission to Afghanistan from 21 to 24 June 2010.<sup>391</sup>

<sup>388</sup> Resolutions 1917 (2010) and 1974 (2011). For information on the mandate of UNAMA, see part X, sect. II, "Political and peacebuilding missions".

<sup>389</sup> Resolutions 1943 (2010) and 2011 (2011). For information on the mandate of ISAF, see part VII, sect. IV, "Measures to maintain or restore international peace and security in accordance with Article 42 of the Charter".

<sup>390</sup> For more information, see part I, sect. 34, "Threats to international peace and security caused by terrorist acts".

<sup>391</sup> For more information on Security Council missions, see part I, sect. 36, and part VI, sect. II, with regard to investigation of disputes and fact-finding.

### 6 January 2010 to 19 December 2011: transition and related political developments

Five international conferences relating to Afghanistan were held between January 2010 and December 2011, in London, Kabul, Lisbon, Istanbul and Bonn. The international community and Afghanistan jointly decided gradually to transition to Afghan authorities responsibility for security, governance and development. The Council received nine briefings on the political developments in relation to the transition.

On 6 January 2010, in their joint briefing to the Council, both the Secretary-General and his Special Representative underscored the immense challenges faced by Afghanistan, in the light of deteriorating security and a more demanding political environment. The Secretary-General stated that Afghanistan was at a critical juncture, with difficult elections, violence and doubts about current strategies of both the Government and the international community all combining to produce further uncertainty.<sup>392</sup> The Special Representative of the Secretary-General for Afghanistan and Head of UNAMA cautioned that negative trends, namely the growing impatience of public opinion in the donor and troop-contributing countries, increasing frustration among the Afghan public and the difficulties experienced by international and Afghan forces in putting the insurgency on the defensive, would become unmanageable if they were not reversed.<sup>393</sup> Referring to the statement by the Secretary-General, he said that the transition strategy must include, inter alia, the systematic build-up of civilian institutions. He stressed that the strategy should be politically and not militarily driven, and reminded the Council of its consensus that the process of Afghanization should be accelerated. Joined by other speakers, the Special Representative viewed the conferences to be held in London in January and in Kabul in July 2010 as critical opportunities to agree on a politically driven strategy in which Afghan ownership and Afghan capacity stood at the centre of all activities.<sup>394</sup>

<sup>392</sup> S/PV.6255, pp. 3-4.

<sup>393</sup> Ibid., pp. 4-5.

<sup>394</sup> Ibid., p. 5 (Special Representative); p. 9 (Afghanistan); pp. 18-19 (United Kingdom); p. 22 (France), p. 23 (Japan); pp. 24-25 (Nigeria); p. 26 (Mexico); p. 30 (Australia); p. 34 (Norway); and p. 35 (European Union).

In his briefing to the Council on 18 March 2010, the Under-Secretary-General for Peacekeeping Operations underlined the consensus reached between Afghanistan and its international partners at the London Conference on Afghanistan, held on 28 January 2010, concerning the need for transition to greater Afghan responsibility and an increasingly supporting role for the international community. In the midst of heightened military operations, the international community was faced with a crowded political calendar, in particular the forthcoming consultative Peace Jirga, the Kabul conference in July and the National Assembly elections in September.<sup>395</sup> Echoing the Under-Secretary-General's statement, the representative of Afghanistan said that Afghanistan would be the priority of his Government in 2010, which implied that Afghans would take the lead, with the support of the international community, in such areas as improving security across the country, promoting reconciliation, building capacity, rooting out corruption, encouraging participation, promoting justice and the rule of law and conducting electoral reform.<sup>396</sup> Speakers expressed their support for Afghan leadership and ownership of the transition process.<sup>397</sup> Stating that the transfer of responsibilities to the Afghan authorities should not be understood as an exit strategy, the representative of Turkey stressed that the civilian presence of the international community should be strengthened.<sup>398</sup> His view was shared by the representative of Italy, who noted the central role of civilian efforts in the overall international strategy for the stabilization and reconstruction of Afghanistan.<sup>399</sup>

On 30 June 2010, the Special Representative of the Secretary-General reported to the Council that UNAMA was focusing on a three-plus-one initiative, which covered elections, internal and regional dialogue, constructive regional engagement and aid coherence.<sup>400</sup> As one way to promote reintegration and reconciliation, speakers welcomed the holding of the

consultative Peace Jirga in early June.<sup>401</sup> The representative of Afghanistan added that many of the recommendations contained in the Afghanistan Peace and Reintegration Programme, the outcome document of the Peace Jirga, were being implemented by his Government, and a high-level council was being created to oversee the implementation.<sup>402</sup> Noting the call by the Peace Jirga for the removal of the names of the Afghan opposition from the list established pursuant to resolution 1267 (1999), the representatives of Austria and the Russian Federation underlined the principles governing the delisting: individuals should convincingly renounce violence, lay down arms, break ties with Al-Qaida and fully respect the Afghan constitution.<sup>403</sup>

On 29 September 2010, the Special Representative of the Secretary-General conveyed to the Council the need for the international community to support the rollout of national priority programmes and public finance management reform identified at the Kabul conference of 2 July 2010 as the priorities for future work.<sup>404</sup> The representative of Afghanistan stated that the Kabul process adopted by the participants in the Conference focused on increased Afghan leadership across the board. He said that the 23 national priority programmes of Afghanistan had also been presented during the meeting, including its national security policy and its national reconciliation initiative, all of which were endorsed by the international community. In the area of security, he stated that his country would be taking the lead in combat operations in volatile provinces by 2011 and would meet its security obligations by 2014. Turning to the socioeconomic agenda, he welcomed the international community's decision to channel 50 per cent of donor assistance through the national budget of Afghanistan by January 2012. Noting the complementary role of President Hamid Karzai's reintegration and reconciliation initiative with respect to military efforts, he informed the Security Council that the High Peace Council had been established in September 2010 by his Government

<sup>395</sup> S/PV.6287, p. 2.

<sup>396</sup> Ibid., pp. 5-6.

<sup>397</sup> Ibid., p. 7 (Turkey); p. 13 (United States); p. 16 (United Kingdom); p. 22 (Gabon); and p. 29 (Norway).

<sup>398</sup> Ibid., p. 7.

<sup>399</sup> Ibid., p. 32.

<sup>400</sup> S/PV.6351, p. 3.

<sup>401</sup> Ibid., p. 9 (Afghanistan); p. 9 (China); p. 12 (Japan); p. 17 (Austria); p. 21 (Uganda); p. 23 (Bosnia and Herzegovina); p. 25 (Mexico); p. 26 (Canada); p. 28 (Italy); p. 29 (Germany); p. 29 (European Union); and p. 33 (Pakistan).

<sup>402</sup> Ibid., p. 9 (Afghanistan).

<sup>403</sup> Ibid., p. 18 (Austria); and p. 22 (Russian Federation).

<sup>404</sup> S/PV.6394, p. 5.

to oversee the implementation of the reintegration and reconciliation initiative.<sup>405</sup>

Speakers expressed their support for the establishment of the High Peace Council and for the Afghanistan Peace and Reintegration Programme formulated by the Government of Afghanistan.<sup>406</sup> The representative of Japan welcomed the launching of the peace and reintegration trust fund.<sup>407</sup> Speakers also underscored the importance of reviewing and updating the Consolidated List created pursuant to resolution [1267 \(1999\)](#) in promoting reintegration and bolstering peace and security in Afghanistan.<sup>408</sup>

On 22 December 2010, reporting to the Council on the attack on the United Nations centre at Herat on 23 October 2010, the Special Representative of the Secretary-General warned of a tense security environment in the next few months. He also informed the Council of the plans of UNAMA to increase activities in assisting in the transition in the areas of capacity-building, support for Afghan ownership of Afghan territory and realignment of bilateral and multilateral aid in line with the priorities set by the Afghan authorities.<sup>409</sup>

Remarking that the North Atlantic Treaty Organization (NATO) summit, held in Lisbon on 20 November 2010, was a milestone towards reassuring an enduring partnership between Afghanistan and NATO, the representative of Afghanistan stated that a framework had been adopted at the summit for the transition to increased Afghan leadership over the next four years through a province-by-province approach. He stated that the transition would be launched in 2011 and that practical preparations were under way to that end, with the international partners redefining their mission with a view to sustained and expedited recruitment, training and resourcing of the Afghan national army and police. In reference to the three main components of the Kabul process, security, development

and governance, he reported that overall security had improved and the zone of security had expanded. In addition, Afghan security forces were exerting greater presence and control in areas previously held by enemy combatants. In the areas of development and governance, he reported that 95 per cent of planned activities for creating an efficient and effective Government had been completed since the Kabul Conference in July 2010.<sup>410</sup> Speakers welcomed the progress made in the implementation of the Kabul process.<sup>411</sup>

On 17 March 2011, in his briefing to the Council, the Special Representative of the Secretary-General welcomed the transition in security and to full Afghan ownership and leadership. He stated that UNAMA was contributing to the civilian transition and that the transitioning provinces were to be given incentives and not neglected after the transition had taken place. He stated that the ongoing military and civilian surge needed to be matched by an enhanced diplomatic surge, and also called for a surge to protect civilians owing to the spike in civilian casualty rates in 2010. Regarding institution-building, he informed the Council that Parliament was inaugurated on 26 January by President Karzai. A minority candidate had been elected as the leader of the Wolesi Jirga, the Lower House of the Parliament, which showed that Afghans could find their own solutions and meet various ethnic, factional and regional needs. In reference to peace, integration and regional issues, he reported that an important meeting of the International Contact Group on Afghanistan, held at the beginning of March 2011, had endorsed the High Peace Council established in September 2010, and had called for a Kabul-based approach to peace and reconciliation initiatives.<sup>412</sup>

On 6 July 2011, the Special Representative of the Secretary-General reported to the Council that July 2011 would see the start of the phased transition in seven areas, provinces and cities, as well as implementation of the gradual redeployment of international forces, in particular those of the United States, as announced by President Barack Obama.<sup>413</sup>

<sup>405</sup> Ibid., pp. 6-7.

<sup>406</sup> Ibid., p. 11 (United Kingdom); p. 15 (Bosnia and Herzegovina); p. 16 (Nigeria); p. 18 (Brazil); p. 19 (Austria); p. 20 (China); p. 22 (Lebanon); p. 25 (Canada); p. 27 (Germany); p. 29 (New Zealand); p. 30 (Pakistan); and p. 35 (Australia).

<sup>407</sup> Ibid., p. 8.

<sup>408</sup> Ibid., p. 7 (Afghanistan); p. 12 (France); p. 14 (United States); p. 15 (Bosnia and Herzegovina); p. 19 (Austria); and p. 21 (Mexico).

<sup>409</sup> [S/PV.6464](#), pp. 2-3.

<sup>410</sup> Ibid., pp. 5-7.

<sup>411</sup> Ibid., p. 19 (Brazil); p. 31 (Canada); and p. 34 (European Union).

<sup>412</sup> [S/PV.6497](#), pp. 2 and 5.

<sup>413</sup> [S/PV.6574](#), p. 2.

On 29 September 2011, the Special Representative of the Secretary-General reported to the Council the tragic death of Mr. Rabbani, the former President and the chairman of the High Peace Council. He underlined the importance of ensuring a proper and rigorous vetting mechanism when implementing the Afghanistan Peace and Reintegration Programme.<sup>414</sup> The representative of Pakistan pointed out that the Committee established pursuant to resolution 1988 (2011) had delisted from the Consolidated List the person who had allegedly assassinated Mr. Rabbani.<sup>415</sup> The Special Representative of the Secretary-General, noting the increasing positive progress in the development of both the Afghan National Police and the Afghan National Army, reported that the transition was moving forward. He also referred to two crucial meetings, one to be held in Istanbul on 2 November and the other in Bonn on 5 December 2011, as an opportunity to reassure the Government of Afghanistan and its people that the international community would be with them in the long run.<sup>416</sup> The representative of India stated that for peace, stability and security in Afghanistan, it was imperative that the transition be linked to the realities on the ground rather than rigid timetables, and pointed out that the international community, in its hurry to withdraw from a combat role in Afghanistan, ignored that at its own peril.<sup>417</sup>

On 19 December 2011, the Under-Secretary-General for Peacekeeping Operations reported to the Council that he had attended the International Afghanistan Conference on Afghanistan and the International Community: from Transition to the Transformation Decade, held in Bonn on 5 December, which had reaffirmed the commitment of the international community to Afghanistan beyond 2014. Highlighting the crucial role of the United Nations in Afghanistan as elaborated in the declaration of the Conference, he informed the Council about the three future priorities underscored by the Secretary-General during meetings on the sidelines of the Conference: to provide security and development assistance; to promote and support an inclusive reconciliation process led by Afghans; and to continue to promote human rights. He stated that the transition of security responsibilities was proceeding apace, with the second

tranche of areas to be handed over to Afghan security as approved by President Karzai at the end of November.<sup>418</sup> At the same meeting, a presidential statement was adopted, in which the Council, inter alia, welcomed the declaration in Bonn that the process of transition, to be completed by the end of 2014, should be followed by a decade of transformation (2015-2024), in which Afghanistan would consolidate its sovereignty through strengthening a fully functioning, sustainable State in service of its people.<sup>419</sup>

#### **18 March 2010 to 19 December 2011: renewal of UNAMA mandate**

On 18 March 2010, the Under-Secretary-General for Peacekeeping Operations, in his briefing, told the Council that the work of UNAMA as an integrated mission and that of all United Nations agencies, funds and programmes must be continued, sustained and strengthened when necessary.<sup>420</sup> Concurring that UNAMA needed to be strengthened, speakers expressed their support for the extension of the Mission's mandate for another 12 months.<sup>421</sup> In particular, some speakers suggested that UNAMA focus on coordinating international humanitarian aid, supporting national electoral capacities and using its good offices to support the implementation of Afghan reconciliation programmes.<sup>422</sup> The representative of Australia stated that a renewed UNAMA mandate should also address the call for a better coordinated and civilian effort in Afghanistan to improve the impact of international civilian assistance, and the need for a more rigorous alignment of international assistance with clearly identified Afghan priorities, with UNAMA in the primary coordinating role in those activities.<sup>423</sup> The representative of Germany stated that the emphasis on Afghan ownership and the concept of transition of responsibility should be adequately reflected in the

<sup>414</sup> S/PV.6625, pp. 2-3.

<sup>415</sup> Ibid., p. 31.

<sup>416</sup> Ibid., pp. 2-3.

<sup>417</sup> Ibid., p. 21.

<sup>418</sup> S/PV.6690, pp. 2-4.

<sup>419</sup> S/PRST/2011/22.

<sup>420</sup> S/PV.6287, p. 4.

<sup>421</sup> Ibid., p. 6 (Afghanistan); p. 7 (Turkey); p. 10 (China); p. 12 (Austria); p. 20 (Nigeria); p. 22 (Japan); p. 23 (Gabon); p. 24 (European Union); p. 26 (Germany); p. 29 (Norway); p. 31 (Australia); p. 33 (Italy); and p. 34 (New Zealand).

<sup>422</sup> Ibid., p. 8 (Mexico); p. 9 (Brazil); p. 12 (France); and p. 15 (Bosnia and Herzegovina).

<sup>423</sup> Ibid., p. 31.

resolution of the Council and the mandate of UNAMA.<sup>424</sup>

On 22 March 2010, the Council adopted resolution 1917 (2010), in which it, inter alia, extended the mandate of UNAMA until 23 March 2011 and identified areas where UNAMA would lead the international civilian effort.<sup>425</sup> Following the adoption of the resolution, the representative of the Russian Federation stated that it reflected the concern of the Council regarding the deteriorating security situation in Afghanistan due to the growing terrorist activities of the Taliban and Al-Qaida. In that regard, his delegation noted a growing link between the terrorists in that country and drug traffickers. He noted with concern the information in the media about the intention of ISAF to cease destroying poppy fields in Afghanistan. He stressed that ISAF and the anti-terrorist coalition must continue actively and decisively to address the drug threat emanating from Afghanistan and to cooperate with the Government of Afghanistan on the issue. He warned that any attempt to bring the Taliban on board would be a grave mistake.<sup>426</sup>

On 17 March 2011, in a gesture of respect for the desire of the Afghan authorities for national sovereignty, the Special Representative of the Secretary-General requested that the representative of Afghanistan be allowed to address the Council before him. The representative of Afghanistan presented three requests from his Government concerning the UNAMA mandate in the light of the transition: (a) a comprehensive review of the Mission's mandate before the Bonn conference at the end of 2011; (b) greater coherence, coordination and efficiency in the work of the United Nations funds, programmes and agencies operating in Afghanistan towards "One United Nations"; and (c) reshaping the mandate of UNAMA around the transition. To that end, his Government proposed adjustments to the mandate of UNAMA regarding the Afghan leadership and the supporting role of UNAMA in the transition process, which ranged from the emphasis on the Mission's responsibility, as the co-chair of the Joint Coordination and Monitoring Board, to promote coherence in the international community's support for the Afghan-defined and Afghan-led development strategy to the

coordinating role of UNAMA in delivering humanitarian assistance.<sup>427</sup> The Special Representative of the Secretary-General saw the review of the UNAMA mandate as a good opportunity to streamline the activities of UNAMA and the United Nations family in a coherent effort to deliver as one.<sup>428</sup> Stressing that transition did not mean reduced international engagement, the representative of Germany was concerned that the technical capacity for the successful implementation of the Government's national priority programme was not yet in place. He called on UNAMA and other partners to redouble their efforts in support of the Government, in particular in regions and areas where early transition had been planned. Underlining the responsibility and commitment of the international community to empower Afghan institutions, he admitted that the amount of goodwill of development partners could also contribute to undermining Afghan solutions to Afghan problems. In that context, he supported a review of United Nations assistance in the perspective of the next mandate renewal in March 2012, as soon as the Council was in a position to evaluate, on an informed basis, first experiences with transition and reconciliation.<sup>429</sup>

On 22 March 2011, the Council adopted resolution 1974 (2011), by which, inter alia, it extended the mandate of UNAMA until 23 March 2012, identified the priority areas where UNAMA should continue to lead international civilian efforts, and requested a comprehensive review of the mandated activities by the end of 2011, including first experiences with the transition.

On 19 December 2011, the Under-Secretary-General for Peacekeeping Operations reported to the Council that the process of reviewing the Mission's mandated activities and United Nations support in Afghanistan was under way. The inter-agency team appointed by the Secretary-General to conduct the review would compile their findings and recommendations to inform the Council's discussions related to renewal of the mandate in March 2012.<sup>430</sup> Recognizing the crucial role that UNAMA would continue to play in the transition process, as highlighted in the Istanbul and Bonn conferences, speakers expressed interest in the upcoming review

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<sup>424</sup> Ibid., p. 26.

<sup>425</sup> For more information on UNAMA, see part X, sect. II, "Political and peacebuilding missions".

<sup>426</sup> S/PV.6290, pp. 2-3.

<sup>427</sup> S/PV.6497, pp. 2-4.

<sup>428</sup> Ibid., p. 5.

<sup>429</sup> Ibid., pp. 7-8.

<sup>430</sup> S/PV.6690, p. 5.

findings.<sup>431</sup> The representative of China expressed the hope that the review of the mandate would strengthen the central role of the United Nations in coordinating the efforts of the international community to assist Afghanistan and that the United Nations would strengthen coordination with Afghanistan and listen to and respect its views in the review process.<sup>432</sup>

### 6 January 2010 to 22 December 2010: parliamentary elections

On 6 January 2010, the Special Representative of the Secretary-General informed the Council that the Independent Electoral Commission had announced that the parliamentary elections would take place on 22 May, in accordance with the Constitution. Noting the technical challenges to keeping that timeline, he suggested that the elections could be held later that year without violating the relevant laws.<sup>433</sup> However, the representative of Afghanistan felt that the timeline should be upheld because any suggestion that the elections be postponed ignored the constitutional requirements and would damage the integrity of the process.<sup>434</sup> Several speakers noted that the electoral process should be reformed ahead of the upcoming parliamentary elections.<sup>435</sup> The representative of France stressed that the elections should be held in conditions that ensured a free and democratic choice.<sup>436</sup>

In his briefing to the Council on 18 March 2010, the Under-Secretary-General for Peacekeeping Operations stated that the upcoming National Assembly elections could be another milestone in highlighting the primacy of the constitutional imperative in leading Afghanistan's future, as well as the agreed common strategy of transitioning to increased Afghan ownership and leadership. On the basis of the commitment on electoral reform agreed with the Government of Afghanistan at the London Conference, he stressed the need for collective support to the Government in progressing on that reform

agenda.<sup>437</sup> Expressing their general support for electoral reform, several representatives emphasized that lessons should be drawn from the presidential elections of 2009 to ensure the credibility and transparency of the forthcoming parliamentary elections.<sup>438</sup> In that regard, the representative of Mexico urged the appointment of a new electoral complaints commission, the adoption of measures to assert the independence of the Independent Electoral Commission, the launch of an investigation of alleged fraud in the most recent elections and the guaranteed participation of women and minorities.<sup>439</sup> Stressing the crucial importance of undertaking all reforms in a transparent manner, the representative of Canada noted with concern reports that changes had been recently made to the electoral law that might decrease the independence of the Electoral Complaints Commission.<sup>440</sup>

On 30 June 2010, the Special Representative of the Secretary-General informed the Council that UNAMA had proposed and, with the cooperation of the international community in Kabul, had received approval for implementation guidelines for the elections, resolving an institutional stalemate between the two institutions of the presidency and the Loya Jirga, which could have blocked the election process. He stated that the effort had produced three results: first, the creation of a new electoral chairmanship and a new electoral aid team; secondly, the presence of international commissioners, whose consensus was needed for the Electoral Complaints Commission to take a decision, and thirdly, a guarantee of sixty-eight seats in the Afghan Parliament for women. While warning that security would be the main challenge to the elections, he affirmed that elections were moving ahead in the right direction, with 30,000 new voters registered and 12.5 million people expected to vote.<sup>441</sup> The representative of Afghanistan also confirmed that the Afghan-led parliamentary election process was well under way, with 2,577 candidates, including 406 women, standing for 249 seats.<sup>442</sup>

<sup>431</sup> *Ibid.*, pp. 13-14 (United States); p. 18 (France); p. 21 (United Kingdom); and pp. 31-32 (European Union).

<sup>432</sup> *Ibid.*, p. 20.

<sup>433</sup> *S/PV.6255*, p. 7.

<sup>434</sup> *Ibid.*, p. 10.

<sup>435</sup> *Ibid.*, p. 11 (Turkey); p. 13 (Bosnia and Herzegovina); p. 14 (Austria); p. 18 (United States); p. 20 (Brazil); p. 22 (France); p. 27 (Canada); p. 30 (Australia); p. 33 (Norway); and p. 34 (European Union).

<sup>436</sup> *Ibid.*, p. 22.

<sup>437</sup> *S/PV.6287*, p. 3.

<sup>438</sup> *Ibid.*, p. 8 (Mexico); p. 12 (France); p. 14 (United States); p. 17 (United Kingdom); p. 18 (Lebanon); p. 22 (Japan); p. 25 (European Union); pp. 31-32 (Australia); and p. 33 (Italy).

<sup>439</sup> *Ibid.*, p. 9.

<sup>440</sup> *Ibid.*, p. 24.

<sup>441</sup> *S/PV.6351*, pp. 3-4.

<sup>442</sup> *Ibid.*, p. 8.

On 29 September 2010, the Special Representative of the Secretary-General reported to the Council that the holding of the elections was an achievement in itself, while the outcome of the elections remained to be seen. He noted a significant improvement in the work of the Independent Electoral Commission in the elections compared with the presidential elections of 2009, despite immense security and logistical challenges. He stated that 3,900 complaints had been received thus far and that a decision on the final outcome of the elections was likely to be taken around 30 October.<sup>443</sup> The representative of Afghanistan said that the elections were a major victory for democracy in Afghanistan.<sup>444</sup>

On 22 December 2010, the Special Representative of the Secretary-General informed the Council that with the certification of all results by the Independent Electoral Commission and the Electoral Complaints Commission on 30 November 2010, the electoral process was procedurally concluded. He welcomed the decision by President Karzai to inaugurate the new Parliament by the end of January 2011.<sup>445</sup> Praising the certification of the election results, several speakers commended the work of the two electoral

commissions.<sup>446</sup> While recognizing that the electoral bodies had been strengthened since the presidential elections in 2009, the representative of Mexico highlighted the challenges faced by Afghanistan in the area of institutional capacity-building, as demonstrated by the high number of irregularities and complaints submitted to the Electoral Complaints Commission. He pointed out that it was important to plan an electoral reform for the long term, with a view to strengthening the capacities of the electoral authorities.<sup>447</sup> Several speakers opined that the successful holding of the elections should serve as a foundation to press forward longer-term electoral reform.<sup>448</sup>

**13 October 2010 and 12 October 2011:  
extension of the mandate of ISAF**

In its resolutions [1943 \(2010\)](#) and [2011 \(2011\)](#), adopted on 13 October 2010 and 12 October 2011, respectively, the Council decided to extend the authorization of ISAF for a period of one year each time.

<sup>443</sup> [S/PV.6394](#), pp. 3-4.

<sup>444</sup> *Ibid.*, p. 6.

<sup>445</sup> [S/PV.6464](#), pp. 4-5.

<sup>446</sup> *Ibid.*, p. 8 (Turkey); p. 8 (Bosnia and Herzegovina); p. 11 (United Kingdom); p. 12 (Japan); p. 14 (Nigeria); p. 21 (Austria); p. 22 (Gabon); p. 31 (Canada); and p. 33 (European Union).

<sup>447</sup> *Ibid.*, p. 16.

<sup>448</sup> *Ibid.*, p. 9 (Bosnia and Herzegovina); p. 11 (United Kingdom); p. 12 (Japan); p. 14 (Nigeria); p. 21 (Austria); p. 23 (United States); p. 33 (Australia); and p. 33 (European Union).

**Meetings: the situation in Afghanistan**

| <i>Meeting and date</i>                | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i>                                    | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                                      | <i>Decision and vote (for-against-abstaining)</i> |
|--|--|------------------------|---|--|--|---|
| <a href="#">6255</a><br>6 January 2010 | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2009/674</a> ) |                        | Afghanistan, Australia, Canada, New Zealand, Norway, Pakistan | Special Representative of the Secretary-General for Afghanistan and Head of UNAMA, Acting Head of the Delegation of the European Union to the United Nations | Secretary-General, all Council members, all invitees |   |
| <a href="#">6287</a><br>18 March 2010  | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security ( <a href="#">S/2010/127</a> ) |                        | 11 Member States <sup>a</sup>                                 | Under-Secretary-General for Peacekeeping Operations, Chargé d'affaires of the Delegation of the European Union   | All Council members and all invitees                 |   |



## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>      | <i>Sub-item</i>   | <i>Other documents</i>                            | <i>Rule 37 invitations</i>  | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|------------------------------|---|---|---|--|--------------------------------------|---|
| 6290<br>22 March<br>2010     | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2010/127)  | Draft resolution submitted by Turkey (S/2010/147) | Afghanistan   |  | Turkey, Russian Federation           | Resolution 1917 (2010)<br>15-0-0                  |
| 6351<br>30 June<br>2010      | Report of the Secretary-General pursuant to paragraph 40 of resolution 1917 (2010) (S/2010/318)<br><br>Letter dated 14 June 2010 from the President of the Security Council addressed to the Secretary-General (S/2010/325) |   | Afghanistan, Australia, Canada, Germany, India, Italy, Norway, Pakistan   | Special Representative of the Secretary-General, Acting Head of the Delegation of the European Union | All Council members and all invitees |   |
| 6394<br>29 September<br>2010 | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2010/463)  |   | Afghanistan (Minister for Foreign Affairs), Australia, Canada, Germany, India, Italy, New Zealand, Norway, Pakistan | Special Representative of the Secretary-General, Head of the Delegation of the European Union        | All Council members and all invitees |   |
| 6395<br>13 October<br>2010   |   | Draft resolution submitted by Turkey (S/2010/518) | Afghanistan   |  |                                      | Resolution 1943 (2010)<br>15-0-0                  |
| 6464<br>22 December<br>2010  | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2010/630)  |   | Afghanistan, Australia, Canada, Germany, India, Iran (Islamic Republic of), Italy, Pakistan                         | Special Representative of the Secretary-General, Deputy Head of the Delegation of the European Union | All Council members and all invitees |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>      | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i>  | <i>Rule 39 and<br/>other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|------------------------------|--|---|---|--|--------------------------------------|---|
| 6497<br>17 March<br>2011     | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2011/120) | Letter from the Minister for Foreign Affairs of Afghanistan concerning the new mandate of UNAMA (S/2011/118, annex)   | Afghanistan, Australia, Canada, Iran (Islamic Republic of), Italy, Japan, New Zealand, Norway, Pakistan, Turkey | Special Representative of the Secretary-General, Acting Head of the Delegation of the European Union |                                      |   |
| 6500<br>22 March<br>2011     | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2011/120) | Draft resolution submitted by Germany (S/2011/147)<br><br>Letter from the Minister for Foreign Affairs of Afghanistan concerning the new mandate of UNAMA (S/2011/118, annex) | Afghanistan   |  | Afghanistan                          | Resolution 1974 (2011) 15-0-0                         |
| 6574<br>6 July<br>2011       | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2011/381) |   | Afghanistan, Canada, Japan, Pakistan, Turkey  | Special Representative of the Secretary-General, Acting Head of the Delegation of the European Union | All Council members and all invitees |   |
| 6625<br>29 September<br>2011 | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2011/590) |   | Afghanistan, Australia, Canada, Japan, Kyrgyzstan, Pakistan, Turkey   | Special Representative of the Secretary-General, Acting Head of the Delegation of the European Union | All Council members and all invitees |   |
| 6629<br>12 October<br>2011   |  | Draft resolution submitted by Germany (S/2011/630)  | Afghanistan   |  |                                      | Resolution 2011 (2011) 15-0-0                         |

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|--|------------------------|-------------------------------|--|--------------------------------------|---|
| 6690<br>19 December<br>2011 | Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2011/772) |                        | 11 Member States <sup>b</sup> | Under-Secretary-General for Peacekeeping Operations, Special Representative of the Secretary-General, former Special Representative of the Secretary-General, Head of the Delegation of the European Union | All Council members and all invitees | <a href="#">S/PRST/2011/22</a>                    |

<sup>a</sup> Afghanistan, Australia, Canada, Germany, India, Italy, Netherlands, New Zealand, Norway, Pakistan and Poland.

<sup>b</sup> Afghanistan (Deputy Minister for Foreign Affairs), Australia, Canada, Iran (Islamic Republic of), Japan, Liechtenstein, Malaysia, New Zealand, Norway, Pakistan and Turkey.

## 20. Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council

### Overview

During the period under review, the Security Council held nine meetings and adopted three resolutions and one presidential statement in connection with the item entitled “Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council”.<sup>449</sup> At the meetings, senior officials of the Secretariat briefed the Council on the progress of the peace process in Nepal and the work of the United Nations Mission in Nepal (UNMIN). The mandate of UNMIN was renewed three times in 2010, and was terminated on 15 January 2011 after a four-year engagement.<sup>450</sup>

### 15 and 21 January 2010: progress in the peace process

On 15 January 2010, the Representative of the Secretary-General in Nepal and Head of the United Nations Mission in Nepal reported on positive developments in the peace process that had been

initiated with the signing of the 12-point understanding in 2005 and solidified in the Comprehensive Peace Agreement a year later. Positive developments included the establishment of a high-level political mechanism to deal with outstanding peace process issues, including the drafting of a new constitution and the rehabilitation of Maoist army personnel. She noted, however, that growing political instability and the lack of a credible and independent national monitoring mechanism to oversee the implementation of the Agreement could undermine the overall peace process. In that regard, she encouraged the parties to agree, within the Special Committee established to address the supervision, integration and rehabilitation of Maoist army personnel, on the modalities of integration of army personnel into the security forces and on rehabilitation. She stressed that the major peace process actors needed to establish a timeline with clear benchmarks for the withdrawal of UNMIN.<sup>451</sup>

In resolution [1909 \(2010\)](#) of 21 January 2010, noting that the deadline for the promulgation of the new democratic constitution was 28 May 2010, the Council welcomed the understanding between the

<sup>449</sup> [S/2006/920](#).

<sup>450</sup> Resolutions [1909 \(2010\)](#), [1921 \(2010\)](#) and [1939 \(2010\)](#). For more information on the mandate of UNMIN, see part X, sect. II, “Political and peacebuilding missions”.

<sup>451</sup> [S/PV.6260](#), pp. 2-5.

Government of Nepal and the Unified Communist Party of Nepal (Maoist) on having a timetabled action plan for the integration and rehabilitation of Maoist army personnel by 15 May 2010, and called upon them to work together to ensure its completion and implementation, renewing the mandate of UNMIN until the same date.

**5 May 2010 to 15 September 2010: briefings  
on the status of the peace process and final  
extension of mandate of UNMIN**

On 5 May 2010, the Representative of the Secretary-General in Nepal reported that it was a critical moment in the peace process as negotiators worked to resolve the current stand-off, including a general strike, between Maoist supporters and the Government. She stated that tensions had worsened and, especially in the light of the slow progress in meeting the deadline for the new constitution, concerns had been expressed as to the future course of the peace process. In response to widespread alarm over a political vacuum being created after 28 May, the date on which the new constitution was to be promulgated, negotiations were underway to extend the tenure of the Constituent Assembly. Also under negotiation was the reintegration and rehabilitation of nearly 20,000 Maoist army personnel, which required a carefully planned and managed process of implementation. She noted the ongoing discussions concerning the withdrawal of UNMIN, as well as the different points of view expressed by stakeholders with respect to the role played by the Mission in providing support and facilitation within its mandate to the nationally driven peace process.<sup>452</sup>

On 12 May 2010, the Council adopted resolution [1921 \(2010\)](#), in which it renewed the mandate of UNMIN until 15 September 2010. Underlining the fact that the existing arrangements had been conceived as temporary measures, rather than long-term solutions, the Council decided that UNMIN should immediately begin to make the arrangements necessary for its withdrawal, including handing over any residual monitoring responsibilities by 15 September 2010. In addition, expressing its concern at the recent tensions, the Council called upon all sides to resolve their differences through peaceful negotiation.

<sup>452</sup> [S/PV.6308](#), pp. 2-5.

On 7 September 2010, the Representative of the Secretary-General in Nepal noted that the report of the Secretary-General<sup>453</sup> presented a discouraging picture of the state of the peace process and the failure of the political parties to invest in its revival. Negotiations to form a national consensus government had failed, and the Government and the opposition were in disagreement over the role of UNMIN in the peace process. In respect of the interrelated issues of power-sharing, the completion of the new constitution and the integration of Maoist army personnel, she noted that the existing void in the peace process illustrated a long-standing reluctance to invest in the kind of negotiations that might drive progress. She recalled that UNMIN monitored strictly at the invitation of the parties and with their agreement. In the absence of a renewed agreement between the parties, UNMIN could not continue to monitor one side at the request of the other, nor did it have the authority to introduce fundamental changes to the monitoring regime. She stressed that overall political progress was required for UNMIN to perform its supportive tasks and recalled that the Secretary-General, in his report, had proposed a discussion of the mandate of the Mission with a new, duly formed Government, in the context of the parties' fulfilment of their commitments and the phasing-out of UNMIN. The Secretary-General would then report back to the Council, and if no consensus emerged, alternative measures would be proposed, including the termination of the mission's mandate.<sup>454</sup>

The representative of Nepal stated that they would have liked to see a more balanced, nuanced and reflective assessment of the situation in the report of the Secretary-General. He called for appropriate recognition of the efforts of the Government to move the peace process forward, including accelerating the constitution-building process in the Constituent Assembly.<sup>455</sup>

On 15 September 2010, the Council adopted resolution [1939 \(2010\)](#), in which it decided to terminate UNMIN on 15 January 2011, and requested the Secretary-General to report by 15 October 2010 on the implementation of the four-point agreement of 13 September 2010 between the caretaker Government of Nepal and the political parties. The agreement entailed the finalization of documents prepared in the

<sup>453</sup> [S/2010/453](#).

<sup>454</sup> [S/PV.6377](#), pp. 2-6.

<sup>455</sup> *Ibid.*, pp. 6-8.

Special Committee with an understanding to forge ahead on the peace process, and their implementation; the bringing of the combatants of the Maoist army under the Special Committee; the completion of the remaining tasks of the peace process by 14 January 2011; and the final extension of the UNMIN mandate for a further four months.

**14 October 2010 and 5 January 2011:  
briefings on concluding the work of UNMIN  
and consideration of transition and  
post-UNMIN periods**

On 14 October 2010, the Under-Secretary-General for Political Affairs, following his recent visit to Nepal, briefed the Council on his assessment of the state of the peace process. He reported that despite the parties' efforts, the political impasse remained, and that it was too early to conclude that the parties were on a course that would lead to implementation of the 13 September agreement before 15 January 2011. He pointed out that UNMIN, initially established with a one-year mandate and conceived as a focused mission of limited duration, had largely accomplished its tasks. He said that the Mission's presence had been extended seven times at the request of the parties, without any adjustment in its mandate that might have enabled it to deliver more effective support to resolve the ongoing disputes. Highlighting the unfulfilled commitments by the parties and the Government as well as the controversies to which UNMIN had been subjected, he stated that the United Nations was not in favour of repeated extensions of the Mission's mandate in a climate that undermined its ability to function effectively.<sup>456</sup>

On 5 January 2011, looking back on the work of UNMIN 10 days before the conclusion of its four-year engagement, the Representative of the Secretary-General in Nepal recalled that UNMIN had been established to assist Nepal in holding successful elections to the Constituent Assembly in 2008 by monitoring the arms and armies of the Government and Maoist sides, providing assistance to the Independent

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<sup>456</sup> S/PV.6398, pp. 2-5.

Electoral Commission and assisting in the monitoring of the ceasefire code of conduct. She stressed that the Mission would have benefited from a review of its mandate after the elections. She highlighted the strong divisions among the parties and the persistent political stalemate, especially in respect of the future of Maoist army personnel and the promulgation of a new constitution. Despite political gains harvested throughout the process, she warned against remaining threats such as possible revolt or army-backed coup. With regard to the transition period until the drawdown of the Mission scheduled on 15 January 2011, she stressed that no consensus had been reached over the creation of a mechanism to which UNMIN could hand over its monitoring responsibilities; therefore, a legal void could be expected after the departure of the mission. On the political front, she regretted that important pending issues had not been resolved such as the formation of a new government and the rehabilitation of Maoist Army personnel. Despite some progress made on the constitution, meeting the 28 May 2011 deadline for its promulgation was unlikely. The representative concluded that the United Nations would remain engaged and continue to make its contribution to the success of the peace process.<sup>457</sup>

**14 January 2011: adoption of a presidential  
statement preceding the departure of UNMIN**

On 14 January 2011, the day prior to the termination of the Mission, the Council adopted a presidential statement, in which it called upon the parties to redouble their efforts to fulfil their commitments under the Comprehensive Peace Agreement, and encouraged the caretaker Government of Nepal to complete its new constitution within the foreseen time frame. It also welcomed the ongoing engagement of the Secretary-General and United Nations bodies as they continued to be supportive of the peace process, and reaffirmed its own support for it.<sup>458</sup>

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<sup>457</sup> S/PV.6465, pp. 2-7.

<sup>458</sup> S/PRST/2011/1.

**Meetings: letter dated 22 November 2006 from the Secretary-General addressed to the President of  
the Security Council**

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other invitations</i>                                    | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-----------------------------|--|--|--------------------------------|---|-----------------|---|
| 6260<br>15 January<br>2010  | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/17)  | Letter from the representative of Nepal requesting a 4-month extension of UNMIN mandate (S/2010/25, annex)   | Nepal                          | Representative of the Secretary-General in Nepal and Head of UNMIN in Nepal | All invitees    |   |
| 6262<br>21 January<br>2010  | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/17)  | Draft resolution submitted by United Kingdom (S/2010/32)<br><br>Letter from the representative of Nepal requesting a 4-month extension of UNMIN mandate (S/2010/25, annex)   | Nepal                          |   |                 | Resolution 1909 (2010) 15-0-0                         |
| 6308<br>5 May 2010          | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/214) | Letter from the representative of Nepal requesting a 4-month extension of UNMIN mandate (S/2010/229, annex)  | Nepal                          | Representative of the Secretary-General in Nepal                            | All invitees    |   |
| 6311<br>12 May 2010         | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of the peace process (S/2010/214) | Draft resolution submitted by United Kingdom (S/2010/236)<br><br>Letter from the representative of Nepal requesting a 4-month extension of UNMIN mandate (S/2010/229, annex) | Nepal                          |   |                 | Resolution 1921 (2010) 15-0-0                         |
| 6377<br>7 September<br>2010 | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/453) |  | Nepal                          | Representative of the Secretary-General in Nepal                            | All invitees    |   |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>      | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>             | <i>Speakers</i>                               | <i>Decision and vote (for-against-abstaining)</i> |
|------------------------------|--|--|----------------------------|--|---|---|
| 6385<br>15 September<br>2010 | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/453) | Draft resolution submitted by United Kingdom (S/2010/476)<br><br>Letter from the representative of Nepal requesting a 4-month extension of UNMIN mandate (S/2010/472)<br><br>Letter from the Chairman of the Unified Communist Party of Nepal (Maoist) requesting a 6-month extension of UNMIN mandate (S/2010/473)<br><br>Letter from the Secretary-General transmitting the requests of the Prime Minister of Nepal and the Chairman of the Unified Communist Party of Nepal (Maoist), respectively, for a 4-month extension of UNMIN mandate (S/2010/474) | Nepal                      |  |   | Resolution 1939 (2010) 15-0-0                     |
| 6398<br>14 October<br>2010   |  |  | Nepal                      | Under-Secretary-General for Political Affairs    | Under-Secretary-General for Political Affairs |   |
| 6465<br>5 January<br>2011    | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/658) | Letter from the Secretary-General transmitting three letters on post-withdrawal issues, one from the caretaker Government of Nepal and two from the Chairman of the Unified Communist Party of Nepal (Maoist) (S/2011/1)   | Nepal                      | Representative of the Secretary-General in Nepal | All invitees                                  |   |

| <i>Meeting and date</i>    | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other invitations</i> | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|----------------------------|--|------------------------|--------------------------------|--|-----------------|---|
| 6466<br>14 January<br>2011 | Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/658) |                        | Nepal                          |  |                 | S/PRST/2011/1   |

## **21. Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council and other relevant letters**

### **Overview**

During the period under review, the Security Council held one meeting and adopted one presidential statement in connection with the item entitled “Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters”. In a statement by the president dated 9 July 2010, the Council deplored the attack on 26 March 2010, which led to the

sinking of the Republic of Korea naval ship *Cheonan*, with the loss of 46 lives. The Council underscored the importance of preventing further such attacks or hostilities against the Republic of Korea or in the region, called for full adherence to the Korean Armistice Agreement and encouraged the settlement of outstanding issues by peaceful means.<sup>459</sup>

<sup>459</sup> S/PRST/2010/13.

### **Meeting: letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council and other relevant letters**

| <i>Meeting and date</i> | <i>Sub-item</i> | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other invitations</i> | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-------------------------|-----------------|---|--------------------------------|--|---|
| 6355<br>9 July 2010     |                 | Letter from the representative of the Republic of Korea to the President of the Security Council (S/2010/281)                     |                                |  | S/PRST/2010/13  |
|                         |                 | Letter from the representative of the Democratic People’s Republic of Korea to the President of the Security Council (S/2010/294) |                                |  |   |
|                         |                 | Letter from the representative of the Democratic People’s Republic of Korea to the President of the Security Council (S/2010/343) |                                |  |   |
|                         |                 | Letter from the representative of the Republic of Korea to the President of the Security Council (S/2010/349)                     |                                |  |   |
|                         |                 | Letter from the representative of the Democratic People’s Republic of Korea to the President of the Security Council (S/2010/358) |                                |  |   |



## 22. Letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council

### Overview

During the period under review, the Security Council held one meeting in a closed session in connection with the item entitled “Letter dated 18 December 2010 from the Permanent Representative

of the Russian Federation to the United Nations addressed to the President of the Security Council”.<sup>460</sup>

<sup>460</sup> [S/2010/646](#).

### Meeting: letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council

| <i>Meeting and date</i>           | <i>Sub-item</i> | <i>Rule 37 invitations</i>                                  | <i>Rule 39 and other invitations</i>          | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------------|-----------------|---|---|--------------------------------------|---|
| 6456 (closed)<br>19 December 2010 |                 | Democratic People’s Republic of Korea,<br>Republic of Korea | Under-Secretary-General for Political Affairs | All Council members and all invitees |   |

## 23. Letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council

### Overview

During the period 2010-2011, the Security Council held one meeting in closed session in connection with the item entitled “Letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United

Nations addressed to the President of the Security Council”.<sup>461</sup>

<sup>461</sup> [S/2011/58](#).

### Meeting: letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council

| <i>Meeting and date</i>           | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   |
|-----------------------------------|-------------------------------|---|---|
| 6480 (closed)<br>14 February 2011 | 28 Member States <sup>a</sup> | Under-Secretary-General for Political Affairs, Chair of the Association of Southeast Asian Nations <sup>b</sup> | All Council members, Cambodia, Thailand, all invitees under rule 39 |

<sup>a</sup> Argentina, Australia, Belgium, Brunei Darussalam, Cambodia (Deputy Prime Minister and Minister for Foreign Affairs and International Cooperation), Canada, Croatia, Egypt, Finland, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Lao People’s Democratic Republic, Malaysia, Mexico, Myanmar, New Zealand, Norway, Philippines, Poland, Romania, Singapore, Spain, Thailand (Minister for Foreign Affairs), Turkey and Viet Nam.

<sup>b</sup> Indonesia was represented by the Minister for Foreign Affairs.

## Europe

### 24. The situation in Cyprus

#### Overview

During the period under review, the Security Council held eight meetings, including four held in private with the troop-contributing countries,<sup>462</sup> and adopted four resolutions on the situation in Cyprus. The Council considered various aspects of the political situation in Cyprus, including developments relevant to the mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP).<sup>463</sup> In addition, the Council focused on the good offices of the Secretary-General on demarcation of the buffer zone separating the two rival communities, as well as on efforts to enable both sides to continue to work with UNFICYP and reach a comprehensive settlement.

The Council extended the mandate of UNFICYP four times for periods of six months each,<sup>464</sup> in accordance with the recommendations contained in the reports of the Secretary-General.

#### 15 June 2010 to 14 December 2011: extension of mandate of UNFICYP

On 15 June 2010, the Council adopted resolution [1930 \(2010\)](#), in which it welcomed the progress made so far in the fully fledged negotiations, and extended the mandate of UNFICYP for a period of six months until 15 December 2010. The Council called upon both sides to continue to engage in consultations with UNFICYP on the demarcation of the buffer zone, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues. The Council called upon the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000.

On 14 December 2010, by resolution [1953 \(2010\)](#), the Council extended the mandate of UNFICYP for a further period of six months ending 15 June 2011. Taking note of the recommendations

contained in the report of the Secretary-General,<sup>465</sup> the Council called upon the Greek Cypriot and Turkish Cypriot leaders to intensify the momentum of negotiations, and engage in the process in a constructive and open manner, including by developing a practical plan for overcoming the major remaining points of disagreement in preparation for their meeting with the Secretary-General in January 2011. In addition, the Council called upon the parties to improve the public atmosphere in which the negotiations were proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages, and to increase the participation of civil society in the process, as appropriate.

The Council adopted resolutions [1930 \(2010\)](#) and [1953 \(2010\)](#), each by 14 votes to 1 (Turkey). The representative of Turkey, in explanation of the vote, stated that since the adoption of resolution [186 \(1964\)](#), which established UNFICYP, all subsequent Council resolutions extending the mandate of the Mission were still being formulated as if there were only one side on the island. He stated that since 1963, there had not been a joint and constitutional Government representing the whole of Cyprus. For over 46 years, considering the Greek Cypriot Government to be the Government of the whole island had been the main obstacle in the way of finding a just, lasting and comprehensive solution. He expressed the view that open consent of both parties on the island should have been sought.<sup>466</sup> He welcomed the Secretary-General's determination to keep UNFICYP under close review, but expressed concern that his intention to conduct a broader assessment, which the Secretary-General strongly emphasized in both reports,<sup>467</sup> was not reflected in the Council's decision. Nevertheless, he stated that Turkey would continue to fully support the Secretary-General in his efforts, and reaffirmed the willingness of the Turkish side to continue to implement the provisions of the relevant resolutions and cooperate with UNFICYP.<sup>468</sup>

<sup>462</sup> 6331st, 6435th, 6550th and 6676th meetings.

<sup>463</sup> For more information on the mandate of UNFICYP, see part X, sect. I, "Peacekeeping operations".

<sup>464</sup> Resolutions [1930 \(2010\)](#), [1953 \(2010\)](#), [1986 \(2011\)](#) and [2026 \(2011\)](#).

<sup>465</sup> [S/2010/603](#).

<sup>466</sup> [S/PV.6339](#), pp. 2-3; and [S/PV.6445](#), pp. 2-3.

<sup>467</sup> [S/2010/603](#) and [S/2010/605](#).

<sup>468</sup> [S/PV.6445](#), pp. 2-3.

On 13 June 2011, the Council unanimously adopted resolution [1986 \(2011\)](#), in which it decided to extend the mandate of UNFICYP for a further period of six months ending 15 December 2011. It called upon both sides to work on reaching convergences on the remaining core issues in preparation for their meeting with the Secretary-General in July 2011, and to allow access to deminers and facilitate the removal of the remaining mines in Cyprus within the buffer zone. In addition, the Council urged all parties to be more forthcoming in accommodating the exhumation

requirements of the Committee for Missing Persons throughout the island, including in military areas in the north, and to extend demining operations outside the buffer zone.

On 14 December 2011, in resolution [2026 \(2011\)](#), the Council decided to extend the mandate of UNFICYP for a further period ending 19 July 2012. It welcomed the encouraging progress made so far in the fully fledged negotiations, and the prospect of further decisive progress in the coming months towards a comprehensive and durable settlement.

### Meetings: the situation in Cyprus

| <i>Meeting and date</i>                  | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i>             |
|--|---|---|----------------------------|--------------------------------------|-----------------|---|
| <a href="#">6339</a><br>15 June 2010     | Report of the Secretary-General on the United Nations operation in Cyprus ( <a href="#">S/2010/264</a> )<br><br>Report of the Secretary-General on his mission of good offices in Cyprus ( <a href="#">S/2010/238</a> ) | Draft resolution submitted by China, France, Russian Federation, United Kingdom, United States ( <a href="#">S/2010/311</a> ) |                            |                                      | Turkey          | Resolution <a href="#">1930 (2010)</a><br>14-1-0 <sup>a</sup> |
| <a href="#">6445</a><br>14 December 2010 | Report of the Secretary-General on the United Nations operation in Cyprus ( <a href="#">S/2010/605</a> )<br><br>Report of the Secretary-General on his mission of good offices in Cyprus ( <a href="#">S/2010/603</a> ) | Draft resolution submitted by China, France, Russian Federation, United Kingdom, United States ( <a href="#">S/2010/631</a> ) |                            |                                      | Turkey          | Resolution <a href="#">1953 (2010)</a><br>14-1-0 <sup>b</sup> |

| <i>Meeting and date</i>  | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other invitations</i> | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|--------------------------|---|---|--------------------------------|--|-----------------|---|
| 6554<br>13 June 2011     | Report of the Secretary-General on the United Nations operation in Cyprus (S/2011/332)<br><br>Assessment report of the Secretary-General on the status of the negotiations in Cyprus (S/2011/112) | Draft resolution submitted by China, France, Russian Federation, United Kingdom, United States (S/2011/355) |                                |  |                 | Resolution 1986 (2011)<br>15-0-0                      |
| 6685<br>14 December 2011 | Report of the Secretary-General on the United Nations operation in Cyprus (S/2011/746 and S/2011/746/Corr.1)  | Draft resolution submitted by China, France, Russian Federation, United Kingdom, United States (S/2011/771) |                                |  |                 | Resolution 2026 (2011)<br>15-0-0                      |

<sup>a</sup> For: Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Uganda, United Kingdom, United States; *against*: Turkey.

<sup>b</sup> For: Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Uganda, United Kingdom, United States; *against*: Turkey.

## 25. Items relating to the situation in the former Yugoslavia

### A. The situation in Bosnia and Herzegovina

#### Overview

During the period under review, the Security Council held six meetings on the situation in Bosnia and Herzegovina, adopting two resolutions. The High Representative for Bosnia and Herzegovina briefed the Council four times on the evolving political and security situation and on the current and future challenges facing the country. During the meetings the Council discussed the political situation and role of the High Representative, the multinational stabilization force (European Union Force — EUFOR), and the North Atlantic Treaty Organization (NATO) in the country as mandated to ensure continued compliance with the General Framework Agreement for Peace in

Bosnia and Herzegovina (Dayton Agreement)<sup>469</sup> that ended the fighting in Bosnia and Herzegovina in 1995.

The Council twice extended the authorization of the EUFOR and NATO presence for periods of 12 months each, including authorization for the participating Member States to take all necessary measures to assist both organizations in carrying out their missions.<sup>470</sup>

<sup>469</sup> S/1995/999.

<sup>470</sup> Resolutions 1948 (2010) and 2019 (2011). For more information on the mandate of EUFOR, see part VIII, sect. III., “Recognition by the Security Council of the efforts of regional arrangements in the pacific settlement of disputes”.

### **24 May and 11 November 2010: briefings by the High Representative**

On 24 May 2010, the Council was briefed by the High Representative for Bosnia and Herzegovina. He congratulated Bosnia and Herzegovina for its 18 years of membership of the United Nations. In his statement he outlined the progress achieved so far in relation to, *inter alia*, Euro-Atlantic integration, an agreement with NATO on a membership action plan for Bosnia and Herzegovina, the destruction of unsafe weapons and explosives left over from the war, and regional reconciliation, and he highlighted the contribution of Bosnia and Herzegovina to the work of the Organization as a non-permanent member of the Council. Pointing out the current and future challenges of the country, the High Representative expressed concern over attempts by the leadership of the Republika Srpska to hold a referendum that would seek to repudiate his authority as well as decisions made under the Dayton Agreement. He stated that the country remained afflicted by lack of a basic and fundamental consensus about what sort of country it should or could be — whether a more centralized or a very decentralized State. The situation was exacerbated by a divided Government, a rise in the unemployment level, lack of constitutional reform and ethnic divisions. Referring to the October elections, he urged all parties to use their campaigns to create momentum for positive change. He called upon all parties to respect the Dayton Agreement and to foster a constructive atmosphere of reform. Finally, he praised the continuing commitment of the European Union in accompanying the country on the path to stability.<sup>471</sup>

In his statement, the Chairman of the Presidency of Bosnia and Herzegovina highlighted the challenges and significant progress achieved during the 18 years since Bosnia and Herzegovina had become a member of the United Nations, including its current status as a non-permanent member of the Council. He highlighted the lack of domestic progress on the “so-called entity voting mechanism” and the systemic violations of the Dayton Agreement. He called on the Council to uphold the commitments of the Dayton Agreement and to remain the guardian of peace and stability in Bosnia and Herzegovina and the entire region.<sup>472</sup>

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<sup>471</sup> S/PV.6319, pp. 2-5.

<sup>472</sup> *Ibid.*, pp. 5-8.

The Acting Head of the Delegation of the European Union highlighted European Union initiatives in assisting the people of Bosnia and Herzegovina, including providing significant financial assistance and expertise. He reiterated its strong support for the High Representative, and called on all parties in Bosnia and Herzegovina to comply fully with decisions taken by the High Representative and to respect his authority.<sup>473</sup>

Many Council members shared the concerns raised by the High Representative in his report. The representative of the Russian Federation, however, stated that the report could not be recognized as objective and balanced and that it suffered from overt anti-Serbian excesses.<sup>474</sup> Speakers welcomed the progress achieved by Bosnia and Herzegovina in the international and regional spheres, such as efforts towards Euro-Atlantic integration and accession to the NATO membership action plan. They urged all parties in the country to strengthen internal dialogue and cooperation, to achieve genuine reconciliation and make further progress on police reform, internal unity and multi-ethnic stability. Most Council members also voiced support for international assistance to strengthen security and rule of law institutions, while calling on all leaders to exercise restraint during the October elections and refrain from anti-Dayton rhetoric.

On 11 November 2010, the High Representative for Bosnia and Herzegovina briefed the Council, stating that the overall political picture in Bosnia and Herzegovina remained complex. There had been some positive developments, including visa-free travel for Bosnians within the Schengen area of the European Union, and progress in reconciliation with Serbia. He noted, however, that there had been basically no progress in the past year regarding key reforms required for Euro-Atlantic integration and NATO membership. He expressed regret that while there had been substantive progress in the first 11 years following the war, in the past 4 years there had been political stalemate and stagnation with the fundamentals of the country and its institutions being challenged on a regular basis. He added that there had been little progress in implementing the objectives and conditions for the transition or the closure of the Office of the High Representative, but indicated that the staffing

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<sup>473</sup> S/PV.6319, pp. 22-24.

level had been reduced. He also noted that the Bosnian election authorities had conducted the elections efficiently and that international election observation missions had concluded that the elections had been in accordance with international standards.<sup>475</sup> The Chairman of the Presidency of Bosnia and Herzegovina commented on the political and economic progress made since the signing of the Dayton Agreement 15 years earlier.<sup>476</sup>

The representative of Croatia noted that Croats in Bosnia and Herzegovina were the smallest and most vulnerable group. He stated that they should have equal rights to participate in the decision-making process, especially at the level of the Federation.<sup>477</sup> Many speakers congratulated the Chairman of the Presidency of Bosnia and Herzegovina on his re-election, and welcomed the holding of free and fair elections, the European Union decision on visa-free travel and the improvement in regional relationships. Council members called for the full implementation of the Dayton Agreement and condemned any divisive and anti-Dayton rhetoric, while encouraging the quick formation of new governments at all levels. They expressed support for the extension of the mandate of EUFOR and called for progress to be made in the transition from the Office of the High Representative to a European Union Special Representative.

#### **18 November 2010 and 16 November 2011: extension of the authorization of EUFOR**

On 18 November 2010, the Council unanimously adopted resolution [1948 \(2010\)](#), in which it welcomed the increased turnout and orderly conduct of the elections on 3 October 2010 and the European Union decision to grant visa-free entry to citizens of Bosnia and Herzegovina. Acting under Chapter VII of the Charter of the United Nations, the Council renewed the authorization for EUFOR for a further period of 12 months.

On 16 November 2011, the Council unanimously adopted resolution [2019 \(2011\)](#), in which it called on political leaders in Bosnia and Herzegovina to fulfil their democratic responsibility and form a new Council of Ministers, refrain from divisive rhetoric and make

further concrete and tangible progress towards European Union integration. Acting under Chapter VII of the Charter, the Council authorized a further 12-month extension of EUFOR. In addition, the Council welcomed the decision of NATO to continue to maintain a presence in Bosnia and Herzegovina.

#### **9 May and 15 November 2011: briefings by the High Representative**

On 9 May 2011, the Council was briefed by the High Representative for Bosnia and Herzegovina, who expressed concern at the decision taken by the National Assembly of the Republika Srpska to hold a referendum on central judicial institutions which was in violation of the Dayton Agreement. The High Representative noted that seven months after the general elections, the overall political situation in the country still remained unsatisfactory, preventing the formation of a Government at the State level. He stated that, since his previous report, no progress had been made on completion of the five objectives and two conditions that would permit the closure of the Office of the High Representative. He observed that the need for an international presence with an executive mandate in Bosnia and Herzegovina was still evident. He urged the international community to address seriously the deteriorating situation to enable Bosnia and Herzegovina to solve its problems institutionally and move towards full Euro-Atlantic integration.<sup>478</sup>

The representative of the Russian Federation stated that the continuing arbitrary use of the Bonn powers by the High Representative was unacceptable and that the decision taken by the Parliament of Republika Srpska to hold a referendum on the legitimacy of the actions taken by the High Representative was not a direct violation of the Dayton Agreement.<sup>479</sup> Other speakers shared the High Representative's concern about the proposal for a referendum. They urged all parties to engage in constructive dialogue to achieve genuine reconciliation and pave the way towards the Euro-Atlantic integration of Bosnia and Herzegovina.<sup>480</sup>

On 15 November 2011, the High Representative briefed the Council and stated that political stagnation

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<sup>474</sup> Ibid., p. 17.

<sup>475</sup> [S/PV.6421](#), pp. 2-5.

<sup>476</sup> Ibid., pp. 5-7.

<sup>477</sup> Ibid., pp. 19-20.

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<sup>478</sup> [S/PV.6529](#), pp. 2-5.

<sup>479</sup> Ibid., pp. 8-9.

<sup>480</sup> Ibid., pp. 9-10 (United Kingdom); pp. 10-11 (Germany); and pp. 11-12 (Portugal).

and instability, as well as challenges to the Dayton Agreement, had continued during the reporting period. One year following the general elections, the State-level budget had not been passed and the Council of Ministers had yet to be established. He reiterated his recommendation that the Office of the High Representative, as well as EUFOR, should remain operational. However, he noted that the Presidents of Serbia and Croatia had continued their policies of positive engagement, resulting in a better regional situation than at any other point since the war in Bosnia and Herzegovina.<sup>481</sup>

Describing the situation in his country as complex but not unresolvable, the representative of Bosnia and Herzegovina stated that, given a positive security environment, and with the 2011 economic data showing some signs of improvement, there was a way to overcome the current situation.<sup>482</sup> The representative

<sup>481</sup> S/PV.6659, pp. 2-5.

<sup>482</sup> Ibid., pp. 5-6.

of the Russian Federation maintained his belief that any decision critical to the future of Bosnia and Herzegovina should be taken by the Bosnian people themselves, with broad agreement among the three constituent peoples, namely Bosnians, Serbs and Croats.<sup>483</sup> To that end, the representative of Serbia expressed the view that the international community should embark on the process of closing the Office of the High Representative.<sup>484</sup> The Head of the Delegation of the European Union reported on efforts to strengthen its engagement in Bosnia and Herzegovina. He stated that the European Union had enhanced its political presence with the appointment of a new representative to oversee European Union-related matters in Bosnia and Herzegovina.<sup>485</sup> Most speakers expressed their support for the extension of the mandate of EUFOR for another term.

<sup>483</sup> Ibid., p. 13.

<sup>484</sup> Ibid., p. 20.

<sup>485</sup> Ibid., p. 19.

#### Meetings: the situation in Bosnia and Herzegovina

| <i>Meeting and date</i>  | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------|---|------------------------|----------------------------|---|--------------------------------------|---|
| 6319<br>24 May 2010      | Letter dated 14 May 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/235)     |                        | Croatia, Serbia            | High Representative for Bosnia and Herzegovina, Acting Head of the Delegation of the European Union to the United Nations | All Council members and all invitees |   |
| 6421<br>11 November 2010 | Letter dated 8 November 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/575) |                        | Croatia, Serbia            | High Representative for Bosnia and Herzegovina  | All Council members and all invitees |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i>                               | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-----------------------------|---|--|--------------------------------|--|---|---|
| 6426<br>18 November<br>2010 | Letter dated<br>8 November<br>2010 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>Security Council<br>(S/2010/575)  | Draft resolution<br>submitted by<br>Austria, France,<br>Germany, Italy,<br>Russian Federation,<br>Turkey,<br>United Kingdom,<br>United States<br>(S/2010/582)          | Germany,<br>Italy              |  |   | Resolution 1948<br>(2010)<br>15-0-0                   |
| 6529<br>9 May 2011          | Letter dated 3<br>May 2011 from<br>the Secretary-<br>General<br>addressed to the<br>President of the<br>Security Council<br>(S/2011/283)          |  | Croatia,<br>Serbia,<br>Turkey  | High<br>Representative<br>for Bosnia and<br>Herzegovina,<br>Acting Head of<br>the Delegation<br>of the European<br>Union | All Council<br>members<br>and all<br>invitees |   |
| 6659<br>15 November<br>2011 | Letter dated<br>3 November<br>2011 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>Security Council<br>(S/2011/682)  |  | Croatia,<br>Serbia             | High<br>Representative<br>for Bosnia and<br>Herzegovina,<br>Head of the<br>Delegation of<br>the European<br>Union        | All Council<br>members<br>and all<br>invitees |   |
| 6661<br>16 November<br>2011 | Letter dated<br>3 November<br>2011 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>Security Council<br>(S/2011/682)  | Draft resolution<br>submitted by<br>France, Germany,<br>Italy, Nigeria,<br>Portugal, Russian<br>Federation, Spain,<br>United Kingdom,<br>United States<br>(S/2011/713) | Italy, Spain                   |  |   | Resolution 2019<br>(2011)<br>15-0-0                   |
|                             | Letter dated<br>15 November<br>2011 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>Security Council<br>(S/2011/717) |  |                                |  |   |   |



**B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

**Overview**

During the period under review, the Security Council held 11 meetings, including one closed meeting, in connection with the item entitled “Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)”. At the meetings, the Council discussed the developments relating to resolution 1244 (1999), including an outbreak of ethnic violence in the northern region of Mitrovica and the ruling of the International Court of Justice on the legality of Kosovo’s unilateral declaration of independence in 2008. Discussions also focused on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK), as well as on other topics, including the role of the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force (KFOR).<sup>486</sup>

**22 January and 17 May 2010: briefings by the Special Representative of the Secretary-General**

On 22 January and 17 May 2010, the Council was briefed by the Special Representative of the Secretary-General and Head of UNMIK. In his briefings, the Special Representative outlined developments in the region and noted that the overall situation in Kosovo was currently stable. At the same time he drew attention to the potential for volatility and instability, especially in northern Kosovo. He stated that among other activities, UNMIK continued to offer its good offices for the resolution of practical inter-ethnic issues and was engaged with all interested parties on issues relating to cultural and religious heritage. He noted that while there had been some encouraging movement in the cultural and religious heritage sphere, progress in other areas was still heavily conditioned by the pre-positioning of the sides in relation to the upcoming advisory opinion of the International Court of Justice on the legality of Kosovo’s unilateral declaration of independence. The problem of missing persons remained a major challenge to the process of reconciliation between the communities. The issue of returns to the villages continued to be a source of

tension in other parts of Kosovo owing to the humanitarian and economic challenges, as well as security and property issues. He regretted that efforts made by EULEX to re-establish a fully functioning multi-ethnic court in the northern part of Mitrovica had produced mixed results and the establishment of full-fledged customs facilities had proved difficult. He highlighted the progress made with regard to the integrated mission planning process mandated by the Secretary-General, and stated that UNMIK and the United Nations Kosovo team were in the process of developing a United Nations strategic framework with the objective of ensuring lasting security and stability in Kosovo.<sup>487</sup>

The President of Serbia and the Minister for Foreign Affairs of Serbia, at the 6264th and 6314th meetings, respectively, reiterated their consistent rejection of Kosovo’s unilateral declaration of independence, and stated that the principled position of Serbia’s democracy remained set in stone. They commended the role of UNMIK and EULEX in setting the stage for responsible stakeholders to work together on improving the lives of ordinary people irrespective of their ethnicity. They, however, pointed out that Kosovo’s ethnic Albanians had failed to embrace pragmatic status-neutral engagement, notably in the rule of law area.<sup>488</sup>

In contrast, Mr. Skender Hyseni maintained that the independence of Kosovo was irreversible and expressed the view that it had contributed to sustainable regional peace and security. He highlighted the positive developments and stressed that the continued destabilizing interference of Serbia in Kosovo was unacceptable.<sup>489</sup>

Several Council members expressed their appreciation for the cooperation between UNMIK and EULEX, and commended their continued efforts in the promotion of security and stability in Kosovo and the region. Many representatives commended the Kosovo electoral authorities for the successful organization of municipal and mayoral elections. In his report, the Secretary-General highlighted the importance of protecting cultural heritage,<sup>490</sup> and delegates similarly expressed their concern regarding the protection of

<sup>486</sup> For more information on the mandate of UNMIK, see part X, sect. I, “Peacekeeping operations”.

<sup>487</sup> S/PV.6264, pp. 2-4 and S/PV.6314, pp. 2-5.

<sup>488</sup> S/PV.6264, pp. 5-9 and S/PV.6314, pp. 5-9.

<sup>489</sup> S/PV.6264, pp. 9-12 and S/PV.6314, pp. 9-11.

<sup>490</sup> See S/2010/5.

religious and cultural heritage. They also called on both parties to cooperate with each other and UNMIK. Most speakers expressed concern about facilitation of the return of all refugees and displaced persons. In particular, the representative of the Russian Federation reiterated its willingness to pursue political efforts to address the issue of Kosovo in accordance with resolution 1244 (1999).<sup>491</sup> The representative of Gabon stated that it valued respect for international rules in any process leading to self-determination and therefore rejected any unilateral declaration of independence.<sup>492</sup>

### **6 July 2010: explosion in Mitrovica, northern Kosovo**

On 6 July 2012, an urgent meeting of the Council was held at the request of the representative of Serbia to discuss an explosion that occurred in northern Kosovo. The explosion resulted in the loss of one life and threatened to provoke further violence. The President of Serbia described the incident, which happened on 2 July 2010, and urged the international community to ensure that nothing like what happened would ever be repeated. He expressed the view that implementation of the six-point plan of the Secretary-General was the only way to establish stability in Kosovo.<sup>493</sup>

At the meeting, the Special Representative affirmed that the United Nations would remain engaged with all sides, and reiterated the Secretary-General's call for the parties to commit to dialogue on the matter of northern Kosovo.<sup>494</sup>

The Head of EULEX condemned the act of violence. He emphasized that there was no risk of a general deterioration in the security situation and added that EULEX had acted in strict compliance with its mandate at all times.<sup>495</sup>

Mr. Hyseni stated that his Government was doing everything it could to investigate the incident and bring the perpetrators to justice.<sup>496</sup>

Members of the Council condemned the incident and called on all sides to refrain from provocative statements and actions. They also called for an

investigation into the matter, with a view to bringing the perpetrators to justice. Council members further urged all parties to seek a peaceful resolution of the issue through constructive dialogue. Many members reaffirmed their support for the role played by UNMIK in that regard.

### **3 August and 12 November 2010: advisory opinion of the International Court of Justice on Kosovo's unilateral declaration of independence**

On 3 August 2010, following the advisory opinion of the International Court of Justice on 22 July 2010 regarding Kosovo's unilateral declaration of independence, the Council held a debate. The Special Representative of the Secretary-General briefed the Council, stating that the situation in Kosovo had been relatively stable. He noted that insufficient progress towards reconciliation between the communities and the unresolved issues that hampered such reconciliation, coupled with slow economic development, continued to present the risk of social unrest. Touching upon the advisory opinion of the Court, the Special Representative stressed that the preliminary legal assessment by the United Nations was that the opinion did not affect the status of UNMIK or a status-neutral policy. He added that the judgment confirmed the applicability of resolution 1244 (1999).<sup>497</sup>

The Minister for Foreign Affairs of Serbia commented that the technical approach of the Court in narrowly examining the language of the unilateral declaration of independence enabled a conclusion that the declaration itself did not violate international law. That approach had unfortunately left room for misinterpretation and could produce deeply problematic consequences for the international community, including becoming a decisive step in legitimizing unilateralism on the global stage.<sup>498</sup>

Welcoming the advisory opinion of the International Court of Justice, Mr. Hyseni expressed the view that resolution 1244 (1999) should be replaced with a new resolution reflecting the realities created by the independence of Kosovo and the ruling of the Court. In his opinion, the replacement of the

<sup>491</sup> S/PV.6264, p. 22; and S/PV.6314, p. 21.

<sup>492</sup> S/PV.6264, p. 15.

<sup>493</sup> S/PV.6353, pp. 2-5.

<sup>494</sup> Ibid., pp. 5-6.

<sup>495</sup> Ibid., p. 7.

<sup>496</sup> Ibid., pp. 7-9.

<sup>497</sup> S/PV.6367, pp. 2-5.

<sup>498</sup> Ibid., pp. 5-8.

resolution was in line with their ultimate objective of becoming a Member of the United Nations.<sup>499</sup>

Most members took note of the advisory opinion of the International Court of Justice rendered on 22 July 2010 and stressed the importance of a peaceful settlement of the issue. Some members, however, pointed out the limitations of the advisory opinion and maintained that resolution 1244 (1999) was the legal framework for resolving the situation in Kosovo.<sup>500</sup>

On 12 November 2010, the Special Representative of the Secretary-General for Kosovo briefed the Council on the implementation of resolution 1244 (1999). He stated that since the publication of the report of the Secretary-General,<sup>501</sup> the Assembly of Kosovo had supported a no-confidence motion against the Government, and the Acting President had issued a decree for early elections to be held on 12 December 2010. He also noted that since the issuance of the advisory opinion of the International Court of Justice, there had been growing unease on the part of the Kosovo authorities in cooperating with UNMIK on the facilitation of regional cooperation and the administration of northern Mitrovica.<sup>502</sup>

The Minister for Foreign Affairs of the Republic of Serbia and Mrs. Vlora Çitaku reiterated their principled positions, but at the same time signalled their readiness to engage in a dialogue facilitated by the European Union.<sup>503</sup>

Council members welcomed the continued role of UNMIK and reiterated the importance of its cooperation with EULEX. Many representatives welcomed the unanimous adoption by the General Assembly of resolution 64/298 on 9 September 2010, which pointed to a new era of pragmatic, neighbourly relations between Serbia and Kosovo.

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<sup>499</sup> Ibid., pp. 8-10.

<sup>500</sup> Ibid., p. 21 (Gabon); p. 22 (Mexico); and p. 23 (Russian Federation).

<sup>501</sup> S/2010/562.

<sup>502</sup> S/PV.6422, pp. 2-4.

<sup>503</sup> Ibid., pp. 4-6 (Republic of Serbia); and pp. 6-8 (Mrs. Vlora Çitaku).

### **16 February and 12 May 2011: Kosovo Assembly elections and allegations of illegal human organ trafficking**

On 16 February 2011 the Special Representative briefed the Council on the report of the Secretary-General.<sup>504</sup> He drew the attention of the Council to the first Assembly elections organized by the Kosovo authorities not held within the framework of resolution 1244 (1999) and in which UNMIK had played no role. There were reports of widespread irregularities and manipulation of votes, problems which were later addressed by the Kosovo Supreme Court. In reference to a report by Dick Marty, the Special Rapporteur of the Council of Europe's Parliamentary Assembly, concerning allegations of organized criminal activities, including illegal human organ trafficking involving members of the Kosovo Liberation Army, the Special Representative stated that UNMIK would give its full support to the investigating authority. He noted that unresolved political issues continued to challenge Kosovo's long-term stability.<sup>505</sup>

The Minister for Foreign Affairs of Serbia called for a full and independent criminal investigation of the reported allegations, stating that the investigating mechanism should be created by, and accountable to, the Security Council.<sup>506</sup>

Mrs. Vlora Çitaku informed the Council that that the Government of Kosovo had firmly rejected the allegations in Mr. Marty's report, but in the light of their severity, it would insist on a prompt launch of a thorough investigation by EULEX prosecutors on the ground.<sup>507</sup>

Many Council members commented on the irregularities that occurred during the Kosovo elections, as well as the increased participation of the Kosovo Serbian population. At the same time, they expressed concern regarding the allegations of human organ trafficking. They welcomed the decision of EULEX to open preliminary investigations into the allegations and the public commitment by Albania and the Kosovo authorities to cooperate fully with the investigation. The representative of the Russian Federation, reaffirming its position on the status of

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<sup>504</sup> S/2011/43.

<sup>505</sup> S/PV.6483, pp. 2-4.

<sup>506</sup> Ibid., p. 7.

<sup>507</sup> Ibid., p. 9.

Kosovo, disputed the legitimacy of the Kosovo Assembly elections.<sup>508</sup>

On 12 May 2011, the Council held a debate during which the Special Representative presented the report of the Secretary-General on UNMIK.<sup>509</sup> In his briefing the Special Representative stated that with the election by the Kosovo Assembly of Atifete Jahjaga as President, Kosovo appeared to be heading towards a period of increased political stability. He informed the Council that there had been three face-to-face meetings between the Serbian and the Kosovo representatives. He noted that the lack of economic prospects was one of the main obstacles to the returns process. He also supported a call by the Parliamentary Assembly of the Council of Europe for an independent investigation into the organ trafficking allegations.<sup>510</sup>

Referring to the European Union-facilitated dialogue between Serbia and Kosovo, the Minister for Foreign Affairs of Serbia expressed the belief that the United Nations should be present during the negotiating sessions. Regarding the alleged organ trafficking, he disputed the capability of EULEX to conduct the investigation and maintained that it should be done by a mechanism created by the Security Council.<sup>511</sup>

In contrast, Mr. Enver Hoxhaj of Kosovo expressed support for EULEX and stated that it had the capacity to make a difference in Kosovo, as well as to investigate allegations of war crimes that took place during the conflict.<sup>512</sup> Council members welcomed the pragmatic approach taken by both Belgrade and Pristina during their first three meetings of the dialogue and hoped that this would pave the way for peace, security and stability in the region. The representatives of the United Kingdom, the United States and Portugal commended Kosovo on the election of a new President and formation of a new Government.<sup>513</sup>

<sup>508</sup> Ibid., p. 20.

<sup>509</sup> S/2011/281.

<sup>510</sup> S/PV.6534, pp. 2-4.

<sup>511</sup> Ibid., pp. 4-8.

<sup>512</sup> Ibid., pp. 8-11.

<sup>513</sup> Ibid., p. 12 (United Kingdom); p. 15 (United States); and p. 20 (Portugal).

### 30 August 2011: situation in Kosovo following postponement of Pristina-Belgrade dialogue

On 30 August 2011, the Acting Special Representative and Head of UNMIK reported that in July violence had erupted at the boundary crossing points in northern Kosovo, after Pristina had effectively placed Serbian goods under embargo and attempted unilaterally to deploy a special police unit. He informed the Council that the situation had changed following the postponement of the Pristina-Belgrade dialogue owing to, inter alia, disagreements on the issue of Kosovo customs stamps. He added that progress through dialogue between Pristina and Belgrade, as opposed to unilateral action, was imperative to reducing chances for further destabilization. In addition, he reported that the members of the EULEX task force to investigate organ trafficking allegations had been recruited.<sup>514</sup>

Reaffirming its position, the Minister for Foreign Affairs of Serbia condemned the incident and the actions of the Kosovo authorities, and emphasized that the status quo ante must be reinstated. He also stated that Serbia remained committed to the dialogue.<sup>515</sup>

Mr. Hoxhaj brought attention to the economic hardship caused by the Serbian blockade against Kosovo's exports and, in explaining the rationale behind Kosovo's actions, stated that Kosovo was forced to take measures of reciprocity against Serbian goods. He also called on the Council to support both sides engaging in a dialogue.<sup>516</sup>

Regarding the incident in July, many Council members expressed concern about the deteriorating situation in northern Kosovo, and called on all sides to exercise restraint and prevent any future occurrence. Some delegates welcomed the progress made by EULEX and noted the creation of the EULEX task force.<sup>517</sup> The representatives of Colombia and the Russian Federation expressed regret that the Council was unable to agree on a draft presidential statement proposed by the delegation of the Russian Federation concerning the situation in Kosovo.<sup>518</sup>

<sup>514</sup> S/PV.6604, pp. 2-4.

<sup>515</sup> Ibid., pp. 4-9.

<sup>516</sup> Ibid., pp. 9-12.

<sup>517</sup> Ibid., p. 15 (Germany); p. 19 (Portugal); p. 23 (United States); and p. 25 (South Africa).

<sup>518</sup> Ibid., p. 13 (Colombia); and p. 18 (Russian Federation).

**15 September 2011: urgent meeting in response to requests by the representatives of Serbia and the Russian Federation**

On 15 September 2011, the Council convened an urgent meeting in response to requests made by the representatives of Serbia and the Russian Federation regarding the intention of the Kosovo authorities to unilaterally impose, on 16 September 2011, customs and border police control over the administrative boundary crossings (known as Gates 1 and 31) between North Kosovo and Serbia, with facilitation by KFOR and EULEX.<sup>519</sup>

The Assistant Secretary-General for Peacekeeping Operations briefed the Council on the persisting tensions in Northern Kosovo, and highlighted initiatives of UNMIK and its international partners to contain the current situation and discourage unilateral action or the use of force and violence. He expressed concern that the implementation of the announced plan by the Kosovo authorities could threaten stability and cause another outbreak of violence. He therefore appealed to both sides to take responsibility for preventing the recurrence of violence in northern Kosovo.<sup>520</sup>

Following the briefing by the Assistant Secretary-General, Council members met in private to continue their discussion of the situation in Kosovo.<sup>521</sup>

**29 November 2011: formation of the EULEX Special Investigative Task Force**

On 29 November 2011, the new Special Representative reported that incidents involving roadblocks mounted by northern Kosovo residents to keep boundary crossings into Serbia closed had resulted in violent confrontations with KFOR. He maintained that the precarious situation in the north of Kosovo warranted the attention and leadership of the Council. He stated that the resumption of the European Union-facilitated dialogue between Pristina and Belgrade should be welcomed by all. He updated the Council on the EULEX investigation, stating that the lead prosecutor of the Special Investigative Task Force had met with leaders from Kosovo, Albania and Serbia. He also pointed out Belgrade's position that an

independent body should be established by the Security Council to lead the investigation.<sup>522</sup>

The representative of Serbia welcomed the appointment of the lead prosecutor for the EULEX Special Investigative Task Force. He stated, however, that the mandate of EULEX was not adequate to carry out a comprehensive investigation and expressed the view that the EULEX investigation should be empowered by, and accountable to, the Council. He pointed out that Serbia's repeated warnings that unilateral forceful action would adversely affect stability had continued to be ignored by some key actors. Turning to the overall situation in Kosovo, he pointed out that in addition to the events taking place in the North, the South had also witnessed a number of violent incidents affecting the Serb population. He stated that the worsening situation in Kosovo needed more active engagement by the Council, calling on the Council to make sure that no more forceful unilateral acts took place.<sup>523</sup>

Mr. Hoxhaj noted the progress that had been made in relation to recognition of Kosovo, the consolidation of its statehood and the process of European integration. With regard to the situation in the north of Kosovo, he cautioned that it was a serious threat to regional peace and stability. He said that the Government of Serbia had done everything in its power to prevent the implementation of resolution 1244 (1999), as well as the Ahtisaari Plan, which aimed at ensuring the best mechanisms and rights for the Kosovo Serbs in the north.<sup>524</sup>

Council members welcomed the resumption of the European Union-facilitated dialogue and the progress made so far, while noting that other critical issues remained unresolved. Many delegations shared the concern expressed by the Secretary-General in his report<sup>525</sup> over the deterioration of the security situation in the north of Kosovo and condemned the violence perpetrated against KFOR. A number of speakers welcomed the appointment of the lead prosecutor for the Special Investigative Task Force,<sup>526</sup> while others expressed the view that such an investigation should proceed under the auspices of the United Nations and

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<sup>519</sup> S/2011/574 and S/2011/575.

<sup>520</sup> S/PV.6616, pp. 2-4.

<sup>521</sup> 6617th meeting.

<sup>522</sup> S/PV.6670, pp. 2-5.

<sup>523</sup> Ibid., pp. 5-8.

<sup>524</sup> Ibid., pp. 8-12.

<sup>525</sup> See S/2011/675.

<sup>526</sup> Ibid., p. 14 (United States); p. 15 (United Kingdom); p. 18 (France); and p. 20 (Germany).

report to the Security Council.<sup>527</sup> The representatives of the Russian Federation and South Africa called for the implementation of a witness- and victim-protection system.<sup>528</sup>

<sup>527</sup> Ibid., p. 12 (India); and p. 19 (Russian Federation).

<sup>528</sup> Ibid., p. 19 (Russian Federation); and p. 22 (South Africa).

**Meetings: Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

| <i>Meeting and date</i>      | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i>            | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>   |
|------------------------------|--|------------------------|---------------------------------------|--|---|
| 6264<br>22 January<br>2010   | Report of the Secretary-General on UNMIK (S/2010/5)  |                        | Serbia (President)                    | Special Representative of the Secretary-General for Kosovo and Head of UNMIK, Mr. Skender Hyseni | All Council members and invitees                        |
| 6314<br>17 May 2010          | Report of the Secretary-General on UNMIK (S/2010/169)  |                        | Serbia (Minister for Foreign Affairs) | Special Representative of the Secretary-General, Mr. Skender Hyseni                              | All Council members and invitees                        |
| 6353<br>6 July 2010          | Letter dated 2 July 2010 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2010/355)       |                        | Serbia (President)                    | Special Representative of the Secretary-General, Head of EULEX, Mr. Skender Hyseni               | All Council members and invitees                        |
| 6367<br>3 August 2010        | Report of the Secretary-General on UNMIK (S/2010/401)  |                        | Serbia (Minister for Foreign Affairs) | Special Representative of the Secretary-General, Mr. Skender Hyseni                              | All Council members and invitees                        |
| 6422<br>12 November<br>2010  | Report of the Secretary-General on UNMIK (S/2010/562)  |                        | Serbia (Minister for Foreign Affairs) | Special Representative of the Secretary-General, Mrs. Vlora Çitaku                               | All Council members and invitees                        |
| 6483<br>16 February<br>2011  | Report of the Secretary-General on UNMIK (S/2011/43)   |                        | Serbia (Minister for Foreign Affairs) | Special Representative of the Secretary-General, Mrs. Vlora Çitaku                               | All Council members and invitees                        |
| 6534<br>12 May 2011          | Report of the Secretary-General on UNMIK (S/2011/281)  |                        | Serbia (Minister for Foreign Affairs) | Special Representative of the Secretary-General, Mr. Enver Hoxhaj                                | 14 Council members, <sup>a</sup> invitees               |
| 6604<br>30 August<br>2011    | Report of the Secretary-General on UNMIK (S/2011/514)  |                        | Serbia (Minister for Foreign Affairs) | Acting Special Representative of the Secretary-General, Mr. Enver Hoxhaj                         | All Council members and all invitees                    |
| 6616<br>15 September<br>2011 | Letter dated 13 September 2011 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2011/574) |                        | Serbia (Minister for Foreign Affairs) | Assistant Secretary-General for Peacekeeping Operations, Mr. Enver Hoxhaj                        | Assistant Secretary-General for Peacekeeping Operations |

| <i>Meeting and date</i>                               | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i>                  | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>                            |
|---|--|------------------------|---|---|--|
|   | Letter dated<br>14 September 2011 from<br>the Permanent<br>Representative of the<br>Russian Federation to<br>the United Nations<br>addressed to the<br>President of the Security<br>Council ( <a href="#">S/2011/575</a> ) |                        |   |   |  |
| <a href="#">6617</a> (closed)<br>15 September<br>2011 |  |                        | 26 Member<br>States <sup>b</sup>            | Assistant Secretary-<br>General for Peacekeeping<br>Operations,<br>Mr. Enver Hoxhaj |  |
| <a href="#">6670</a><br>29 November<br>2011           | Report of the Secretary-<br>General on UNMIK<br>( <a href="#">S/2011/675</a> )   |                        | Serbia (Minister<br>for Foreign<br>Affairs) | Special Representative<br>of the Secretary-General,<br>Mr. Enver Hoxhaj             | All Council<br>members and<br>all invitees |

<sup>a</sup> The representative of Bosnia and Herzegovina did not make a statement.

<sup>b</sup> Albania, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, Greece, Hungary, Ireland, Italy, Montenegro, Poland, Romania, Serbia (Minister for Foreign Affairs), Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia and Netherlands.

## Middle East

### 26. The situation in the Middle East, including the Palestinian question

#### Overview

During the period under review, the Security Council held 27 meetings in connection with the item entitled “The situation in the Middle East, including the Palestinian question” and adopted one presidential statement. Briefings in 2010 focused mainly on the deteriorating humanitarian situation in Gaza. Following the Gaza flotilla incident on 31 May 2010, many Member States renewed their calls for an end to Israeli settlement activity in the occupied Palestinian territories. In 2011, discussions focused mainly on the resumption and suspension of direct negotiations between Israel and Palestine, the Palestinian bid for membership of the United Nations, and the overall political situation in the Middle East. Developments in Lebanon, the Syrian Arab Republic and the West Bank were also discussed during the period.

In 2011, the Council considered a draft resolution which, inter alia, condemned the continuation of

settlement activities by Israel in the occupied Palestinian territories.<sup>529</sup> The draft resolution was not adopted owing to the negative vote of a permanent member of the Council.

#### **27 January to 18 May 2010: Israel-Palestine peace process and situation in the occupied Palestinian territories**

On 27 January 2010, the Assistant Secretary-General for Political Affairs reported that despite the impasse in negotiations between Israel and Palestine, the Palestinian Authority continued its efforts to advance its State-building agenda and had continued to make progress in the areas of law and order and combating terrorism, in accordance with the road map. He reported that the partial temporary restraint of settlements in the West Bank continued, but there had been announcements of construction in East Jerusalem.

<sup>529</sup> [S/2011/24](#).

He stressed that the settlement activity in the occupied territories was illegal and contrary to the road map, and urged Israel to fully implement its obligations to freeze such activities and dismantle outposts erected since 2001. He noted the substantial increase in Israeli military operations in the West Bank, as well as the numerous violent incidents between Israeli settlers and Palestinians. Regarding the Gaza Strip, he reported that there had been a notable increase in the number of projectiles fired by militant groups, which had been met by Israeli incursions and air strikes. He called for an end to the blockade of Gaza by Israel, stating that although there were some increases in certain types of goods imported, shortages remained, especially fuel. Regarding Lebanon, he noted that progress in relations between Lebanon and the Syrian Arab Republic was highlighted by the first visit of the Prime Minister of Lebanon to Damascus in December 2009, where he met the President of the Syrian Arab Republic for extensive talks. The Assistant Secretary-General also noted that the situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) remained quiet but fragile.<sup>530</sup>

In the debate that followed, the Permanent Observer of Palestine stated that peace negotiations could not resume with Israeli settlement activities continuing, and that the call for the cessation of settlements was not a so-called precondition fabricated by the Palestinian side. He also stated that serious practical measures were necessary to compel Israel to cease its colonization of Palestinian territory and stressed that it was imperative for the Council to effectively shoulder its responsibilities in that regard.<sup>531</sup> The representative of Israel stated that it had instituted a policy of restraint throughout the settlements in the West Bank, which was a demonstration that his Government was prepared to take difficult steps for peace. He emphasized that the international community should confront the real challenges to peace and security, such as extremism, nuclear proliferation, weapons smuggling and terrorism. He pointed to the smuggling of weapons into the Gaza Strip by Hamas and the continued supply of arms to Hizbullah across the border between Lebanon and the Syrian Arab Republic as examples of violations of Council resolutions.<sup>532</sup> The representative of the

United States underlined that the immediate resumption of negotiations towards a two-State solution was the only realistic way forward. He stated that his Government disagreed with some Israeli actions in Jerusalem, such as the continuing pattern of evictions and demolitions of Palestinian homes. He also expressed concern over the interference by Hamas with international efforts to deliver humanitarian assistance to Gaza, the continued smuggling of arms and the launch of rocket attacks against Israel.<sup>533</sup> Most speakers expressed their concern regarding the deadlock in the peace process and their grave concern at the humanitarian situation in Gaza, and called for full implementation of Council resolution 1860 (2009).<sup>534</sup> Many speakers recognized the continuation of the moratorium on settlement expansion by Israel, but called for the permanent ending of illegal settlement activities. Several speakers also stressed the need to resolve the status of Jerusalem as the future capital of the two States.<sup>535</sup> Several speakers called for the immediate release of an Israeli soldier who had been held captive in Gaza since 2006.<sup>536</sup>

On 18 February 2010, the Under-Secretary-General for Political Affairs reported that the Governments of Israel and Palestine were seriously considering a proposal by the United States for the parties to begin indirect talks. Regarding the West Bank, he noted that while the partial restraint orders on settlement construction remained in effect, numerous violations had been identified, and in that regard urged the Government to take additional measures to enforce the restraint orders. He stated that the Israeli closure of Gaza, which remained in place, was a counterproductive policy that empowered smugglers and militants while causing unacceptable hardship for the civilian population.<sup>537</sup>

On 24 March 2010, the Secretary-General briefed the Council on his recent visit to Israel and the

<sup>530</sup> S/PV.6265, pp. 3-7.

<sup>531</sup> Ibid., pp. 9-10.

<sup>532</sup> Ibid., pp. 10-11.

<sup>533</sup> Ibid., p. 19.

<sup>534</sup> By resolution 1860 (2009), the Council, inter alia, called for the full withdrawal of Israeli forces from Gaza, and the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including food, fuel and medical treatment.

<sup>535</sup> S/PV.6265, p. 13 (United Kingdom); p. 15 (France); p. 16 (Turkey); p. 23 (Austria); and p. 29 (European Union).

<sup>536</sup> Ibid., p. 11 (Israel); p. 14 (United Kingdom); p. 15 (France); p. 19 (United States); and p. 30 (European Union).

<sup>537</sup> S/PV.6273, pp. 2-4.



occupied Palestinian territories, which had included meetings with the leaders of both Governments. Regarding Gaza, he highlighted the humanitarian situation and difficulties faced by the population and stressed that restrictions on land use for housing, agriculture and other needs prevented economic and social development. He recognized the legitimate security concerns of Israel regarding Hizbullah and the importance of addressing them. He emphasized that there was no alternative to negotiations between the parties and that they should not be disrupted by provocations.<sup>538</sup>

On 14 April 2010, the Under Secretary-General for Political Affairs reported that efforts by the United States and the Quartet aimed at bringing about the conditions for a resumption of Israeli-Palestinian talks had continued. Regarding the West Bank, he reported there were almost daily clashes between settlers and Palestinians. He said that Israeli security forces had carried out 58 incursions and that during the reporting period 41 Palestinians and 7 Israelis had been injured. Regarding Gaza, he stated that the security situation was again volatile, with clashes occurring between Israeli security forces and Palestinian militants. Regarding Lebanon, he reported that the President had reconvened the National Dialogue Committee for the first time since the parliamentary elections in June 2009.<sup>539</sup>

The representative of Palestine stated that the situation on the ground in the occupied Palestinian territories had deteriorated due to continuing Israeli acts of aggression, colonization, provocation and incitement against the Palestinian people. He said that as long as Israel continued to violate international law through its policies, in particular its settlement activities, Palestine could not proceed with negotiations, including proximity talks.<sup>540</sup> The representative of Israel stated that Hamas maintained Gaza as an epicentre of terrorism, and its attacks had exposed the civilian population of southern Israel to serious threats. Therefore, Israel would exercise its right of self-defence. He stated that while the Government of Israel continued to provide humanitarian aid to the people of Gaza, the complicated situation there was a direct result of the occupation by Hamas and its rejection of its obligations, including recognition of Israel and a

renunciation of violence.<sup>541</sup> Speakers generally agreed that there was no alternative to achieving a solution other than through negotiations. Many speakers supported the Quartet statement of 19 March 2010, which stated that peace talks should lead to the establishment of an independent Palestinian State by March 2012. Several speakers expressed their concern regarding the humanitarian situation in Gaza.<sup>542</sup> Some speakers emphasized the importance of conducting investigations into serious violations of international humanitarian and human rights law as identified in the report of the United Nations Fact-Finding Mission on the Gaza Conflict, headed by Justice Richard Goldstone, which was presented to the Human Rights Council in 2009.<sup>543</sup>

On 18 May 2010, the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General reported that Israeli-Palestinian proximity talks, mediated by the United States, had commenced and that their goal, as stated by the Quartet in its statement of 19 March 2010, was the resolution of all core issues, an end to the 1967 occupation and two States living side by side in peace and security. He stated that the negotiations needed to address the core issues and could not be allowed to stagnate, and that the process must be sustained by positive actions on the ground. He stressed the scale of the unmet needs of Gaza's civilian population, specifically in the areas of water and sanitation, education and construction, and urged an end to the Israeli closure of the Gaza Strip.<sup>544</sup>

### **31 May to 15 June 2010: response of the Council to the Gaza flotilla incident**

On 31 May 2010, the Assistant Secretary-General for Political Affairs reported that Israeli forces had intercepted and boarded a six-ship convoy that was en route to the Gaza Strip earlier the same day. The convoy had been attempting to deliver humanitarian aid to Gaza and break the Israeli blockade. He reported that there had been at least 10 deaths and 30 injuries,

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<sup>541</sup> Ibid., pp. 10-11.

<sup>542</sup> Ibid., p. 16 (Mexico); p. 23 (Uganda); and p. 34 (European Union); S/PV.6298 (Resumption 1), p. 8 (Cuba); p. 9 (Malaysia); p. 11 (Nicaragua); and p. 17 (Venezuela (Bolivarian Republic of)).

<sup>543</sup> S/PV.6298, p. 29 (Egypt); S/PV.6298 (Resumption 1), p. 9 (Malaysia). The report is contained in A/HRC/12/48.

<sup>544</sup> S/PV.6315, pp. 2-5.

<sup>538</sup> S/PV.6292, pp. 2-5.

<sup>539</sup> S/PV.6298, pp. 2-6.

<sup>540</sup> Ibid., pp. 6-8.

and that six Israeli military personnel had been injured in the incident. Noting that, given the circumstances, it was not possible to state definitively the sequence or details of what had happened, he underscored the importance of a full investigation into the incident. He stressed that the developments came at a time when efforts should be focused on the need to build trust and advance Israeli-Palestinian negotiations, and in that regard it was vital that proximity talks should continue. He pointed out that the incident could have been avoided if repeated calls on Israel to end the counterproductive and unacceptable blockade of Gaza had been heeded.<sup>545</sup>

The Minister for Foreign Affairs of Turkey stated that the actions by Israel against a multinational civilian endeavour carrying humanitarian aid in international waters constituted a breach of international law tantamount to banditry and piracy. He emphasized that Israel must be prepared to face the consequences and be held accountable for its crimes. He stressed the need for the Council to react strongly and adopt a presidential statement demanding an urgent inquiry into the incident and calling for the punishment of all responsible authorities and persons.<sup>546</sup>

The representative of Palestine emphasized that the international community must condemn the crime, which ran counter to international humanitarian and human rights norms. He called for an independent, impartial investigation to punish the perpetrators. He stated that it was the responsibility of the Council, by virtue of the Charter, to take the necessary measures to maintain international peace and security and to put an end to the occupation by Israel of Palestinian territories.<sup>547</sup>

The representative of Israel stated that the flotilla was not a genuine humanitarian-only mission, since its organizers had not accepted the offer by Israel to transfer the aid to Gaza via existing overland crossings in accordance with established procedures. He suggested that the organizers of the flotilla were using the guise of humanitarian aid to send a message of hate and to implement violence. He also emphasized that a maritime blockade was a legitimate and recognized measure under international law. Israeli naval personnel had boarded the vessels when it became

clear that the protest flotilla intended to violate the blockade despite repeated warnings. However, soldiers boarding one of the ships had been attacked violently with life-threatening means and that, without any doubt, they had acted in self-defence.<sup>548</sup>

The representative of the United States stated that it was deeply disturbed by the incident, and stressed the need for a credible and transparent investigation. He noted that mechanisms existed for the transfer of humanitarian assistance to Gaza, and that direct delivery of humanitarian aid by sea was neither appropriate nor responsible. He also stated that the interference of Hamas with international assistance shipments and the work of non-governmental organizations complicated efforts in Gaza, and that its continued arms smuggling and its commitment to terrorism undermined security and prosperity for Palestinians and Israelis alike.<sup>549</sup>

Most speakers stressed the need for a full investigation into the incident. Many speakers emphasized the importance of all parties fully complying with resolution 1860 (2009) and for Israel's restrictions on access to Gaza be lifted.<sup>550</sup> Some speakers stressed the importance of continuing the proximity talks between Israel and Palestine.<sup>551</sup> Other speakers warned that the incident could create great unrest and grave consequences for peace in the Middle East.<sup>552</sup>

On 1 June 2010, the Council adopted a presidential statement in which it requested, inter alia, the immediate release of the ships as well as the civilians held by Israel, and took note of the statement of the Secretary-General on the need to have a full and impartial investigation into the incident. In addition, the Council underscored that the only viable solution to the Israeli-Palestinian conflict was an agreement negotiated between the parties, and re-emphasized that only a two-State solution could bring peace to the region.<sup>553</sup>

<sup>548</sup> Ibid., pp. 13-15.

<sup>549</sup> Ibid., p. 9.

<sup>550</sup> Ibid., p. 6 (United Kingdom); p. 7 (Mexico); p. 7 (Brazil); p. 8 (Austria); p. 10 (Uganda); p. 10 (China); p. 10 (France); p. 11 (Gabon); p. 11 (Bosnia and Herzegovina); and p. 12 (Lebanon).

<sup>551</sup> Ibid., p. 6 (United Kingdom); and p. 7 (Mexico).

<sup>552</sup> Ibid., p. 8 (Nigeria); and p. 10 (Uganda).

<sup>553</sup> S/PRST/2010/9.

<sup>545</sup> S/PV.6325, pp. 2-4.

<sup>546</sup> Ibid., pp. 4-5.

<sup>547</sup> Ibid., p. 13.

On 15 June 2010, the Special Coordinator for the Middle East Peace Process outlined the proposal of the Secretary-General to establish an international panel, under the aegis of a third party, to investigate the flotilla incident. The Special Coordinator stated that the panel, together with the public commission announced by Israel, would fully meet the international community's expectation for a credible and impartial investigation. He reported that the United Nations had obtained the consent of the cargo owners to take possession of the entire cargo and ensure its timely distribution in Gaza for humanitarian purposes, as called for in the presidential statement of 1 June 2010. He stated that, as a guiding principle, all goods should be allowed into Gaza unless there was a specific and legitimate security reason.<sup>554</sup>

**21 July 2010 to 19 January 2011: resumption and subsequent suspension of direct negotiations between Israel and Palestine**

On 21 July 2010, the Under-Secretary-General for Political Affairs reported that six rounds of proximity talks between Israel and Palestine had been facilitated by the United States, and urged the parties not to miss the existing opportunity to make progress in the talks and to move to direct negotiations. He noted several steps taken by the Government of Israel, such as the announcement of measures aimed at easing the blockade on Gaza, including new guidelines for the entry of goods into Gaza, and approvals for a number of additional United Nations projects in the area of education and health. He also reported that the Government of Israel had initiated investigations into the flotilla incident of 31 May 2010, while the Secretary-General was in contact with the parties involved to gain agreement for his proposal for an international panel of inquiry. Regarding the West Bank, he reported that although the 10-month moratorium on West Bank settlement construction was largely being observed, it was set to expire on 26 September 2010. He called for its extension as well as its expansion to cover all settlement activity throughout the occupied Palestinian territories.<sup>555</sup>

The representative of Palestine stated that although his Government had engaged in the proximity talks in good faith, the same could not be said for Israel, which was sabotaging the peace process through

illegal and reckless actions, such as continued settlement activity and wall construction in the occupied Palestinian territories.<sup>556</sup>

The representative of Israel called for direct negotiations with Palestine without any preconditions or delays. He noted that despite important progress towards direct negotiations, there existed a dangerous phenomenon where so-called activists were supporting terrorist forces in Gaza under the guise of humanitarian aid. Noting reports that another flotilla was departing Lebanon for Gaza, he called upon the international community to exert its influence on the organizers of those actions, and upon the Government of Lebanon to prevent it from happening.<sup>557</sup>

Most speakers recognized the progress in the proximity talks between Israel and Palestine, but emphasized the need for the parties to proceed to direct negotiations. Reflecting on the flotilla incident, many speakers suggested measures such as the complete lifting of restrictions on access of goods to Gaza. Some speakers stressed that the delivery of humanitarian assistance to Gaza should be done exclusively through established channels.<sup>558</sup> Many speakers noted that the moratorium on settlement activity was due to end shortly and called for its extension and expansion. Several speakers expressed concern regarding Hamas for its interference with international assistance, which continued to complicate efforts in Gaza.<sup>559</sup>

Briefings on the significant developments in the region were held by the Assistant Secretary-General for Political Affairs on 17 August 2010 and by the Special Coordinator of the Secretary-General for the Middle East Peace Process on 17 September 2010, respectively. It was reported that following several rounds of proximity talks to map out areas of mutual interest and outline their respective issues of priority, Israel and Palestine had launched direct negotiations under the auspices of the United States. The leaders of both Governments had agreed to seek a two-State solution, to be completed within one year, aiming to resolve issues concerning borders, security, refugees and the question of Jerusalem, among all other core issues. Reporting on Gaza, they said that Palestinian

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<sup>556</sup> *Ibid.*, pp. 6-7.

<sup>557</sup> *Ibid.*, pp. 8-9.

<sup>558</sup> *Ibid.*, p. 10 (United States); and p. 14 (Mexico).

<sup>559</sup> *Ibid.*, p. 10 (United States); p. 12 (Bosnia and Herzegovina); and p. 18 (United Kingdom).

<sup>554</sup> S/PV.6340, pp. 2-6.

<sup>555</sup> S/PV.6363, pp. 2-5.

militant groups had fired rockets and mortars into Israel, to which Israel had responded with air strikes and incursions. The Panel of Inquiry on the 31 May 2010 flotilla incident, launched by the Secretary-General, had commenced its work, meeting twice in August 2010. In the West Bank, the partial moratorium on settlement construction was due to end on 26 September 2010, and the Assistant Secretary-General urged that it be extended beyond that date. Regarding Lebanon, there was increased political tension in the country, linked to speculation that the Special Tribunal for Lebanon might issue indictments.<sup>560</sup>

On 18 October 2010, the Assistant Secretary-General for Political Affairs reported that direct Israeli-Palestinian negotiations were at an impasse six weeks after commencing and that the parties had not met since 15 September. The partial settlement moratorium by Israel that had expired on 26 September 2010 had not been renewed, resulting in the resumption of previously frozen settlement construction. In response, Palestine had indicated it would not continue the negotiations unless Israel froze settlement activity. He noted that intensive diplomatic efforts, led by the United States, were ongoing to create conditions conducive to the continuation of negotiations. Regarding the West Bank, he reported that there had been 44 violent incidents between local Palestinians and Israeli settlers, resulting in injuries and damage. During the period, Israeli security forces also carried out 353 operations, resulting in two deaths and 157 injuries. Regarding Lebanon, he reported that tensions generated by speculation and allegations related to the potential indictments by the Special Tribunal for Lebanon had grown steadily in recent weeks, raising fears of sectarian violence.<sup>561</sup>

The representative of Palestine stated that the proximity talks did not make tangible progress owing to Israel's intransigence and refusal to comply with its legal obligations and the road map requirement to cease all settlement activities. He expressed regret that Israel had not extended its moratorium to freeze settlement activities, including East Jerusalem. He asserted that Israel was responsible for the critical situation on the ground and for undermining the peace negotiations.<sup>562</sup> The representative of Israel pointed

out that his country faced diverse and dangerous threats, such as the continued build-up of military capabilities and armaments by Hizbullah in Lebanon and attacks against Israel by Hamas in Gaza, with support from the Islamic Republic of Iran and the Syrian Arab Republic.<sup>563</sup> The representative of the United States reiterated its call to Israel to extend the settlement moratorium, and called upon the President of the Palestinian Authority to resume negotiations with Israel. With respect to Lebanon, she emphasized that efforts to discredit, hinder or delay the work of the Special Tribunal should not be tolerated.<sup>564</sup>

Most speakers called upon both Israel and Palestine to return to the negotiating table and to make the necessary compromises to agree on a two-State solution. Many speakers also called upon Israel to renew its moratorium on settlement activity. Regarding Lebanon, they expressed support for the independence of the Special Tribunal and stressed the important role it played towards ending impunity.

The Under-Secretary-General for Political Affairs and the Special Coordinator for the Middle East Peace Process briefed the Council, on 23 November and 14 December 2010, respectively, on the significant developments in the region. It was reported that efforts by the United States to create an environment conducive to the resumption of direct talks were inconclusive, with the President of the Palestinian Authority reaffirming that he would not return to direct negotiations unless Israel froze its settlement activity. In the West Bank, there had been a significant increase in construction in a number of settlements since the expiry of the partial settlement moratorium, in addition to announcements of further construction by Israel. Palestinian security forces continued to make commendable efforts to maintain security in areas under their control. The number of Israeli troops in the West Bank was estimated to be at its lowest level since 2005, but tensions persisted, with a large number of incursions and operations carried out by Israel, which cited security concerns. Regarding the Gaza Strip, rockets and mortars continued to be fired by militant groups from Gaza into Israel, while Israel responded with air strikes and incursions. In reference to Lebanon, it was reported that political activity in the country continued to be dominated by speculation over the Special Tribunal, with political differences causing

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<sup>560</sup> S/PV.6372, pp. 2-6; S/PV.6388, pp. 2-6.

<sup>561</sup> S/PV.6404, pp. 2-6.

<sup>562</sup> Ibid., pp. 7-9.

<sup>563</sup> Ibid., pp. 10-11.

<sup>564</sup> Ibid., pp. 12-13.

the suspension of Cabinet meetings in the Government.<sup>565</sup>

On 19 January 2011, the Under-Secretary-General for Political Affairs reported that Israeli-Palestinian negotiations remained deadlocked, while tensions in the Occupied Palestinian Territory and in Lebanon had increased. He noted that the target dates set by the Quartet for reaching a framework agreement on permanent status and for completion of the Palestinian Authority's two-year State-building programme were approaching in eight to nine months, and that the viability of the political process and the credibility of the Quartet were at stake. In addition, he expressed serious concern at the continuing lack of progress in the search for a negotiated settlement. He stated that in the West Bank the sharp increase in Israeli settlement construction activity since the end of the settlement moratorium on 26 September 2010 had continued. During the period, Israeli security forces had carried out 486 search operations in the West Bank and 87 Palestinians were injured. He noted that the Palestinian Authority had continued to make strides in its State-building agenda and had also continued its efforts to promote security in its area of control, despite mounting challenges. He expressed concern over the situation in Gaza, as there had been an increase in the number of rockets and mortars fired into Israel, while Israel had carried out 11 incursions and 26 air strikes. He stated that a fundamental goal of the United Nations continued to be the revitalization of the economy of Gaza and the search for an end to the Israeli closure policy within the framework of resolution 1860 (2009). Regarding Lebanon, he reported that the political crisis, which had been provoked by divergent views on the Special Tribunal for Lebanon, had continued to deepen. On 12 January 2011, the resignation of 10 Cabinet ministers from the opposition along with one minister from the bloc of President Sleiman had forced the collapse of the Government of national unity. The Secretary-General had called for continuing dialogue among the parties, while emphasizing the importance of preserving calm, and reiterated his call on all parties to refrain from attempts to interfere in, or influence, the work of the Special Tribunal, underlining that the independent judicial process should not be linked with any political

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<sup>565</sup> S/PV.6430, pp. 2-5; S/PV.6448, pp. 2-5.

debate and that it was important not to prejudge its outcome.<sup>566</sup>

The representative of Palestine noted that two years had passed since the Israeli attack on Gaza, and the Palestinian people were still being prevented from reconstructing and rehabilitating their communities and lives. He stated that there had been no accountability for the crimes perpetrated by Israeli occupying forces and no justice for the victims. He reiterated his call for the immediate and full lifting of the Israeli blockade on Gaza and the sustained opening of its border crossings. He also drew attention to the situation in East Jerusalem, which remained the target of an extremely aggressive campaign to illegally alter its demographic composition, status and character. He stated that after nearly two decades of the peace process, the demise of the two-State solution would become a reality if nothing was done to stop the unlawful and destructive settlement activity.<sup>567</sup>

Many speakers called on Israel to halt all settlement activity and emphasized the need for further steps to ease restrictions on the flow of goods and people in and out of Gaza, while calling for intra-Palestinian reconciliation. Regarding Lebanon, speakers called on all parties to seek a negotiated political solution to the current situation, while expressing support for the independence of the Special Tribunal for Lebanon.

#### **18 February 2011: draft resolution regarding Israeli settlement activity**

On 18 February 2011, the Council met to consider a draft resolution<sup>568</sup> submitted by 79 Member States that, *inter alia*, reaffirmed that the Israeli settlements established in the Occupied Palestinian Territory were illegal; reiterated the demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem; and called upon both parties to act on the basis of international law and their previous agreements and obligations.

Before the vote, the representative of Lebanon noted that since the end of the settlement moratorium in September 2010, Israeli settlement activity had doubled. He stated that the purpose of the draft

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<sup>566</sup> S/PV.6470, pp. 2-5.

<sup>567</sup> *Ibid.*, pp. 6-7.

<sup>568</sup> S/2011/24.

resolution was to have the Council play its required role and choose the side of justice and righteousness.<sup>569</sup>

The draft resolution was then put to the vote but was not adopted owing to the negative vote of a permanent member of the Council.

Following the vote, the representative of the United States stated that the opposition of the United States to the draft resolution should not be misunderstood to mean that it supported settlement activity. She stated that, to the contrary, the United States rejected in the strongest terms the legitimacy of continued Israeli settlement activity. While it was in full agreement about the urgent need to resolve the conflict between Israel and Palestine on the basis of a two-State solution, she stressed that the only way to reach that common goal was through direct negotiations between the parties. The draft resolution risked hardening the positions of both sides, could encourage the parties to stay out of negotiations and, if they did resume negotiations, could encourage them to return to the Council whenever they reached an impasse. She asserted that it was unwise for the Council to attempt to resolve the core issues that divided the parties, and therefore the United States had voted against the draft resolution.<sup>570</sup>

Many speakers reiterated that the settlements were illegal under international law and were an obstacle to peace and a two-State solution, and advocated a prompt resumption of direct negotiations.<sup>571</sup>

The representative of Palestine expressed the view that the Council had failed to uphold its responsibility to respond to the crisis. He reiterated that it was high time to send a clear and firm message to Israel that it must comply with its international legal obligations, in accordance with the relevant Council resolutions, and cease all of its violations and its obstruction of the peace process. However, the message sent by the Council through the failure to adopt the draft resolution might be one that only encouraged further Israeli intransigence and

impunity.<sup>572</sup> The representative of Israel reiterated that direct negotiations between Israel and the Palestinians were the only way forward, and therefore the draft resolution should never have been submitted. Instead, the international community and the Council should have called upon the Palestinian leadership to immediately return to the negotiating table without preconditions in order to resolve all outstanding issues.<sup>573</sup>

#### **24 February to 25 August 2011: developments in Palestine and Lebanon**

Briefings to the Council on the significant developments in the region were conducted on 24 February 2011 by the United Nations Special Coordinator for the Middle East Process and on 22 March 2011 by the Assistant Secretary-General for Political Affairs, respectively. It was reported that the Quartet had met on 5 February and reiterated its commitment to the two-State solution and a conclusion of the talks by September 2011. Despite the continued construction of settlements in the occupied Palestinian territories, the Palestinian Authority was forging ahead with its State-building agenda and now had established strong institutions representing the basis of a “State-in-waiting”. However, efforts to restart the Israeli-Palestinian negotiations had failed to produce any visible results, and there had been an increase in violent incidents and tensions on the ground. In Gaza, the period was marked by an increase in violence, with an escalation of rocket attacks against Israel by militant groups, Israeli air raids and repeated confrontations in the border area. Hamas security forces also took forcible action against participants in large-scale demonstrations calling for an end to the Israeli occupation and the Palestinian division. The depressed economic situation in Gaza and the continuing impact of Israeli closure measures was also reported to be a point of concern. In the West Bank, it was reported that the murder on 11 March of five members of an Israeli family in the settlement of Itamar prompted the Government of Israel to approve approximately 400 housing units in reaction to the incident, while search operations conducted by Israeli security forces in the West Bank resulted in a large number of injuries. In Lebanon, the collapse of the Government on 12 January 2011 had led to an increase

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<sup>569</sup> S/PV.6484, pp. 3-4.

<sup>570</sup> Ibid., pp. 4-5.

<sup>571</sup> Ibid., p. 3 (Lebanon); p. 5 (United Kingdom); p. 6 (Portugal); p. 7 (South Africa); p. 7 (Bosnia and Herzegovina); p. 8 (India); and p. 8 (Brazil).

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<sup>572</sup> Ibid., p. 10.

<sup>573</sup> Ibid., p. 11.

in the level of political tension in the country. Consultations continued on the formation of a new Government.<sup>574</sup>

On 21 April 2011, the Under-Secretary-General for Political Affairs expressed regret at the continued stalemate in negotiations between Israel and Palestine. He noted that according to the assessment of the United Nations, the governmental functions of the Palestinian Authority were now sufficient for a government of a State in six areas: governance; rule of law and human rights; livelihoods and productive sectors; education and culture; health; social protection; and infrastructure and water. Regarding Gaza, he reported that the period had seen the highest levels of violence since Operation Cast Lead more than two years earlier, and expressed alarm at the actions of Hamas in escalating the violence, endangering civilians on both sides and risking a deeper confrontation with Israel. Regarding the West Bank, he welcomed the decision of Israel on 6 April to systematically investigate all Palestinian casualties in the West Bank caused by Israeli fire among individuals not engaged in hostilities. Regarding Lebanon, he reported that several months after the nomination of the Prime Minister a new Government had not yet been formed. While the overall situation in the area of operations of UNIFIL had remained generally stable, elsewhere in Lebanon there had been several security incidents, such as the kidnapping of seven foreign nationals in an area close to the border with the Syrian Arab Republic.<sup>575</sup>

The representative of Palestine stated that there had been renewed efforts to promote Palestinian reconciliation and unity, as well as non-stop work by the Palestinian leadership to implement the State-building plan launched nearly two years earlier, which was rapidly advancing to completion by August 2011.<sup>576</sup>

The representative of Israel stated that since the beginning of March 2011, Hamas and other terrorist groups had launched numerous rockets against civilians throughout southern Israel, as part of what was the most serious escalation of attacks emanating from Gaza in more than two years. He asserted that the Council and the international community had not paid appropriate attention to the illegal smuggling of arms

into Gaza, a critical aspect of resolution 1860 (2009). Noting reports of a large flotilla being planned for May by a number of non-governmental organizations and other groups as well as individuals with many ties to Hamas and other terrorist organizations, he emphasized that it was clearly designed to serve purely as a political provocation and not to advance any humanitarian goal.<sup>577</sup>

The representative of the United States condemned the recent attacks on civilians and expressed concern at the escalation of rocket and mortar fire from Gaza into southern Israel, as well as at reports of increased use of advanced weaponry. She emphasized the need to work together to stop Hamas and other violent extremists from launching terrorist attacks. She also expressed deep concern regarding reports that groups were organizing another flotilla to Gaza.<sup>578</sup>

Many speakers expressed their concern over the planned Gaza flotilla, and stressed that it was critical for Israel and Palestine to restart negotiations. Many speakers condemned the recent attacks against southern Israel that had resulted in the deaths of civilians, but urged both sides to show restraint. Several speakers commended and expressed support for the State-building efforts by the Palestinian authorities.<sup>579</sup>

Several speakers referred to the situation in the Syrian Arab Republic, and called upon the Government to respect human rights and allow political protests.<sup>580</sup> The representative of the Syrian Arab Republic reported a number of steps that his Government was taking towards reform, but emphasized that the principle of non-interference in the internal affairs of States must be respected. He expressed the view that the calls by some speakers for the overthrow of legitimate Governments represented an irrational attempt to use international law to take advantage of the meeting, which was limited to the Israeli-Palestinian conflict, and were a misuse of the agenda item.<sup>581</sup> The representative of the Russian Federation

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<sup>574</sup> S/PV.6488, pp. 2-5; S/PV.6501, pp. 2-5.

<sup>575</sup> S/PV.6520, pp. 2-5.

<sup>576</sup> Ibid., p. 8.

<sup>577</sup> Ibid., pp. 9-10.

<sup>578</sup> Ibid., p. 12.

<sup>579</sup> Ibid., p. 24 (Brazil); p. 27 (India); S/PV.6520 (Resumption 1), pp. 3-4 (Norway); p. 6 (Japan); p. 12 (Tajikistan); and p. 18 (Bangladesh).

<sup>580</sup> S/PV.6520, p. 13 (United States); p. 15 (United Kingdom); p. 21 (France); and pp. 23-24 (Germany).

<sup>581</sup> S/PV.6520 (Resumption 1), pp. 14-15.

stated that any external interference in Syrian affairs or those of other States in the region was unacceptable.<sup>582</sup>

Briefings to the Council on the significant developments in the region were provided by the United Nations Special Coordinator for the Middle East Peace Process on 19 May 2011 and by the Under-Secretary-General for Political Affairs on 23 June and 25 August 2011.

Direct negotiations between Israel and Palestine did not take place during the period. Amid continued expansion of Israeli settlements, Palestine was reported to be preparing to approach the United Nations in September to seek recognition of a Palestinian State. A reconciliation agreement was signed by Fatah and Hamas under the auspices of Egypt on 27 April, stipulating that a Palestinian Government of national “capables”, or technocrats, was to be formed, which would then prepare for simultaneous elections for the Palestinian Legislative Council, the presidency and the Palestinian National Council. It was reported that the period was marked by serious confrontations between Israeli security forces and Palestinians in the Syrian Arab Republic, Lebanon and the occupied Palestinian territories. One incident occurred on 15 May 2011, as Palestinians demonstrated in large numbers marking Nakba Day, resulting in numerous deaths and injuries. Another incident occurred in the Golan Heights on 5 June 2011, when large crowds of demonstrators attempted to breach the ceasefire line and cross the technical fence, resulting in numerous deaths. In Lebanon, several months after the nomination of the Prime Minister, a new Government was formed on 13 June 2011. There were a number of security incidents of concern, including the 26 July 2011 attack on a UNIFIL convoy which injured five peacekeepers. On 9 August 2011, the Lebanese authorities notified the Special Tribunal for Lebanon that they were unable to arrest and transfer those accused in the assassination of the former Prime Minister. Subsequently, on 18 August 2011, the President of the Special Tribunal ordered the public advertisement of the indictment.<sup>583</sup>

<sup>582</sup> S/PV.6520, p. 27.

<sup>583</sup> S/PV.6540, pp. 2-6; S/PV.6562, pp. 2-5; S/PV.6602, pp. 2-5.

### **26 July to 20 December 2011: application of Palestine for membership in the United Nations, and developments relating to the Syrian Arab Republic**

On 26 July 2011, the Special Coordinator for the Middle East Peace Process reported that the political process to resolve the Israeli-Palestinian conflict was in a profound and persistent deadlock, while efforts to find the necessary common ground for resumed negotiations had proven extremely difficult, given the differences and lack of trust between the parties. He stated that in the absence of a framework for meaningful talks and with Israeli settlement activity continuing, Palestine was actively exploring approaching the United Nations. While President Mahmoud Abbas had stated that efforts in the United Nations would help to preserve the two-State solution, Israel opposed this course of action, believing that it would make negotiations towards such a solution more difficult to achieve.<sup>584</sup>

The representative of Palestine stated that the failure of the Quartet to adopt clear and fair parameters for the solution to allow for the resumption of negotiations was a serious missed opportunity and a failure that was caused by Israel, which had refused to accept the legitimate basis for negotiations. He noted that the coming months would be critical, as September 2011 was the date set by the Quartet and endorsed by the international community for concluding a peace agreement. He stated that the Palestinian National Authority would shortly complete its implementation of the two-year plan to build the foundations of the Palestinian State, end the occupation and achieve independence. He stated that Palestinians had fulfilled their responsibilities and were ready to govern themselves.<sup>585</sup>

The representative of Israel stated that the Palestinian initiatives at the United Nations distracted from the true path to peace, which could only be achieved through bilateral negotiations. While recognizing that the Palestinian Authority had made progress over the past two years, he stated that it was clear that much more still needed to be done to create a functioning and peaceful State, as the Palestinian Authority did not maintain control over all of its territory nor did it hold a monopoly on the use of force,

<sup>584</sup> S/PV.6590, p. 2.

<sup>585</sup> Ibid., pp. 7-8.



with Hamas maintaining control over Gaza. He said that the Islamic Republic of Iran remained the centre of terrorism in the region, by transferring arms to Hamas, Hizbullah and other terrorist groups in violation of numerous Council resolutions.<sup>586</sup>

The representative of the United States emphasized that the only place where issues regarding the permanent status of Palestine could be resolved was in negotiations between the parties, not in international forums such as the United Nations, and that symbolic actions to isolate Israel at the opening of the General Assembly in September would not create an independent Palestinian State. She stated that the United States would not support any such unilateral campaigns.<sup>587</sup>

Many speakers expressed their disappointment at the continuing deadlock in the negotiations and asserted that Israel's settlement activities had directly caused the stalemate. Several speakers stressed that the issue of Palestinian statehood could no longer be delayed.<sup>588</sup> Some speakers explicitly expressed support for Palestine's application for membership to the United Nations.<sup>589</sup> Most speakers affirmed support for the newly formed Government in Lebanon and expressed the hope that it would continue to uphold the country's international obligations, including preserving the work of the Special Tribunal for Lebanon. Several speakers referred to the situation in the Syrian Arab Republic and called upon the Government to stop the violence and allow peaceful protests and freedom of speech.<sup>590</sup> Other speakers urged all parties to exercise restraint.<sup>591</sup> The representative of the Syrian Arab Republic asserted that some speakers were seeking to engage the Council in its internal affairs on fragile and unfounded pretexts that had nothing to do with the Council's role or responsibilities. He also noted various reform initiatives that were being undertaken by his Government.<sup>592</sup>

<sup>586</sup> *Ibid.*, pp. 9-10.

<sup>587</sup> *Ibid.*, p. 11.

<sup>588</sup> *S/PV.6590 (Resumption 1)*, p. 2 (Kyrgyzstan); and p. 6 (Uganda).

<sup>589</sup> *S/PV.6590*, pp. 13-14 (Lebanon); p. 16 (South Africa); and pp. 20-21 (Brazil); *S/PV.6590 (Resumption 1)*, p. 7 (Iceland); and p. 8 (Kuwait).

<sup>590</sup> *S/PV.6590*, p. 12 (United States); and p. 18 (France).

<sup>591</sup> *Ibid.*, p. 13 (Nigeria); and p. 20 (Portugal).

<sup>592</sup> *S/PV.6590 (Resumption 1)*, pp. 15-16.

On 27 September 2011, the Under-Secretary-General for Political Affairs reported that on 23 September, the President of the Palestinian Authority had submitted an application to the Secretary-General for membership in the United Nations. In accordance with the Charter and the rules of procedure, the Secretary-General had transmitted the application to the President of the Security Council on the same day and had sent a copy to the President of the General Assembly. The application was now before the Council for its consideration. He also reported that the Quartet had noted this application, while calling for resumed negotiations between the parties. The Under-Secretary-General reported that in the Syrian Arab Republic, the political and human rights crisis had escalated, resulting in at least 2,700 deaths since March 2011. The polarization between the Government of the Syrian Arab Republic and the growing popular opposition continued to deepen. He also reported that the Human Rights Council had appointed experts to form an international commission of inquiry and expressed the hope that the Government would extend full cooperation to the commission.<sup>593</sup>

The Prime Minister of Lebanon voiced support for the application of Palestine for membership in the United Nations. He stated that continued settlement activities by Israel, its construction of the separation wall and changes to the geographic and demographic features of East Jerusalem were attempts to erase the Arab identity of Palestine. He called upon Israel to fully withdraw from the occupied Syrian Golan, as well as from occupied Lebanese territory, in particular the Shab'a farms, the Kfar Shuba hills and the northern part of Al-Ghajar village. He also reaffirmed the commitment of Lebanon to respect the Special Tribunal for Lebanon.<sup>594</sup>

On 24 October 2011, the Under-Secretary-General for Political Affairs reported that the application by Palestine for membership in the United Nations was being examined by the Council. In addition, the Palestinian request for membership in the United Nations Educational, Scientific and Cultural Organization (UNESCO) was being reviewed. He stated that the Secretary-General was increasingly concerned about the ramifications of such a step for the United Nations as a whole and had asked all involved to act wisely in determining a course of action. He

<sup>593</sup> *S/PV.6623*, pp. 3-5.

<sup>594</sup> *Ibid.*, pp. 2-3.

emphasized that regardless of those developments, a negotiated two-State solution must remain the highest priority. Regarding Gaza, he reported that on 18 October 2011, Israel and Hamas had implemented the first stage of a prisoner exchange agreement, with an Israeli soldier held in Gaza since 2006 released by Hamas in exchange for 427 Palestinian prisoners held by Israel. He noted that of the approximately 5,000 Palestinian prisoners still held by Israel, a further 550 were to be released within two months in the second phase of the exchange agreement. Regarding Lebanon, he noted that the country continued to be affected by developments in the neighbouring Syrian Arab Republic. Regarding the Syrian Arab Republic, he noted that the political and human rights crisis continued, leading to the deaths of more than 3,000 people since March 2011. He stated that the face-off between the regime and the opposition would likely continue, with all of the negative consequences for that country and the region. He said that the Secretary-General continued to call upon the Syrian leadership to take urgent action to stop the killing, and to emphasize the need for the international community to act in a coherent manner to prevent further bloodshed. He noted that the League of Arab States had met on 16 October 2011 to discuss the situation and that a ministerial delegation would travel to Damascus on 26 October.<sup>595</sup>

The representative of Palestine said that to date, 130 countries had recognized the State of Palestine. Noting that the Council had been debating the application of Palestine for nearly a month, he expressed the view that it was time for it to shoulder its responsibilities, approve the application and make a positive recommendation to the General Assembly for the admission of Palestine to membership. He stated that Palestine's view was that negotiations should commence on the basis of the 4 June 1967 borders and that Israel was expected to meet its legal obligations, including those under the road map, to halt all settlement activities in the Occupied Palestinian Territory, including East Jerusalem. If the Quartet were to succeed in securing a commitment from the Israeli side on that basis, then the Palestinian side was willing to resume negotiations. He also reiterated that there was no contradiction between resuming negotiations

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<sup>595</sup> S/PV.6636, pp. 2-5.

within that framework and the Palestinian efforts to become a State Member of the United Nations.<sup>596</sup>

The representative of Israel stated that the unilateral action of Palestine at the United Nations was in breach of the Oslo Accords, the Interim Arrangements, the Paris Protocol and other bilateral agreements that formed the basis of Israeli-Palestinian cooperation. In addition, he asserted that the unilateral initiative would raise expectations that could not be met and was a recipe for instability and, potentially, violence. Rejecting Palestine's assertion that the primary obstacle to peace was Israel's settlements, he stated that this was instead a pretext for Palestine to avoid negotiations. He said that the Palestinians were far from meeting the basic criteria for statehood, and that the President of the Palestinian Authority had zero authority in the Gaza Strip, which he had been unable to visit since 2007.<sup>597</sup>

Many speakers expressed support for the application of Palestine for membership in the United Nations.<sup>598</sup> Several speakers, while not explicitly endorsing the application, took note of the action.<sup>599</sup> Regarding the Syrian Arab Republic, many speakers expressed their concern regarding the continued violence, and welcomed the mediation efforts by the League of Arab States. The representative of the United Kingdom expressed his disappointment that the Council was incapable of appropriately censuring the Syrian regime, owing to the use of the veto by two permanent members,<sup>600</sup> and stated that it was time for the Council to take the strong collective action that was required to deter the regime from its violent course.<sup>601</sup> The representative of the Russian Federation stated

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<sup>596</sup> *Ibid.*, pp. 5-7.

<sup>597</sup> *Ibid.*, pp. 10-11.

<sup>598</sup> *Ibid.*, p. 13 (India); p. 16 (China); p. 17 (Brazil); p. 18 (Russian Federation); p. 23 (South Africa); p. 26 (Lebanon); p. 32 (Jordan); pp. 33-34 (Saudi Arabia); S/PV.6636 (Resumption 1), p. 4 (Turkey); p. 5 (Malaysia); p. 11 (Viet Nam); p. 12 (United Arab Emirates); p. 16 (Morocco); p. 18 (Cuba); p. 20 (Bangladesh); p. 21 (Iceland); p. 21 (Pakistan); p. 22 (Sri Lanka); p. 23 (Indonesia); p. 24 (Democratic People's Republic of Korea); p. 24 (Kazakhstan); p. 25 (Kuwait); p. 29 (Bahrain); p. 30 (Tunisia); p. 30 (Sudan); and p. 32 (Qatar).

<sup>599</sup> S/PV.6636, p. 24 (Bosnia and Herzegovina); S/PV.6636 (Resumption 1), p. 7 (Japan); and p. 16 (Norway).

<sup>600</sup> For more information, see part I, sect. 27, "The situation in the Middle East".

<sup>601</sup> S/PV.6636, p. 19.

that the strategy of certain members of the international community, consisting of threats and pressure to impose sanctions, did not work.<sup>602</sup>

Briefings to the Council on the status of the application of Palestine for membership in the United Nations and on significant developments in the region were conducted by the Special Coordinator for the Middle East Peace Process on 21 November 2011 and by the Assistant Secretary-General for Political Affairs on 20 December 2011, respectively. It was reported that the Palestinian application for membership in the United Nations remained before the Council. On 31 October, the UNESCO General Conference had voted in favour of membership for Palestine. It was also reported that the Palestinian bid for membership in the United Nations was viewed negatively by Israel and that the transfer of tax and customs revenues owed to the Palestinian Authority was initially withheld by the Government of Israel following the vote at

UNESCO, but was renewed on 30 November. Palestinian unity had not moved forward, though there was speculation about future developments. Gaza had once again witnessed a dangerous escalation in violence, including rocket fire by militants into Israel and Israeli strikes. The situation along Lebanon's border with the Syrian Arab Republic remained a concern. A number of incidents in the area of operations of UNIFIL had taken place, including a bomb attack targeting a UNIFIL patrol, which had injured five peacekeepers and two Lebanese civilians. It was reported that in the Syrian Arab Republic popular protests had continued to be met with violent repression, resulting in numerous deaths, injuries and detentions. The League of Arab States had agreed to dispatch an Arab observer mission. The United Nations continued to monitor the influx of displaced Syrian nationals into northern Lebanon.<sup>603</sup>

<sup>602</sup> Ibid., p. 18.

<sup>603</sup> S/PV.6662, pp. 2-5; S/PV.6692, pp. 2-5.

### Meetings: the situation in the Middle East, including the Palestinian question

| <i>Meeting and date</i>     | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>                                      | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|-----------------|------------------------|-------------------------------|---|--|---|
| 6265<br>27 January<br>2010  |                 |                        | 23 Member States <sup>a</sup> | Permanent Observer of Palestine to the United Nations, Assistant Secretary-General for Political Affairs, Acting Head of the Delegation of the European Union to the United Nations, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Permanent Observer for the League of Arab States to the United Nations | Secretary-General, all Council members, all invitees |   |
| 6273<br>18 February<br>2010 |                 |                        |                               | Under-Secretary-General for Political Affairs   | Under-Secretary-General for Political Affairs        |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>  | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------|---|------------------------|-------------------------------|---|--|---|
| 6292<br>24 March<br>2010 |   |                        |                               | Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General  | Secretary-General  |   |
| 6298<br>14 April<br>2010 |   |                        | 17 Member States <sup>b</sup> | Palestine, Under-Secretary-General for Political Affairs, Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Acting Head of the Delegation of the European Union | All Council members and all invitees                                 |   |
| 6315<br>18 May 2010      |   |                        |                               | United Nations Special Coordinator for the Middle East Peace Process  | United Nations Special Coordinator for the Middle East Peace Process |   |
| 6325<br>31 May 2010      | Letter dated 31 May 2010 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council (S/2010/266)  |                        | Israel                        | Palestine, Assistant Secretary-General for Political Affairs  | All Council members and all invitees                                 |   |
|                          | Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/2010/267) |                        |                               |   |  |   |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i> | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|---|------------------------|-------------------------------|---|--|---|
| 6326<br>1 June 2010     | Letter dated 31 May 2010 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council (S/2010/266)  |                        |                               |   |  | S/PRST/2010/9                                     |
|                         | Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/2010/267) |                        |                               |   |  |   |
| 6340<br>15 June 2010    |   |                        |                               | United Nations Special Coordinator for the Middle East Peace Process  | United Nations Special Coordinator for the Middle East Peace Process |   |
| 6363<br>21 July 2010    |   |                        | 19 Member States <sup>c</sup> | Palestine, Under-Secretary-General for Political Affairs, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Acting Head of the Delegation of the European Union | All Council members and all invitees                                 |   |
| 6372<br>17 August 2010  |   |                        |                               | Assistant Secretary-General for Political Affairs   | Assistant Secretary-General for Political Affairs                    |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>      | <i>Sub-item</i> | <i>Other documents</i>   | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i>            |
|------------------------------|-----------------|--|-------------------------------|---|--|--|
| 6388<br>17 September<br>2010 |                 |  |                               | United Nations Special Coordinator for the Middle East Peace Process  | United Nations Special Coordinator for the Middle East Peace Process |  |
| 6404<br>18 October<br>2010   |                 |  | 23 Member States <sup>d</sup> | Palestine, Assistant Secretary-General for Political Affairs, Acting Head of the Delegation of the European Union   | All Council members and all invitees                                 |  |
| 6430<br>23 November<br>2010  |                 |  |                               | Under-Secretary-General for Political Affairs   | Under-Secretary-General for Political Affairs                        |  |
| 6448<br>14 December<br>2010  |                 |  |                               | United Nations Special Coordinator for the Middle East Peace Process  | United Nations Special Coordinator for the Middle East Peace Process |  |
| 6470<br>19 January<br>2011   |                 |  | 23 Member States <sup>e</sup> | Palestine, Under-Secretary-General for Political Affairs, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Acting Head of the Delegation of the European Union | All Council members and all invitees                                 |  |
| 6484<br>18 February<br>2011  |                 | Draft resolution submitted by 79 States <sup>f</sup> (S/2011/24) | 73 Member States <sup>g</sup> | Palestine   | Palestine, 14 Member States <sup>h</sup>                             | Draft resolution not adopted (S/2011/24) 14-1-0 <sup>i</sup> |
| 6488<br>24 February<br>2011  |                 |  |                               | United Nations Special Coordinator for the Middle East Peace Process  | United Nations Special Coordinator for the Middle East Peace Process |  |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>  | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------|-----------------|------------------------|-------------------------------|--|--|---|
| 6501<br>22 March<br>2011 |                 |                        |                               | Assistant Secretary-General for Political Affairs  | Assistant Secretary-General for Political Affairs                    |   |
| 6520<br>21 April 2011    |                 |                        | 24 Member States <sup>j</sup> | Palestine, Under-Secretary-General for Political Affairs, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Acting Head of the Delegation of the European Union                        | All Council members and all invitees                                 |   |
| 6540<br>19 May 2011      |                 |                        |                               | United Nations Special Coordinator for the Middle East Peace Process   | United Nations Special Coordinator for the Middle East Peace Process |   |
| 6562<br>23 June 2011     |                 |                        |                               | Under-Secretary-General for Political Affairs  | Under-Secretary-General for Political Affairs                        |   |
| 6590<br>26 July 2011     |                 |                        | 21 Member States <sup>k</sup> | Palestine, United Nations Special Coordinator for the Middle East Peace Process, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Acting Head of the Delegation of the European Union | All Council members and all invitees                                 |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>      | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|------------------------------|-----------------|------------------------|-------------------------------|--|---|---|
| 6602<br>25 August<br>2011    |                 |                        |                               | Under-Secretary-General for Political Affairs  | Under-Secretary-General for Political Affairs                           |   |
| 6623<br>27 September<br>2011 |                 |                        |                               | Under-Secretary-General for Political Affairs  | Lebanon (Prime Minister), Under-Secretary-General for Political Affairs |   |
| 6636<br>24 October<br>2011   |                 |                        | 31 Member States <sup>1</sup> | Palestine, Under-Secretary-General for Political Affairs, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Head of the Delegation of the European Union | All Council members and all invitees                                    |   |
| 6662<br>21 November<br>2011  |                 |                        |                               | United Nations Special Coordinator for the Middle East Peace Process   | United Nations Special Coordinator for the Middle East Peace Process    |   |
| 6692<br>20 December<br>2011  |                 |                        |                               | Assistant Secretary-General for Political Affairs  | Assistant Secretary-General for Political Affairs                       |   |

(Footnotes on following page)



(Footnotes to Meetings: the situation in the Middle East, including the Palestinian question)

<sup>a</sup> Algeria, Argentina, Cuba, Egypt, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Malaysia, Morocco, Nicaragua, Norway, Oman, Pakistan, Qatar, Saudi Arabia, South Africa, Sri Lanka, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of) and Viet Nam.

<sup>b</sup> Botswana, Cuba, Egypt, Iran (Islamic Republic of), Israel, Jordan, Kuwait, Malaysia, Morocco, Nicaragua, Norway, Pakistan, South Africa, Sri Lanka, Syrian Arab Republic, Tunisia and Venezuela (Bolivarian Republic of).

<sup>c</sup> Bangladesh, Cuba, Ecuador, Egypt, Iceland, Iran (Islamic Republic of), Israel, Jordan, Malaysia, Nicaragua, Norway, Pakistan, Philippines, South Africa, Sri Lanka, Switzerland, Syrian Arab Republic, Tajikistan and Venezuela (Bolivarian Republic of).

<sup>d</sup> Bangladesh, Bolivia (Plurinational State of), Costa Rica, Ecuador, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Mauritania, Morocco, Nicaragua, Norway, Pakistan, Qatar, Saudi Arabia, South Africa, Sri Lanka, Syrian Arab Republic, Tajikistan, Tunisia and Venezuela (Bolivarian Republic of).

<sup>e</sup> Algeria, Australia, Bangladesh, Chile, Cuba, Egypt, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Malaysia, Morocco, Norway, Pakistan, Philippines, Sudan, Tajikistan, Tunisia, Turkey, Saudi Arabia, Syrian Arab Republic, Uganda and Venezuela (Bolivarian Republic of).

<sup>f</sup> Afghanistan, Algeria, Argentina, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Chile, Comoros, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Finland, Gabon, Greece, Grenada, Guatemala, Guinea, Guyana, Iceland, India, Indonesia, Iraq, Ireland, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liechtenstein, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Namibia, Nicaragua, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Slovenia, Somalia, South Africa, Sudan, Sweden, Switzerland, Tajikistan, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

<sup>g</sup> Afghanistan, Algeria, Argentina, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Chile, Comoros, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Finland, Greece, Grenada, Guatemala, Guinea, Guyana, Iceland, Indonesia, Iraq, Ireland, Israel, Jordan, Kuwait, Lao People's Democratic Republic, Lesotho, Liechtenstein, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Namibia, Nicaragua, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Slovenia, Somalia, Sudan, Sweden, Switzerland, Tajikistan, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

<sup>h</sup> Bosnia and Herzegovina, Brazil, China, Colombia, Gabon, India, Israel, Lebanon, Nigeria, Portugal, Russian Federation, South Africa, United Kingdom and United States.

<sup>i</sup> *For:* Bosnia and Herzegovina, Brazil, China, Colombia, France, Gabon, Germany, India, Lebanon, Nigeria, Portugal, Russian Federation, South Africa, United Kingdom;  
*against:* United States.

<sup>j</sup> Australia, Bangladesh, Cuba, Egypt, Iran (Islamic Republic of), Israel, Japan, Jordan, Malaysia, Maldives, Mexico, Morocco, Namibia, Norway, Pakistan, Qatar, Saudi Arabia, Syrian Arab Republic, Tajikistan, Tunisia, Turkey, Uganda, United Republic of Tanzania and Venezuela (Bolivarian Republic of).

<sup>k</sup> Bangladesh, Cuba, Democratic People's Republic of Korea, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Malaysia, Morocco, Nicaragua, Pakistan, Syrian Arab Republic, Turkey, Uganda and Venezuela (Bolivarian Republic of).

<sup>l</sup> Bahrain, Bangladesh, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Kazakhstan, Kuwait, Malaysia, Maldives, Morocco, Nicaragua, Norway, Pakistan, Qatar, Saudi Arabia, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Turkey, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of) and Viet Nam.

## 27. The situation in the Middle East

### Overview

During the period under review, the Security Council held 16 meetings, including 6 closed meetings with the troop-contributing countries,<sup>604</sup> in connection with the item entitled “The situation in the Middle East”, adopting seven resolutions and three presidential statements. The Council primarily addressed three topics in the meetings: (a) the United Nations Disengagement Observer Force (UNDOF);<sup>605</sup> (b) the United Nations Interim Force in Lebanon (UNIFIL)<sup>606</sup> including resolution 1701 (2006); and (c) the Syrian Arab Republic. In addition, on 21 October 2011, the Council adopted resolution 2014 (2011) concerning the situation in Yemen, in which it demanded, inter alia, that all sides immediately reject the use of violence to achieve political goals, and that the Yemeni authorities immediately ensure that their actions comply with obligations under applicable international humanitarian and human rights law.

The Council renewed the mandate of UNDOF four times for a period of six months each time.<sup>607</sup> The Council renewed the mandate of UNIFIL twice for a period of one year each time.<sup>608</sup>

### 30 June 2010 to 30 June 2011: renewal of mandate of UNDOF, and incidents in the Syrian Arab Republic

On 30 June and 22 December 2010, respectively, the Council decided to renew the mandate of UNDOF for a period of six months each time. Immediately following each of the decisions, the Council adopted statements by the President concurring with the statement of the Secretary-General that “the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering

all aspects of the Middle East problem can be reached”.<sup>609</sup>

On 30 June 2011, following the extension of the mandate of UNDOF until 31 December 2011, the Council discussed the two incidents that had occurred on 15 May and 5 June 2011, when demonstrators crossed the ceasefire line in the UNDOF area of operations, resulting in civilian casualties. Council members expressed concern at the incidents and called upon both Israel and the Syrian Arab Republic to respect the terms of the 1974 disengagement agreement, by which both parties were obligated to prevent violations of the ceasefire line and the area of separation. Several Council members referred to the situation in the Syrian Arab Republic and called upon its Government to cease the violent repression of its own people.<sup>610</sup> However, the representatives of the Russian Federation and China stated that the renewal of the mandate of UNDOF and the situation in the Syrian Arab Republic were separate issues and should not be linked, with the latter being an internal affair of that country and not one that posed a threat to international peace and security.<sup>611</sup> The representative of the Syrian Arab Republic, while emphasizing that it was committed to working with UNDOF and ensuring the safety of its personnel, pointed out that Israel had not yet complied with, inter alia, resolution 497 (1981)<sup>612</sup> and withdrawn from the Golan Heights. He stated that the Council should focus on real issues within its mandate, instead of meddling in the internal affairs of a Member State.<sup>613</sup> The representative of Israel expressed the view that the Syrian Arab Republic had not carried out its responsibilities in ensuring the security of the disengagement line, in a blatant attempt to distract international attention from its violent repression of its own people.<sup>614</sup>

<sup>604</sup> For UNDOF, see [S/PV.6343](#), [S/PV.6433](#), [S/PV.6558](#) and [S/PV.6680](#). For UNIFIL, see [S/PV.6373](#) and [S/PV.6600](#).

<sup>605</sup> For more information on the mandate of UNDOF, see part X, sect. I, “Peacekeeping operations”.

<sup>606</sup> For more information on the mandate of UNIFIL, see part X, sect. I, “Peacekeeping operations”.

<sup>607</sup> Resolutions [1934 \(2010\)](#), [1965 \(2010\)](#), [1994 \(2011\)](#) and [2028 \(2011\)](#).

<sup>608</sup> Resolutions [1937 \(2010\)](#) and [2004 \(2011\)](#).

<sup>609</sup> [S/PRST/2010/12](#) and [S/PRST/2010/30](#).

<sup>610</sup> [S/PV.6572](#), p. 2 (United Kingdom); p. 3 (Germany); p. 3 (United States); and p. 4 (France).

<sup>611</sup> *Ibid.*, p. 5.

<sup>612</sup> In the resolution, the Council, inter alia, demanded that Israel rescind its decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights.

<sup>613</sup> [S/PV.6572](#), pp. 5-7.

<sup>614</sup> *Ibid.*, p. 7.

**30 August 2010 and 30 August 2011: UNIFIL and resolution 1701 (2006)**

On 30 August 2010, following the extension of the mandate of UNIFIL until 31 August 2011, the representative of Israel asserted that the most serious challenge to peace and security in Lebanon remained the military build-up of Hizbullah. He reiterated the commitment of Israel to the full implementation of resolution 1701 (2006), and emphasized the need, in accordance with resolution 1937 (2010), just adopted, to establish between the Blue Line and the Litani River an area free of any armed personnel, assets and weapons other than those of Lebanon and UNIFIL. Citing the incident of 3 August 2011 in which one Israeli officer was killed and another wounded by Lebanese gunfire, he called upon the Lebanese Armed Forces to respect the Blue Line in its entirety.<sup>615</sup> The representative of Lebanon stated that Israel was continuously violating its sovereignty through, inter alia, its occupation of Lebanese territory, such as in Al-Ghajar village and the Shab'a farms in Kafr Shuba. He emphasized Lebanon's commitment to enhancing coordination and cooperation with UNIFIL.<sup>616</sup>

On 30 August 2011, following the extension of the mandate of the United Nations Interim Force in Lebanon (UNIFIL) until 31 August 2011, the representative of Israel noted that Hizbullah's continued military build-up, its exploitation of Lebanese civilians as human shields and its acts of violence targeting UNIFIL posed serious threats to peace and security in Lebanon, and that the Lebanese authorities bore particular responsibility for ending violations of resolution 1701 (2006). He stated that Israel expected the Government of Lebanon to prevent further provocative actions along the Blue Line, warning that such attacks carried serious potential for escalation.<sup>617</sup> The representative of Lebanon stated that the objective and terms of resolution 1701 (2006) were being constantly undermined by Israel's violations of its territory, airspace and waters. Lebanon encouraged the Secretary-General to intensify his diplomatic efforts to ensure that Israel withdrew from areas such as Al-Ghajar village and the Shab'a farms.<sup>618</sup>

<sup>615</sup> S/PV.6375, p. 3.

<sup>616</sup> Ibid., pp. 4-5.

<sup>617</sup> S/PV.6605, pp. 2-3.

<sup>618</sup> Ibid., p. 4.

**27 April 2011 to 4 October 2011: briefings on the Syrian Arab Republic**

On 27 April 2011, in his briefing to the Council, the Under-Secretary-General for Political Affairs reported that anti-government demonstrations had started in the Syrian Arab Republic in mid-March, following the detention in Dar'a of 15 schoolchildren for writing anti-government graffiti. He noted that demonstrations had since gradually but steadily increased in geographic scope and participation, and that initial demands for greater freedom and political and economic reform were increasingly turning into calls for the downfall of the regime. The Syrian authorities had reacted with a mix of reform measures and increasingly violent repression, including in towns such as Dar'a and Homs, with reports of more than 300 demonstrators reportedly being killed by security forces, as well as wide-scale arrests, torture and detention of protestors and others. Although the Government of the Syrian Arab Republic had reported that most of the killings of civilians had been committed by anti-government armed militias, no evidence had been provided.<sup>619</sup> In the discussion that followed, most Council members expressed deep concern regarding the deteriorating situation in the Syrian Arab Republic. Several Council members explicitly called upon the regime to end its violent repression immediately.<sup>620</sup> Other Council members noted the Government's announcement of reforms and expressed hope that both parties would engage in an inclusive political dialogue.<sup>621</sup> The representative of the Russian Federation, while expressing his concern regarding the increasing tension and confrontation in the Syrian Arab Republic that had claimed victims on both sides, asserted that the current situation in the country did not present a threat to international peace and security.<sup>622</sup> The representative of the Syrian Arab Republic stated that the ongoing violence was being perpetrated by extremist groups whose goal was the fall of his Government. Outlining his Government's various reform efforts, which aimed to respond to legitimate popular demands, and describing the efforts by the Syrian authorities to exercise utmost restraint,

<sup>619</sup> S/PV.6524, pp. 2-4.

<sup>620</sup> Ibid., p. 4 (United States); p. 5 (United Kingdom); p. 5 (France); p. 6 (Germany); and p. 8 (Gabon).

<sup>621</sup> Ibid., p. 7 (China); p. 8 (India); p. 9 (Brazil); pp. 9-10 (Nigeria); p. 10 (Bosnia and Herzegovina); p. 10 (Portugal); and p. 11 (Colombia).

<sup>622</sup> Ibid., p. 7

he stated that these groups had continued to kill innocent citizens and members of the security forces, and were intent on overthrowing his Government through killing and chaos. He stated that his country was currently the target of a conspiracy by external parties, including the United States. He stated that the Government was defending its people from seditious plots by its enemies, and therefore there was no justification for the Council's discussion focusing on what was essentially an internal affair of his country.<sup>623</sup>

On 3 August 2011, the Council adopted a statement by the President in which it expressed its grave concern at the deteriorating situation in the Syrian Arab Republic and, *inter alia*, called upon the Syrian authorities to alleviate the humanitarian situation in crisis areas by ceasing the use of force against affected towns, to allow unhindered access for international humanitarian agencies and workers.<sup>624</sup> Immediately following the adoption of the statement, the representative of Lebanon disassociated her country from it, stating that Lebanon did not believe that it helped to address the current situation in the country.<sup>625</sup>

On 4 October 2011, the Council voted on a draft resolution<sup>626</sup> in which the Council, *inter alia*, demanded that Syrian authorities immediately cease violations of human rights and the use of force against civilians, and expressed its intention to review the implementation of the resolution within 30 days and to consider its options, including measures under Article 41 of the Charter of the United Nations. It was not adopted owing to the negative vote of a permanent member. Explaining his delegation's position in opposition to the draft resolution, the representative of the Russian Federation stated that his delegation had been working with several other Council members on a separate draft resolution which emphasized, *inter alia*, respect for the national sovereignty and territorial integrity of the Syrian Arab Republic as well as the principle of non-intervention in its affairs. However, the draft resolution voted upon had been based on a philosophy of confrontation, containing an unacceptable threat of an ultimatum and sanctions against the Syrian authorities. Reflecting on the

Council's recent experience in Libya, and expressing alarm at the North Atlantic Treaty Organization (NATO) interpretation and implementation of Council resolutions regarding the situation in that country, he pointed out that the demand for a quick ceasefire had turned into a full-fledged civil war, with consequences that transcended Libyan borders. He expressed the view that the best way to end the crisis was through an inclusive intra-Syrian political process supported by the international community.<sup>627</sup> The representative of China, explaining his delegation's negative vote, asserted that the international community should provide constructive assistance to facilitate the achievement of a Syrian-led inclusive political process and should fully respect the sovereignty, independence and territorial integrity of the Syrian Arab Republic. Regarding the draft resolution voted upon, his delegation believed that sanctions or the threat thereof did not help to resolve the crisis and might further complicate the situation, and therefore it had voted against it.<sup>628</sup> Several Council members expressed regret that the draft resolution had not been adopted despite efforts to gain broad support for the text.<sup>629</sup> The representative of the United States expressed outrage that the Council had utterly failed to address a growing threat to regional peace and security. The arguments against strong Council action were growing weaker by the day, with the Syrian regime continuing its atrocities despite promises of reform. She stated that while there had been efforts by several Council members and regional organizations to stop the bloodshed, the Government of the Syrian Arab Republic had refused to meet its international obligations. By failing to adopt the draft resolution, the Council had squandered an opportunity to shoulder its responsibilities to the Syrian people.<sup>630</sup> The representative of France stated that it would continue its efforts both in the Council and within the European Union, along with all its partners, to ensure that the rights of the Syrian people were recognized and respected, so that those responsible for the violence could one day be brought to justice.<sup>631</sup> The representative of the United Kingdom stated that some

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<sup>623</sup> *Ibid.*, pp. 11-13.

<sup>624</sup> [S/PRST/2011/16](#).

<sup>625</sup> [S/PV.6598](#), pp. 2-3.

<sup>626</sup> [S/2011/612](#).

<sup>627</sup> [S/PV.6627](#), pp. 3-5.

<sup>628</sup> *Ibid.*, p. 5.

<sup>629</sup> *Ibid.*, p. 3 (France); p. 5 (Portugal); p. 7 (United Kingdom); p. 9 (United States); and p. 10 (Germany).

<sup>630</sup> *Ibid.*, pp. 8-9.

<sup>631</sup> *Ibid.*, p. 3.

Council members had made bilateral attempts to engage the Syrian leadership, and that each time the Government had promised reform but failed to deliver. The onus was now on the countries that had blocked the adoption of the draft resolution to step up their efforts to persuade the Government to end the violence and pursue genuine reform.<sup>632</sup> The representative of India stated that while it recognized the responsibility of all States to respect the fundamental rights of their people, States also had the obligation to protect their citizens from armed groups and militants, and therefore could not but take appropriate action when heavily armed military groups resorted to violence against the State authority and infrastructure.<sup>633</sup> The representative of South Africa, in explaining his delegation's abstention in the draft resolution, expressed concern

<sup>632</sup> Ibid., p. 7.

<sup>633</sup> Ibid., p. 6.

about the sponsors' intention to impose punitive measures and also that it not be part of a hidden agenda to institute regime change.<sup>634</sup> The representative of the Syrian Arab Republic stated that there were certain States that were leading the international campaign to intervene in his country under the pretext of human rights and the protection of civilians. Not only did such countries continue to reject the existence of armed terrorists groups within his country, but were also protecting and sponsoring the leaders of those groups. The sponsors of the draft resolution, he asserted, were seeking to lead the entire world into a new colonial era and military adventures that were doomed to fail. Those very States had led the whole world into two world wars that had claimed millions of lives.<sup>635</sup>

<sup>634</sup> Ibid., p. 11.

<sup>635</sup> Ibid., p. 14.

### Meetings: the situation in the Middle East

| <i>Meeting and date</i>                            | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>   | <i>Rule 39 and other invitations</i> | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i>                                  |
|--|--|---|------------------------------|--------------------------------------|---|--|
| <b>United Nations Disengagement Observer Force</b> |  |   |                              |                                      |   |  |
| <a href="#">6352</a><br>30 June 2010               | Report of the Secretary-General on UNDOF for the period from 1 January to 30 June 2010 ( <a href="#">S/2010/296</a> )  | Draft resolution ( <a href="#">S/2010/346</a> )   |                              |                                      |   | Resolution <a href="#">1934 (2010)</a><br>15-0-0<br><a href="#">S/PRST/2010/12</a> |
| <a href="#">6462</a><br>22 December 2010           | Report of the Secretary-General on UNDOF for the period from 1 July to 31 December 2010 ( <a href="#">S/2010/607</a> ) | Draft resolution submitted by Austria, Japan, United States ( <a href="#">S/2010/650</a> )  |                              |                                      |   | Resolution <a href="#">1965 (2010)</a><br>15-0-0<br><a href="#">S/PRST/2010/30</a> |
| <a href="#">6572</a><br>30 June 2011               | Report of the Secretary-General on UNDOF for the period from 1 January to 30 June 2011 ( <a href="#">S/2011/359</a> )  | Draft resolution submitted by France, Germany, Portugal, Russian Federation, United Kingdom, United States ( <a href="#">S/2011/385</a> ) | Israel, Syrian Arab Republic |                                      | 7 Council members (China, France, Germany, Lebanon, Russian Federation, United Kingdom, United States), | Resolution <a href="#">1994 (2011)</a><br>15-0-0                                   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>   | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i>         | <i>Rule 39 and<br/>other invitations</i>      | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-abstaining)</i>                             |
|---|--|---|--|---|---|---|
|   |  |   |  |   | all invitees  |   |
| <a href="#">6693</a><br>21 December<br>2011   | Report of the Secretary-General on UNDOF for the period from 1 July to 31 December 2011 ( <a href="#">S/2011/748</a> )                   | Draft resolution submitted by Russian Federation and United States ( <a href="#">S/2011/779</a> )   |  |   |   | Resolution <a href="#">2028 (2011)</a><br>15-0-0                                  |
| <b>United Nations Interim Force in Lebanon and resolution <a href="#">1701 (2006)</a></b> |  |   |  |   |   |   |
| <a href="#">6375</a><br>30 August<br>2010   | Letter dated 11 August 2010 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2010/430</a> ) | Draft resolution submitted by Belgium, France, Italy, Spain, United States ( <a href="#">S/2010/454</a> )<br><br>Thirteenth report of the Secretary-General on the implementation of Security Council resolution <a href="#">1701 (2006)</a> ( <a href="#">S/2010/352</a> ) | Belgium,<br>Israel,<br>Italy,<br>Spain |   | Lebanon,<br>Israel  | Resolution <a href="#">1937 (2010)</a><br>15-0-0                                  |
| <a href="#">6605</a><br>30 August<br>2011   | Letter dated 5 August 2011 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2011/488</a> )  | Draft resolution submitted by France, Germany, Italy, Spain, United States ( <a href="#">S/2011/545</a> )   | Israel,<br>Italy,<br>Spain             |   | 1 Council member (Lebanon),<br>Israel                                 | Resolution <a href="#">2004 (2011)</a><br>15-0-0                                  |
| <b>Syrian Arab Republic</b>   |  |   |  |   |   |   |
| <a href="#">6524</a><br>27 April 2011   |  |   | Syrian Arab Republic                   | Under-Secretary-General for Political Affairs | All Council members,<br>Under-Secretary-General for Political Affairs |   |
| <a href="#">6598</a><br>3 August<br>2011  |  |   |  |   | 1 Council member (Lebanon)  | <a href="#">S/PRST/2011/16</a>  |
| <a href="#">6627</a><br>4 October<br>2011   |  | Draft resolution submitted by France, Germany, Portugal, United Kingdom ( <a href="#">S/2011/612</a> )  | Syrian Arab Republic                   |   | 12 Council members <sup>a</sup>                                       | Draft resolution not adopted ( <a href="#">S/2011/612</a> )<br>9-2-4 <sup>b</sup> |

| <i>Meeting and date</i> | <i>Sub-item</i> | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|-----------------|--|----------------------------|--------------------------------------|-----------------|---|
| <b>Yemen</b>            |                 |  |                            |                                      |                 |   |
| 6634                    |                 | Draft resolution submitted by France, Germany, Portugal, United Kingdom, United States |                            |                                      |                 | Resolution 2014 (2011)                            |
| 21 October 2011         |                 | (S/2011/651)   |                            |                                      |                 | 15-0-0  |

<sup>a</sup> Bosnia and Herzegovina, Brazil, China, Colombia, France, Germany, India, Portugal, Russian Federation, South Africa, United Kingdom, United States.

<sup>b</sup> For: Bosnia and Herzegovina, Colombia, France, Gabon, Germany, Nigeria, Portugal, United Kingdom, United States; against: China, Russian Federation; abstaining: Brazil, India, Lebanon, South Africa.

## 28. The situation concerning Iraq

### Overview

During the period under review, the Security Council held 16 meetings, including 2 closed meetings, in connection with the situation concerning Iraq, adopting five resolutions (three under Chapter VII of the Charter) and three presidential statements.

During the course of the meetings held under the item, the Council was briefed by the Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq (UNAMI) on the activities of UNAMI and on the political and security situation in Iraq, including preparations for the national parliamentary elections and subsequent efforts to form a national government. The Council also heard briefings pursuant to resolution 1905 (2009), in which the Council, inter alia, requested that both the Secretary-General and the Government of Iraq provide details on progress made in strengthening the financial and administrative oversight of the Development Fund for Iraq, and that the Secretary-General provide details on the legal issues and options to be considered to implement successor arrangements.

From 2010 to 2011, the Council renewed the mandate of UNAMI twice for a period of one year each time.<sup>636</sup>

### 26 February and 12 November 2010: adoption of a presidential statement concerning steps taken by Iraq to comply with non-proliferation and disarmament regimes

On 26 February 2010, the Council adopted a presidential statement in which it, inter alia, welcomed the letter dated 18 January 2010 from the Minister for Foreign Affairs of Iraq confirming that the Government of Iraq supported the international non-proliferation regime and complied with disarmament treaties and other relevant international instruments, and underlined the importance of Iraq ratifying the Additional Protocol to its comprehensive safeguards agreement with the International Atomic Energy Agency, which it had signed in 2008. The Council also underlined its readiness, once the necessary steps had been taken, to review, with a view towards lifting, the restrictions in resolutions 687 (1991) and 707 (1991) related to weapons of mass destruction and civil nuclear activities.<sup>637</sup>

On 12 November 2010, the Council adopted a presidential statement in which it, inter alia, welcomed the agreement reached to form a national partnership government, and encouraged the leaders of Iraq to rededicate themselves to the pursuit of national reconciliation.<sup>638</sup>

<sup>636</sup> Resolutions 1936 (2010) and 2001 (2011). For more information on the mandate of UNAMI, see part X, sect. II, "Political and peacebuilding missions".

<sup>637</sup> S/PRST/2010/5.

<sup>638</sup> S/PRST/2010/23.

**16 February to 4 August 2010: briefings on  
UNAMI support for national parliamentary  
elections held in March 2010**

On 16 February 2010, the Council heard a briefing by the Special Representative of the Secretary-General, who reported on the preparations being made for the parliamentary elections. He stated that UNAMI had provided advice and technical support for the Independent High Electoral Commission. As a result of a huge collective effort, the infrastructure was in place to allow voters to visit polling stations on the day of the elections scheduled for 7 March. He stated that it was important that the lessons learned in the process be properly applied in the future. It was therefore highly relevant for UNAMI to advise the new Government on the general fundamentals of electoral legislation and parliamentary procedures, as well as to clarify the roles and responsibilities of the three powers, as that was necessary to strengthen the authority of the institutions. Among other undertakings, UNAMI would also provide support to the new Government on the adoption of its budget, in cooperation with the World Bank and the International Monetary Fund.<sup>639</sup>

The representative of Iraq highlighted recent political and security-related developments in the country, including the successful adoption of an amended Election Law and efforts being made by the Government towards improving the security situation surrounding the upcoming elections. Reflecting on the progress being made at the social and economic levels, he reiterated his Government's request for the Council to consider the removal of all restrictions imposed pursuant to its resolutions on Iraq pertaining to disarmament and weapons of mass destruction, including resolutions 687 (1991) and 707 (1991).<sup>640</sup>

On 25 May 2010, the Council heard a briefing by the Special Representative of the Secretary-General for Iraq, who stated that the success of the national elections held on 7 March had provided an opportunity to further strengthen the country's sovereignty and move determinedly towards reconciliation, but expressed concern that so far there had been a large number of violent incidents in 2010. UNAMI was encouraging the winning parties to come to an agreement on a Government that was inclusive, based on power-sharing principles and formed within an

agreed time frame. Regarding the question of the border of Iraq with Kuwait, he emphasized that UNAMI was continuing to convey the message that Iraq must reaffirm the border demarcation affirmed in resolution 833 (1993). In the light of the upcoming drawdown of United States forces, he stressed the importance of improving the security capabilities of UNAMI, which would need to become more self-reliant in maintaining its representation and footprint in Iraq.<sup>641</sup>

The representative of Iraq pointed out that the success of the electoral process was an achievement of the Government, the security forces and the Independent High Electoral Commission. Through their meticulous efforts, a safe environment had been provided and voting procedures had been conducted with integrity and transparency. Complaints raised regarding the legitimacy of the process, such as the recount of votes in the Baghdad province, had been addressed. Acknowledging the concerns relating to the delay in forming the Government, he assured Council members that effective deliberation was going on between the various political groups in order to reach a consensus. He also cited several recent successes attributable to the Government, including the apprehension of several individuals linked with terrorist groups, and the signing of the first United Nations development assistance framework, which would facilitate longer-term economic and human development planning. He reiterated his Government's demand that the Council review the restrictions imposed by resolutions 687 (1991) and 707 (1991), with a view to lifting them.<sup>642</sup>

On 4 August 2010, the Council heard a briefing by the Special Representative of the Secretary-General for Iraq, who noted that despite the successful completion of the parliamentary elections and the certification of results, delays in forming the next Government presented a real test for the transition of Iraq to democracy. Although UNAMI stood ready to provide assistance and support, he emphasized that the formation of the Government was a sovereign process and the full responsibility of the Iraqis themselves, and called on the country's leaders to show a higher sense of urgency in reaching agreement through an inclusive process. He emphasized that delays in the formation of the Government were affecting the country's basic infrastructure and services, as shown for instance by

<sup>639</sup> S/PV.6271, pp. 2-5.

<sup>640</sup> Ibid., pp. 5-9.

<sup>641</sup> S/PV.6320, pp. 2-5.

<sup>642</sup> Ibid., pp. 5-8



protests over the long blackouts in the electricity supply.<sup>643</sup>

The representative of Iraq reported that at that time all major political parties were making extensive contacts in order to hold a fruitful session of the newly elected Council of Representatives, which would elect a new Speaker. He also underlined the significant improvement of the security situation in Iraq, including a substantial drop in violence, which had encouraged many foreign countries to reopen their diplomatic missions. He emphasized, however, that the most important issue for his country was to free itself from the burden of Chapter VII of the Charter of the United Nations, which imposed on Iraq financial and other burdens that affected its sovereignty. He asserted that Iraq had fulfilled its obligations and had taken important steps in the area of disarmament and non-proliferation, including voluntary adherence to the Additional Protocol to its comprehensive safeguards agreement. He reiterated his request to the Council to lift the remaining restrictions imposed upon Iraq.<sup>644</sup>

#### **6 April to 10 November 2010: briefings on the transition of the Development Fund for Iraq to a successor arrangement**

On 6 April 2010, the representative of Iraq<sup>645</sup> briefed the Council on the action plan and timeline established by the Government for the transition to a mechanism to succeed the Development Fund for Iraq, in fulfilment of the requirements in paragraph 5 of resolution 1905 (2009). He stated that the main elements of the action plan involved maintaining the same mechanisms of the Development Fund, using bank accounts opened at the Federal Reserve Bank in New York to ensure the central deposit of the proceeds from the sale of oil, petroleum products and natural gas, while continuing the automatic deposit of compensation, as provided for in paragraph 21 of resolution 1483 (2003) and in subsequent related resolutions. He stated that the transition was scheduled to be completed by 31 December 2010.<sup>646</sup>

The Controller of the United Nations, in his briefing to the Council, affirmed that the action plan

and timeline presented by the Government regarding the successor arrangement were realistic, and welcomed the selection of an independent international auditor to confirm that all proceeds of export sales of petroleum, petroleum products and natural gas from Iraq were accounted for. He reiterated the obligation of the Government, under the successor mechanism, to continue making payments of 5 per cent of the proceeds of all petroleum and other export sales to the Compensation Fund, as set out in paragraph 21 of resolution 1483 (2003). He also noted that the privileges and immunities approved in conjunction with the Development Fund for Iraq would not continue under the successor mechanism unless otherwise decided by the Council.<sup>647</sup>

On 12 July 2010, the Council heard a briefing by the Controller of the United Nations, who expressed concern about the delays in the implementation of the oil metering system of Iraq, which was designed to determine the volume of export sales of petroleum products and natural gas. He noted that the system was initially planned to become fully operational by the end of 2011. Regarding preparations for the successor arrangement to the Development Fund for Iraq, he stated that while some measures had been implemented, work remained to be done to fully implement the action plan.<sup>648</sup>

The representative of Iraq stated that the Government had taken a number of actions, including the review of outstanding letters of credit from the oil-for-food programme and initiation of settlement negotiations with both State and commercial creditors for debts inherited from the previous regime.<sup>649</sup>

On 10 November 2010, the Council heard a briefing by the Controller of the United Nations, who reported on the external audit being undertaken on behalf of the International Advisory and Monitoring Board.<sup>650</sup> He encouraged the Government to make every effort to implement the oil metering plan on schedule and address the further steps recommended by the auditors, including the appointment of a third party to verify the implementation on the basis of petroleum industry best practices. Regarding the Iraq

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<sup>643</sup> S/PV.6368, pp. 2-4.

<sup>644</sup> Ibid., pp. 4-7.

<sup>645</sup> At the 6293<sup>rd</sup>, 6356<sup>th</sup> and 6418<sup>th</sup> meetings, Iraq was represented by the Head of the Committee of Financial Experts of Iraq.

<sup>646</sup> S/PV.6293, pp. 2-4.

<sup>647</sup> Ibid., pp. 4-5.

<sup>648</sup> S/PV.6356, pp. 2-3.

<sup>649</sup> Ibid., pp. 3-5.

<sup>650</sup> The International Advisory and Monitoring Board was established pursuant to resolution 1483 (2003) as the audit oversight body for the Development Fund for Iraq.

escrow account<sup>651</sup> he stated that when all outstanding activities of the oil-for-food programme were concluded, uncommitted remaining funds would need to be transferred to the Development Fund for Iraq.<sup>652</sup>

The representative of Iraq stressed that with respect to the requirements for successor arrangements for the Development Fund for Iraq, despite efforts made with foreign banks and international financial institutions, the Government had been unable to secure guarantees to protect its assets at the level of protection provided in resolution 1483 (2003).<sup>653</sup> In view of the difficult circumstances and the ongoing delay in forming a new Government, Iraq hoped that the Council would take those efforts into account in considering its request to extend the immunities of the Development Fund for another year. The representative outlined specific measures the Government was undertaking to strengthen the financial and administrative controls of the Development Fund.<sup>654</sup>

**15 December 2010: high-level meeting and adoption of decisions concerning termination of the oil-for-food programme and sanctions measures**

On 15 December 2010, the Council held a high-level meeting on the situation concerning Iraq. During the meeting, three resolutions and one presidential statement were adopted.

By resolution 1956 (2010), the Council decided that after 30 June 2011, all arrangements for depositing proceeds from export sales of petroleum, petroleum products and natural gas into the Development Fund for Iraq would be terminated, and affirmed the requirement established in resolution 1483 (2003) that 5 per cent of the proceeds shall be deposited into the United Nations Compensation Fund. In addition, in resolution 1956 (2010) the Council called upon the

Government of Iraq to work closely with the Secretary-General to finalize the full and effective transition to a post-Development Fund for Iraq mechanism by 30 June 2011. By resolution 1957 (2010), the Council terminated the sanction measures imposed against Iraq under resolutions 687 (1991) and 707 (1991) related to weapons of mass destruction and, inter alia, urged Iraq to ratify the Additional Protocol to its comprehensive safeguards agreement and the Comprehensive Nuclear-Test-Ban Treaty as soon as possible. By resolution 1958 (2010), the Council terminated the oil-for-food programme,<sup>655</sup> and authorized the Secretary-General to establish an escrow account for the expenses of the United Nations related to the orderly termination of the residual activities of the programme, and for the purpose of providing indemnification to the United Nations for a period of six years with regard to all activities in connection with the programme since its inception. Resolution 1956 (2010) and resolution 1957 (2010) were adopted unanimously. Resolution 1958 (2010) was adopted by a vote of 14 in favour and one abstention.<sup>656</sup>

In the presidential statement, the Council welcomed the positive developments in Iraq, and outlined the provisions of the resolutions adopted at the same meeting. The Council called upon Iraq to quickly fulfil its remaining obligations under the relevant Chapter VII resolutions pertaining to the situation between Iraq and Kuwait.<sup>657</sup>

The Vice-President of the United States noted that the United States had ended its combat mission in Iraq and had transitioned from a military-led to a civilian-led engagement whose primary mission was to provide advice and assistance. He stressed that the United States would continue to maintain a partnership with Iraq across a range of sectors and in accordance with the strategic framework agreement.<sup>658</sup>

The Secretary-General acknowledged the progress made in Iraq and highlighted the Council's decision to end several major Chapter VII mandates, including on weapons of mass destruction and the oil-for-food programme. He urged the political blocs in Iraq to honour their agreements, and pointed out that a

<sup>651</sup> The Iraq escrow account was established pursuant to resolution 986 (1995) to receive payments for Iraqi petroleum and petroleum products purchased in accordance with the provisions of the resolution.

<sup>652</sup> S/PV.6418, pp. 2-3.

<sup>653</sup> Resolution 1483 (2003) provided, inter alia, that subject to conditions, proceeds and obligations arising from sales of petroleum, petroleum products and natural gas originating in Iraq shall enjoy privileges and immunities equivalent to those enjoyed by the United Nations (see para. 22).

<sup>654</sup> Ibid., pp. 2-5.

<sup>655</sup> The Council established the oil-for-food programme by resolution 986 (1995).

<sup>656</sup> France abstained.

<sup>657</sup> S/PRST/2010/27.

<sup>658</sup> S/PV.6450, pp. 5-6.

new Government would also need to continue making domestic progress and improve relations with its neighbours and the region. He encouraged the new Government to fulfil its Chapter VII obligations with respect to its land and maritime boundary with Kuwait as well as in connection with missing persons and property, compensation and the maintenance of boundary markers. He stated that UNAMI would continue to carry out tasks in accordance with its mandate, including promoting political dialogue, providing constitutional support, monitoring human rights, and delivering humanitarian assistance to refugees and internally displaced persons.<sup>659</sup>

The Minister for Foreign Affairs of Iraq reported that following a political stalemate lasting several months, all political leaders and blocs had now agreed to the formation of a Government that would be based upon the principles of participation, inclusion and national reconciliation. He highlighted the major progress made by the Government towards meeting its obligations on disarmament and non-proliferation set out in the relevant Council resolutions, as well as in developing arrangements to replace the Development Fund for Iraq. With regard to the relationship between Iraq and Kuwait, he stressed the commitment by the Government towards fulfilling its remaining obligations under the relevant Council resolutions. He concluded by stating that Iraq continued to need international cooperation and support to make progress towards a stable, peaceful and prosperous future.<sup>660</sup>

The representative of France, explaining his abstention on the vote on resolution 1958 (2010), stated that the modalities for implementation with respect to the termination of the oil-for-food programme remained pending, and discussions had not resulted in a text within the necessary time frame that included all the guarantees France considered necessary to end activities under the programme. He expressed the hope that the requests by France would be taken into account when the agreements provided under the resolution were implemented.<sup>661</sup>

Most Council members acknowledged the progress made by Iraq towards the establishment of a democratic Government and its assumption of responsibility for self-governance and security. Several

Council members welcomed the agreement reached by the political groups, and urged all political factions to form a partnership Government as soon as possible, in order to deal with security issues and work towards reconciliation.<sup>662</sup> Others expressed support for the role played by UNAMI in the political process and urged it to continue its assistance to the Government.<sup>663</sup> Most speakers also urged Iraq to continue to cooperate with Kuwait in settling remaining bilateral issues, such as the fate of missing persons, as well as seeking to improve relations with other neighbouring countries. Some Council members called upon Iraq to ratify the Additional Protocol to its comprehensive safeguards agreement and the Comprehensive Nuclear-Test-Ban Treaty.<sup>664</sup>

#### **8 April to 6 December 2011: briefings on the situation concerning Iraq and UNAMI**

On 8 April 2011, the Council heard a briefing by the Special Representative of the Secretary-General for Iraq, who reported that, while notable progress had been made in the four months since the formation of a new national partnership Government, many challenges remained. There had been protests by Iraqis calling for better employment opportunities, the delivery of basic services and accountability. He stated that UNAMI had initiated discussions with the Government of Iraq on how the United Nations could support its efforts, and had proposed projects that could be rapidly expanded, in particular youth employment, health, nutrition, the public distribution of food rations and clean water. UNAMI had also reached an agreement with the Government and the main political parties on a standing consultation mechanism on key outstanding issues, including the resolution of disputed internal boundaries and the status of Kirkuk. He further reported that despite an overall downward trend in security incidents, terrorist attacks targeting communities and Government institutions had resulted in civilian deaths and injuries,

<sup>662</sup> Ibid., p. 11 (Uganda); p. 12 (Turkey); p. 14 (Bosnia and Herzegovina); p. 15 (Gabon); p. 16 (Brazil); p. 21 (Russian Federation); p. 23 (Lebanon); and p. 25 (Nigeria).

<sup>663</sup> Ibid., p. 18 (Austria); p. 21 (Russian Federation); and p. 22 (China).

<sup>664</sup> Ibid., p. 11 (Uganda); p. 17 (Austria); and p. 21 (Russian Federation).

<sup>659</sup> Ibid., pp. 7-8.

<sup>660</sup> Ibid., pp. 8-10.

<sup>661</sup> Ibid., pp. 24-25.

underscoring the continued threats to the stability of the country.<sup>665</sup>

The representative of Iraq, citing the platform of the ministerial Government, stated that its goal was to build a federal, democratic, pluralist and unified Iraq. He said that the programme of work for the Government was based on a clear set of principles, including maintaining and upholding the Constitution, building the rule of law and respecting human rights. He reported on the progress being made in improving the security situation and addressing social and economic issues. On the question of its relations with neighbouring countries, he stated that the Government was working to strengthen relations, for example, by accepting the challenging task of hosting the next Arab Summit in Baghdad in May 2011.<sup>666</sup>

On 19 July 2011, the Council heard a briefing by the Special Representative of the Secretary-General for Iraq, who reported that there were grounds for cautious optimism, provided that determined leadership within the country and a stronger spirit of cooperation in the region prevailed. He stressed that Iraq was at the heart of fundamental changes in the region, with a system of Government incorporating a power-sharing Constitution that guaranteed the participation of women and minorities and with regular elections being conducted in line with international standards. The economy of Iraq was growing at a rate of 10 per cent, with oil revenues higher than projected, but the poverty index remained high, which posed an instability risk. He noted that UNAMI was prepared to do all it could to support the efforts of the Government, and that the Mission was committed to helping stakeholders find common ground and mutually acceptable solutions to resolve the status of Kirkuk and other disputed areas.<sup>667</sup>

The representative of Iraq stated that the Government was continuing to improve the ability of

its security forces to address threats. In that regard, the Government would work on the implementation of the strategic framework agreement with the United States and the partnership agreement with the European Union. He also reported on progress being made in such areas as national reconciliation, economic development and the protection of human rights.<sup>668</sup>

On 6 December 2011, the Council heard a briefing by the Special Representative of the Secretary-General, who stated that the planned withdrawal of United States forces by the end of 2011 was an important milestone in the history of Iraq. Iraqi security forces had assumed full control of the country's security but continued to face armed opposition. He emphasized that UNAMI was ready to work with the Government to consolidate the country's democratic gains, especially with regard to human rights and electoral and legislative support. Regarding the implementation of the United Nations Development Assistance Framework, he stated that UNAMI would focus on issues with political, security and governance implications, including the question of improving the situation of women.<sup>669</sup>

The representative of Iraq stated that the political and security situation in Iraq had improved significantly during the last few months. Preparations were being made for the withdrawal of the United States forces, which would bring great challenges and responsibilities to the Government in the coming year. He highlighted progress being made in several areas, including the efforts of the Government to address unresolved issues with Kuwait. Regarding the situation at Camp Ashraf, he stated that the Government was committed to its relocation with the assistance of the Office of the United Nations High Commissioner for Refugees.<sup>670</sup>

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<sup>665</sup> S/PV.6511, pp. 2-5.

<sup>666</sup> Ibid., pp. 5-8.

<sup>667</sup> S/PV.6586, pp. 2-5.

<sup>668</sup> Ibid., pp. 5-9.

<sup>669</sup> S/PV.6675, pp. 2-6.

<sup>670</sup> Ibid., pp. 6-10.

Meetings: the situation concerning Iraq

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>                                       | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|--|------------------------|----------------------------|--|-----------------|---|
| 6271<br>16 February<br>2010 | Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2010/76)  |                        | Iraq                       | Special Representative of the Secretary-General for Iraq and Head of UNAMI | All invitees    |   |
| 6279<br>26 February<br>2010 | Report of the Secretary-General pursuant to paragraph 5 of resolution 1859 (2008) (S/2009/385)   |                        |                            |  |                 | S/PRST/2010/5                                     |
| 6293<br>6 April 2010        | First report of the Secretary-General pursuant to paragraph 3 of resolution 1905 (2009) (S/2010/166)<br><br>Letter dated 18 March 2010 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/2010/153) |                        | Iraq                       | Controller of the United Nations   | All invitees    |   |
| 6320<br>25 May 2010         | Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2010/240)   |                        | Iraq                       | Special Representative of the Secretary-General                            | All invitees    |   |
| 6356<br>12 July 2010        | Second report of the Secretary-General pursuant to paragraph 3 of resolution 1905 (2009) (S/2010/359)<br><br>Note verbale dated 18 June 2010 from the Permanent Mission of Iraq to the United Nations addressed to the President of the Security Council (S/2010/365)  |                        | Iraq                       | Controller of the United Nations   | All invitees    |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>           | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>           | <i>Rule 39 and other invitations</i>            | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------------|--|---|--------------------------------------|---|-----------------|---|
| 6357 (closed)<br>12 July 2010     |  |   | Iraq, other interested Member States | Controller of the United Nations                |                 |   |
| 6368<br>4 August 2010             | Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2010/406)<br><br>Note verbale dated 28 July 2010 from the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General (S/2010/404)                                   |   | Iraq                                 | Special Representative of the Secretary-General | All invitees    |   |
| 6369<br>5 August 2010             | Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2010/406)<br><br>Note verbale dated 28 July 2010 from the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General (S/2010/404)                                   | Draft resolution submitted by Japan, Turkey, United Kingdom, United States (S/2010/407) | Iraq                                 |   |                 | Resolution 1936 (2010)<br>15-0-0                  |
| 6418<br>10 November 2010          | Third progress report of the Secretary-General pursuant to paragraph 3 of resolution 1905 (2009) (S/2010/563)<br><br>Note verbale dated 28 October 2010 from the Permanent Mission of Iraq to the United Nations addressed to the President of the Security Council (S/2010/567) |   | Iraq                                 | Controller of the United Nations                | All invitees    |   |
| 6419 (closed)<br>10 November 2010 |  |   | 26 Member States <sup>a</sup>        | Controller of the United Nations                |                 |   |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>     | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37 invitations</i>                      | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|---|--|---|--|--|---|
| 6423<br>12 November<br>2010 |   |  |   |  |  | S/PRST/2010/23                                    |
| 6450<br>15 December<br>2010 | Letter dated<br>9 December 2010 from<br>the Permanent<br>Representative of the<br>United States of<br>America to the United<br>Nations addressed to<br>the Secretary-General<br>(S/2010/621)<br><br>Report of the Secretary-<br>General pursuant to<br>paragraph 6 of<br>resolution 1936 (2010)<br>(S/2010/606)<br><br>Letter dated<br>9 December 2010 from<br>the Permanent<br>Representative of Iraq<br>to the United Nations<br>addressed to the<br>President of the<br>Security Council<br>(S/2010/625)<br><br>Third report of the<br>Secretary-General<br>pursuant to paragraph 3<br>of resolution 1905<br>(2009) (S/2010/563)<br><br>Note verbale dated<br>28 October 2010 from<br>the Permanent Mission<br>of Iraq to the United<br>Nations addressed to<br>the President of the<br>Security Council<br>(S/2010/567)<br><br>Note verbale dated<br>8 December 2010 from<br>the Permanent Mission<br>of Iraq to the United<br>Nations addressed to<br>the President of the<br>Security Council<br>(S/2010/618) | Draft<br>resolutions<br>submitted by<br>13 Council<br>members <sup>b</sup><br>(S/2010/632<br>and<br>S/2010/633)<br><br>Draft<br>resolution<br>submitted by<br>12 Council<br>members <sup>c</sup><br>(S/2010/636) | Iraq<br>(Minister<br>for<br>Foreign<br>Affairs) | Secretary-<br>General, all<br>Council<br>members, <sup>d</sup><br>Iraq<br>(Minister<br>for Foreign<br>Affairs) | Resolution 1956<br>(2010)<br>15-0-0<br><br>Resolution 1957<br>(2010)<br>15-0-0<br><br>Resolution 1958<br>(2010)<br>14-0-1 <sup>e</sup><br><br>S/PRST/2010/27 |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i> | <i>Sub-item</i>   | <i>Other documents</i>                                       | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>            | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|---|--|----------------------------|---|-----------------|---|
|                         | Letter dated 8 December 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/619)                                     |  |                            |   |                 |   |
|                         | Note verbale dated 8 December 2010 from the Permanent Mission of Iraq to the United Nations addressed to the President of the Security Council (S/2010/620) |  |                            |   |                 |   |
| 6511<br>8 April 2011    | Second report of the Secretary-General pursuant to paragraph 6 of resolution 1936 (2010) (S/2011/213)   |  | Iraq                       | Special Representative of the Secretary-General | All invitees    |   |
| 6586<br>19 July 2011    | Third report of the Secretary-General pursuant to paragraph 6 of resolution 1936 (2010) (S/2011/435)  |  | Iraq                       | Special Representative of the Secretary-General | All invitees    |   |
| 6594<br>28 July 2011    | Third report of the Secretary-General pursuant to paragraph 6 of resolution 1936 (2010) (S/2011/435)  | Draft resolution submitted by the United States (S/2011/465) | Iraq                       |   |                 | Resolution 2001 (2011)<br>15-0-0                  |
| 6675<br>6 December 2011 | First report of the Secretary-General pursuant to paragraph 6 of resolution 2001 (2011) (S/2011/736)  |  | Iraq                       | Special Representative of the Secretary-General | All invitees    |   |

<sup>a</sup> Australia, Bahrain, Belgium, Czech Republic, Denmark, Egypt, Finland, Germany, Greece, Hungary, Indonesia, Iraq, Jordan, Kazakhstan, Kuwait, Malaysia, Netherlands, Philippines, Poland, Portugal, Slovakia, Slovenia, Sweden, Switzerland, Syrian Arab Republic and Qatar.

<sup>b</sup> Austria, Bosnia and Herzegovina, China, France, Gabon, Japan, Lebanon, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom and United States.

<sup>c</sup> Austria, Bosnia and Herzegovina, China, Gabon, Japan, Lebanon, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom and United States.

<sup>d</sup> Uganda and United States were represented by the Vice-President; Austria, Bosnia and Herzegovina, Gabon and Turkey were represented by the Minister for Foreign Affairs; Japan was represented by the Parliamentary Vice-Minister for Foreign Affairs; United Kingdom was represented by the Parliamentary Under-Secretary of State for the Foreign and Commonwealth Office; and Brazil was represented by the Vice-Minister for Political Affairs of the Ministry of External Relations.

<sup>e</sup> For: Austria, Bosnia and Herzegovina, Brazil, China, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States; abstaining: France.



## Thematic issues

### 29. United Nations peacekeeping operations

#### Overview

During the period under review, the Security Council held four meetings and adopted two presidential statements in connection with the item entitled “United Nations peacekeeping operations”. At the meetings, the Council considered several themes, including the linkages between peacekeeping and peacebuilding and the question of transition and exit strategies for peacekeeping operations. The Council also heard two briefings by Force Commanders of peacekeeping operations regarding the challenges that they faced in the field.

#### 12 February 2010: debate on transition and exit strategies

On 12 February 2010, on the basis of a concept paper prepared by the presidency (France),<sup>671</sup> the Council held an open debate on transition and exit strategies of United Nations peacekeeping operations. In his statement to the Council, the Secretary-General noted that United Nations peacekeeping operations, which had seen a surge over the past decade, were likely in the years ahead to focus not so much on new missions but more on the consolidation of peace and stability by current missions in countries emerging from conflict. To ensure that current missions and their successor presences could help to consolidate peace and support lasting stability, a good “entrance” was needed: the mandate of an operation needed to address the root causes of conflict, a solid and sustainable peace process needed to chart a path out of violence, a clear goal that could be jointly owned by national stakeholders and the international community needed to be articulated, and timely allocation of human and material resources was needed. Furthermore, in assessing whether a peacekeeping operation should be drawn down, various factors, including the strength of national governance structures and the prospects for socioeconomic recovery, needed to be taken into account.<sup>672</sup> The Under-Secretary-General for Peacekeeping Operations stated that beyond the basic

level of security that the peacekeeping operations provided, such as the protection of civilians, the rule of law and the demobilization and reintegration of former combatants, missions were also tasked with various additional roles, including providing support for political and electoral processes, national and local reconciliation and restoring essential government functions. A common understanding regarding the link between peacekeeping and peacebuilding was crucial in this regard, which would allow clear foundations on which to plan transitions in a coherent fashion and help countries emerging from conflict more effectively. He outlined several initiatives being undertaken by the Department of Peacekeeping Operations, including the earlier initiation of transition planning, a study of transition cases in Haiti, Liberia and Timor-Leste, and the strengthening of partnerships with such institutions as the World Bank.<sup>673</sup> The Under-Secretary-General for Field Support outlined the newly completed global field support strategy, which included a proposal to service multiple operations from a regional service centre, allowing for a smoother transformation from one type of mission to another. She also pointed to several specific issues that needed to be addressed in this area, including the question of generating the civilian capacity and financing necessary for field operations.<sup>674</sup> The Special Representative of the Secretary-General and Head of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) stated that it was necessary to accept that most conflicts were not resolved through single solutions or in conformity with timetables and that transition and exit strategies should therefore not be conceived as a linear exercise with one step leading inexorably to another. He outlined several specific initiatives being undertaken by MONUC in carrying out its mandate, in such areas as the development of integrated strategic frameworks and the efficient use of capacity and resources.<sup>675</sup> The Special Representative of the Secretary-General and Head of the United Nations Mission in Liberia (UNMIL) stated that

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<sup>671</sup> S/2010/67.

<sup>672</sup> S/PV.6270, pp. 2-4.

<sup>673</sup> *Ibid.*, pp. 4-6.

<sup>674</sup> *Ibid.*, pp. 6-8.

<sup>675</sup> *Ibid.*, pp. 8-11.

mandates of missions needed to be clear in their priorities and realistic, leaving no room for ambiguity. She outlined the challenges and constraints that missions faced when implementing mandates, especially in integrated missions, which were tasked with not only keeping the peace but also assisting in building national capacities to sustain peace.<sup>676</sup> The Executive Representative of the Secretary-General and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), noting that Sierra Leone was probably the first example of an operation in which a full transition from a large peacekeeping operation to a small integrated peacebuilding mission had been accomplished, noted that integrated peacebuilding missions provided considerable financial savings for Member States owing to their significantly lower costs. He stressed that, in order to succeed, peacebuilding needed to be based on a national agenda, with the United Nations system as a whole supporting it, rather than being based on frameworks drawn up by the Peacebuilding Commission.<sup>677</sup> In the debate that followed, Council members and other speakers agreed that peacekeeping operations needed clear, achievable mandates from the outset, matched by appropriate resources, in order to achieve a successful exit or transition. Most speakers also agreed on the importance of fostering national ownership in the peacebuilding process, as well as coordinating effectively and strengthening existing partnerships between various United Nations entities. At the conclusion of the meeting, the Council adopted a statement by the President in which it, *inter alia*, stated its intention to undertake, whenever possible, to include in peacekeeping mandates a desired outcome of the implementation of mandated tasks and a clear prioritization of tasks to achieve it, reflecting the need to create favourable conditions for sustainable peace.<sup>678</sup>

#### **6 August 2010 and 27 July 2011: briefings by Force Commanders of United Nations peacekeeping operations**

On 6 August 2010, the Council held an open debate under the same item. The Under-Secretary-General for Peacekeeping Operations, in his briefing to the Council, reported on several recent developments related to peacekeeping, including a drawdown of the

missions in the Central African Republic and the Democratic Republic of the Congo, as well as progress being made on the New Horizon Initiative<sup>679</sup> and the global field support strategy.<sup>680</sup> The Council also heard briefings by the Force Commanders of UNMIL, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Mission in the Sudan (UNMIS) and the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Head of Mission and Chief of Staff of the United Nations Truce Supervision Organization (UNTSO), who highlighted the achievements and challenges in their respective missions.<sup>681</sup> In the debate that followed, Council members welcomed the presence of the Force Commanders and expressed appreciation for their ideas and assessments concerning their respective country situations and on broader issues related to peacekeeping. Several Council members directed questions to the Force Commanders concerning such issues as the protection of civilians and troop interoperability, which were answered by the Force Commanders of the United Nations Operation in Côte d'Ivoire (UNOCI) and the United Nations Mission in the Central African Republic and Chad (MINURCAT).<sup>682</sup> The Military Adviser of the Department of Peacekeeping Operations, on behalf of the heads of the military components of all peacekeeping missions, made a closing statement to the Council.<sup>683</sup>

On 27 July 2011, the Council held an open debate under the same item. The Under-Secretary-General for Peacekeeping Operations introduced several Force Commanders to the Council members.<sup>684</sup> The Force Commanders of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), MONUSCO, the United Nations Interim Force in Lebanon (UNIFIL)

<sup>676</sup> *Ibid.*, p. 11.

<sup>677</sup> *Ibid.*, pp. 13-14.

<sup>678</sup> [S/PRST/2010/2](#).

<sup>679</sup> United Nations, "A new partnership agenda: charting a new horizon for United Nations peacekeeping" (New York, July 2009). Available from [www.un.org/en/peacekeeping/operations/newhorizon.shtml](http://www.un.org/en/peacekeeping/operations/newhorizon.shtml).

<sup>680</sup> [S/PV.6370](#), pp. 2-3.

<sup>681</sup> *Ibid.*, pp. 3-5 (Force Commander of UNMIL); pp. 5-6 (Force Commander of MONUSCO); pp. 6-8 (Force Commander of UNMIS); pp. 8-9 (Head of Mission and Chief of Staff of UNTSO); and pp. 9-11 (Force Commander of MINUSTAH).

<sup>682</sup> *Ibid.*, p. 39 (Force Commander of UNOCI); and pp. 39-40 (Force Commander of MINURCAT).

<sup>683</sup> *Ibid.*, pp. 41-42.

<sup>684</sup> [S/PV.6592](#), p. 2.

and UNMIL briefed the Council members on the specific issues related to their respective missions.<sup>685</sup> These included the question of the protection of civilians in Darfur; the “conditionality policy”<sup>686</sup> in the Democratic Republic of the Congo; and the role of military components in peacebuilding in Liberia. In the debate that followed, Council members welcomed the opportunity for dialogue with the Force Commanders and agreed on the need to strengthen cooperation with regional organizations and other partners. On the question of the conditionality policy in the Democratic Republic of the Congo, some Council members recognized that it had both positive and negative impacts on operations, as noted by the Force Commander in his briefing.<sup>687</sup> The Force Commanders of MINUSTAH and UNMIS also responded to a question from the representative of France concerning the impact of reform efforts in the field, stating that such reforms had had a positive impact on the operations, for example in the standardization of personnel and equipment and the improvement of the quality of troops, and through such initiatives as the introduction of predeployment training and pre-induction inspection of equipment.<sup>688</sup>

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<sup>685</sup> Ibid., pp. 2-4 (Force Commander of UNAMID); pp. 4-6 (Force Commander of MONUSCO); pp. 6-9 (Force Commander and Head of Mission of UNIFIL); and pp. 9-11 (Force Commander of UNMIL).

<sup>686</sup> The Council decided in its resolution [1925 \(2010\)](#) that support by MONUSCO for the military operations of the Armed Forces of the Democratic Republic of the Congo against the Forces démocratiques de libération du Rwanda, the Lord’s Resistance Army and other armed groups, including through jointly planned operations, must be in compliance with international humanitarian, human rights and refugee law (para. 12 (h)).

<sup>687</sup> [S/PV.6592](#), p. 25 (United Kingdom); and p. 26 (Portugal).

<sup>688</sup> Ibid., pp. 27-28.

### **26 August 2011: debate on taking stock and preparing for the future of peacekeeping**

On 26 August 2011, in response to a concept paper transmitted by the representative of India on taking stock and preparing for the future of peacekeeping,<sup>689</sup> the Council held an open debate under the same item. In his statement to the Council, the Secretary-General noted that, while the growth of peacekeeping missions had slowed in 2010, the complexity of missions remained high and that missions were increasingly tasked to take on the protection of civilians. He expressed concern that the vision for a stronger partnership linking the resources of the Secretariat, the Council, troop- and police-contributing countries and Member States was under increasing pressure due to various factors, including the current financial climate and differing perspectives on mandated tasks.<sup>690</sup> Council members and invitees generally agreed on the need for more integration and coordination between peacekeeping and peacebuilding and on the role of peacekeeping operations in undertaking an early peacebuilding role. Several speakers stressed the need for clear and achievable mandates. Many speakers also emphasized the need for adequate resources in order for peacekeeping missions to effectively carry out their mandates. During the meeting, the Council adopted a statement by the President in which it, inter alia, stressed the need to improve the communication between the Council and police- and troop-contributing countries and expressed its commitment to improving its consideration and reflection of early peacebuilding tasks in the mandates and composition of peacekeeping operations.<sup>691</sup>

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<sup>689</sup> [S/2011/496](#).

<sup>690</sup> [S/PV.6603](#), pp. 2-4.

<sup>691</sup> [S/PRST/2011/17](#).

**Meetings: United Nations peacekeeping operations**

| <i>Meeting and date</i>                     | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37 invitations</i>  | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|---|---|------------------------|---|--|---|---|
| <a href="#">6270</a><br>12 February<br>2010 | Transition and exit strategies<br><br>Letter dated 3 February 2010 from the Permanent Representative of France to the United Nations to the Secretary-General ( <a href="#">S/2010/67</a> ) |                        | Bangladesh, Egypt, India, Italy, Jordan, Morocco, Nepal, Pakistan, Philippines, Rwanda, Uruguay | Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Field Support, Special Representative of the Secretary-General for the Democratic Republic of Congo and Head of MONUC, Special Representative of the Secretary-General for Liberia and Head of UNMIL, Executive Representative of the Secretary-General for Sierra Leone and Head of UNIPSIL, Chair of the Peacebuilding Commission (Germany), Permanent Observer of the African Union to the United Nations, Acting Head of the Delegation of the European Union to the United Nations | Secretary-General, all Council members and all invitees | <a href="#">S/PRST/2010/2</a>                     |
| <a href="#">6370</a><br>6 August<br>2010    |   |                        | Bangladesh, Canada, India, Pakistan, Philippines, Republic of Korea                             | Under-Secretary-General for Peacekeeping Operations, Military Advise of the Department of Peacekeeping Operations, Force Commander of UNMIL, Force Commander of MONUSCO, Force Commander of UNMIS, Head of Mission and Chief of Staff of UNTSO, Force Commander of MINUSTAH, Force Commander of UNOCI, Force Commander of MINURCAT   | All Council members and all invitees                    |   |
| <a href="#">6592</a><br>27 July 2011        |   |                        |   | Under-Secretary-General for Peacekeeping Operations, Force Commander of UNAMID, Force Commander of MONUSCO, Force Commander and Head of Mission of UNIFIL, Force Commander of UNMIL  | All Council members and all invitees                    |   |

| <i>Meeting and date</i>   | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i>  | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|---------------------------|--|------------------------|---|---|---|---|
| 6603<br>26 August<br>2011 | Peacekeeping:<br>taking stock<br>and preparing<br>for the future<br><br>Letter dated<br>5 August 2011<br>from the<br>Permanent<br>Representative<br>of India to the<br>United Nations<br>addressed to<br>the Secretary-<br>General<br>(S/2011/496) |                        | Argentina,<br>Australia,<br>Azerbaijan,<br>Bangladesh,<br>Canada,<br>Croatia,<br>Ethiopia, Fiji,<br>Guatemala,<br>Hungary,<br>Indonesia,<br>Japan,<br>Kyrgyzstan,<br>Malaysia,<br>Morocco,<br>Nepal,<br>Norway,<br>Pakistan, Peru,<br>Philippines,<br>Senegal,<br>Serbia,<br>Slovenia,<br>Sri Lanka,<br>Tunisia,<br>Uganda,<br>Ukraine,<br>Uruguay,<br>Venezuela<br>(Bolivarian<br>Republic of) | Deputy Head of Delegation<br>and Chargé d'affaires a.i.<br>of the Delegation of the<br>European Union to the<br>United Nations, Permanent<br>Observer of the African<br>Union to the United Nations | Secretary-<br>General,<br>all Council<br>members<br>and all<br>invitees | <a href="#">S/PRST/2011/17</a>                    |

### 30. Items relating to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda<sup>692</sup>

#### Overview

From 2010 to 2011, the Security Council held 16 meetings and adopted 12 resolutions<sup>693</sup> related to the work of the International Tribunal for the Prosecution of

Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994.<sup>694</sup> During the period under review, the Council received semi-annual briefings by senior officials of the Tribunals and considered the Tribunals' completion

<sup>692</sup> This study covers the following items: (a) International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991; and (b) International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994.

<sup>693</sup> All resolutions except resolutions [2006 \(2011\)](#) and [2007 \(2011\)](#) were adopted under Chapter VII of the Charter.

<sup>694</sup> For more information on the mandate of both Tribunals, see part IX, sects. IV.A and IV.B.

strategies.<sup>695</sup> In 2010, the Council established the International Residual Mechanism for Criminal Tribunals to carry out certain functions of the Tribunals after the completion of their mandates.<sup>696</sup>

The Council also authorized judges of both Tribunals to serve beyond the expiry of their terms of office,<sup>697</sup> decided that ad litem judges might be eligible for election as President of the International Criminal Tribunal for Rwanda,<sup>698</sup> decided that the number of ad litem judges of both Tribunals might temporarily exceed the statutory limits,<sup>699</sup> authorized one judge of the International Criminal Tribunal for Rwanda to work part-time<sup>700</sup> and reappointed the Prosecutors of both Tribunals.<sup>701</sup>

### **18 June to 6 December 2010: implementation of the completion strategies**

In the semi-annual briefings to the Security Council held on 18 June and 6 December 2010, the Presidents and the Prosecutors of the Tribunals provided the Council with their assessments of the implementation of the completion strategies, including the status of trial and appeal proceedings and issues related to staff retention, and underlined the need for State cooperation with the Tribunals in arresting the remaining fugitives.<sup>702</sup> During the meetings, speakers urged the Tribunals to take all possible measures to

complete their work expeditiously. Many speakers called upon Member States to fully cooperate with the Tribunals regarding the arrest of the remaining fugitives and expressed support for referring cases to national jurisdictions. Representatives of Member States whose cooperation with the Tribunals was under discussion presented accounts of their efforts. Speakers also acknowledged the progress made towards the establishment of a residual mechanism to carry out certain functions of the Tribunals in the post-completion phase, which was under consideration by the Informal Working Group on International Tribunals. Expressing concern regarding delays in a number of cases before the Tribunals, which prolonged the Tribunals' existence, the representative of the Russian Federation called upon the Tribunals to concentrate on the operational work and stressed the need to establish explicit and realistic deadlines for moving the work of the Tribunals to completion.<sup>703</sup>

### **22 December 2010: establishment of the International Residual Mechanism for Criminal Tribunals**

On 22 December 2010, by resolution [1966 \(2010\)](#), the Council, acting under Chapter VII of the Charter, established the International Residual Mechanism for Criminal Tribunals with two branches, which would commence functioning on 1 July 2012 (branch for the International Criminal Tribunal for Rwanda) and on 1 July 2013 (branch for the International Tribunal for the Former Yugoslavia). The Council requested the Tribunals to take all possible measures to expeditiously complete their remaining work no later than 31 December 2014, to prepare their closure and to ensure a smooth transition to the Mechanism.

At that meeting, most speakers welcomed the adoption of the resolution and encouraged the Tribunals to ensure completion without further delay and a smooth transition to the Mechanism. Explaining his Government's abstention from the vote, the representative of the Russian Federation regretted that the Tribunals had not taken up every opportunity to complete their work by the deadlines established by resolutions [1503 \(2003\)](#) and [1534 \(2004\)](#) within the framework of the completion strategy. He expressed the firm belief that the resolution was the last on the issue of the duration of the activities of the Tribunals.<sup>704</sup>

<sup>695</sup> The completion strategies of the Tribunals were originally set out in resolution [1503 \(2003\)](#), in which the Council called upon the Tribunals to take all possible measures to complete trial activities at first instance by the end of 2008 and to complete all work in 2010.

<sup>696</sup> Resolution [1966 \(2010\)](#).

<sup>697</sup> Resolutions [1931 \(2010\)](#), [1932 \(2010\)](#), [1954 \(2010\)](#), [1955 \(2010\)](#), [1993 \(2011\)](#) and [2029 \(2011\)](#). For more information on the procedure of authorization, see part IV, sects. I.D.3 and I.D.4, with regard to the judges of the Tribunals and the Residual Mechanism.

<sup>698</sup> Resolution [1995 \(2011\)](#).

<sup>699</sup> Resolutions [1915 \(2010\)](#) and [1955 \(2010\)](#).

<sup>700</sup> Resolution [2013 \(2011\)](#).

<sup>701</sup> Resolutions [2006 \(2011\)](#) and [2007 \(2011\)](#).

<sup>702</sup> [S/PV.6342](#), pp. 3-6 (President of the International Tribunal for the Former Yugoslavia); pp. 6-8 (President of the International Criminal Tribunal for Rwanda); pp. 8-10 (Prosecutor of the International Tribunal for the Former Yugoslavia); pp. 10-12 (Prosecutor of the International Criminal Tribunal for Rwanda); [S/PV.6434](#), pp. 3-6 (President of the International Tribunal for the Former Yugoslavia); pp. 6-8 (President of the International Criminal Tribunal for Rwanda); pp. 8-10 (Prosecutor of the International Tribunal for the Former Yugoslavia); pp. 10-12 (Prosecutor of the International Criminal Tribunal for Rwanda).

<sup>703</sup> [S/PV.6342](#), p. 25; [S/PV.6434](#), pp. 22-23.

<sup>704</sup> [S/PV.6463](#), p. 3.

**6 June to 7 December 2011: updates on the implementation of the completion strategies**

On 6 June and 7 December 2011, the Presidents and the Prosecutors of the Tribunals updated the Council on the implementation of the completion strategies by the Tribunals and the efficiency measures employed to expedite the trial and appeal proceedings.<sup>705</sup> During those meetings, most speakers

welcomed the progress made by the Tribunals on the implementation of the completion strategies and urged them to complete their work expeditiously without compromising fair trials and to ensure a smooth transition to the Mechanism. Speakers also welcomed the recent arrest of several fugitives, including Ratko Mladić and Goran Hadžić, and called for increased cooperation by Member States with respect to the referral of cases to national jurisdictions and the resettlement of persons acquitted by the Tribunals.

<sup>705</sup> [S/PV.6545](#), pp. 3-7 (President of the International Tribunal for the Former Yugoslavia); pp. 7-9 (President of the International Criminal Tribunal for Rwanda); pp. 9-10 (Prosecutor of the International Tribunal for the Former Yugoslavia); and pp. 10-12 (Prosecutor of the International Criminal Tribunal for Rwanda); [S/PV.6678](#), pp. 3-6 (President of the International Tribunal for the Former Yugoslavia); pp. 6-8 (President of the International Criminal Tribunal for Rwanda); pp. 8-10 (Prosecutor of the International Tribunal for the Former Yugoslavia); and pp. 10-11 (Prosecutor of the International Criminal Tribunal for Rwanda).

**Meetings: items relating to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda**

| <i>Meeting and date</i>                  | <i>Item</i>   | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--|---|---|--|----------------------------|--------------------------------------|-----------------|---|
| <a href="#">6286</a><br>18 March<br>2010 | 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 | Letter dated 15 March 2010 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2010/133</a> ) | Draft resolution submitted by Austria ( <a href="#">S/2010/138</a> ) |                            |                                      |                 | Resolution <a href="#">1915 (2010)</a><br>15-0-0  |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i> | <i>Item</i>  | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i>          | <i>Rule 39 and<br/>other<br/>invitations</i>            | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|-------------------------|--|--|--|---|---|--|--|
| 6342<br>18 June 2010    | International<br>Tribunal for the<br>Prosecution of<br>Persons<br>Responsible for<br>Serious Violations<br>of International<br>Humanitarian Law<br>Committed in the<br>Territory of the<br>Former Yugoslavia<br>since 1991   | Letter dated<br>31 May 2010<br>from the<br>President of the<br>International<br>Tribunal for the<br>Former<br>Yugoslavia<br>addressed to the<br>President of the<br>Security<br>Council<br>(S/2010/270)        |  | Croatia,<br>Kenya,<br>Rwanda,<br>Serbia | Presidents<br>and<br>Prosecutors<br>of the<br>Tribunals | All Council<br>members <sup>a</sup><br>and all<br>invitees |  |
|                         | International<br>Criminal Tribunal<br>for the Prosecution<br>of Persons<br>Responsible for<br>Genocide and<br>Other Serious<br>Violations of<br>International<br>Humanitarian Law<br>Committed in the<br>Territory of<br>Rwanda and<br>Rwandan Citizens<br>Responsible for<br>Genocide and<br>Other Such<br>Violations<br>Committed in the<br>Territory of<br>Neighbouring<br>States between<br>1 January 1994 and<br>31 December 1994 | Letter dated<br>28 May 2010<br>from the<br>President of the<br>International<br>Criminal<br>Tribunal for<br>Rwanda<br>addressed to the<br>President of the<br>Security<br>Council<br>(S/2010/259)              |  |   |   |  |  |
| 6348<br>29 June 2010    | International<br>Tribunal for the<br>Prosecution of<br>Persons<br>Responsible for<br>Serious Violations<br>of International<br>Humanitarian Law<br>Committed in the<br>Territory of the<br>Former Yugoslavia<br>since 1991   | Identical letters<br>dated 18 June<br>2010 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>General<br>Assembly and<br>the President of<br>the Security<br>Council<br>(S/2010/330) | Draft<br>resolution<br>submitted<br>by Austria<br>(S/2010/347) |   |   |  | Resolution<br>1931 (2010)<br>15-0-0                        |



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| <i>Meeting and date</i> | <i>Item</i>   | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>        | <i>Speakers</i>                                   | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|---|--|--|----------------------------|---|---|---|
| 6349<br>29 June 2010    | International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994   | Identical letters dated 2 June 2010 from the Secretary-General addressed to the President of the Assembly and the President of the Security Council (S/2010/289)   | Draft resolution submitted by Austria (S/2010/333)   |                            |   |   | Resolution 1932 (2010) 15-0-0                     |
| 6434<br>6 December 2010 | 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<br><br>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 | Letter dated 1 November 2010 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council (S/2010/588)<br><br>Letter dated 5 November 2010 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (S/2010/574) | Seventeenth annual report of the International Tribunal for the Former Yugoslavia (S/2010/413)<br><br>Fifteenth annual report of the International Criminal Tribunal for Rwanda (S/2010/408) | Croatia, Rwanda, Serbia    | Presidents and Prosecutors of the Tribunals | All Council members <sup>a</sup> and all invitees |   |

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the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Item</i>  | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other<br/>invitations</i> | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|-----------------------------|--|---|--|--------------------------------|--|-----------------|--|
|                             | Genocide and<br>Other Such<br>Violations<br>Committed in the<br>Territory of<br>Neighbouring<br>States between<br>1 January 1994 and<br>31 December 1994   |   |  |                                |  |                 |  |
| 6446<br>14 December<br>2010 | International<br>Tribunal for the<br>Prosecution of<br>Persons<br>Responsible for<br>Serious Violations<br>of International<br>Humanitarian Law<br>Committed in the<br>Territory of the<br>Former Yugoslavia<br>since 1991   | Identical letters<br>dated<br>23 November<br>2010 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>General<br>Assembly and<br>the President of<br>the Security<br>Council<br>(S/2010/599) | Draft<br>resolution<br>submitted by<br>Austria<br>(S/2010/629) |                                |  |                 | Resolution<br>1954 (2010)<br>15-0-0                        |
| 6447<br>14 December<br>2010 | International<br>Criminal Tribunal<br>for the Prosecution<br>of Persons<br>Responsible for<br>Genocide and<br>Other Serious<br>Violations of<br>International<br>Humanitarian Law<br>Committed in the<br>Territory of<br>Rwanda and<br>Rwandan Citizens<br>Responsible for<br>Genocide and<br>Other Such<br>Violations<br>Committed in the<br>Territory of<br>Neighbouring<br>States between<br>1 January 1994 and<br>31 December 1994 | Identical letters<br>dated<br>13 October<br>2010 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>General<br>Assembly and<br>the President of<br>the Security<br>Council<br>(S/2010/513)  | Draft<br>resolution<br>submitted by<br>Austria<br>(S/2010/628) |                                |  |                 | Resolution<br>1955 (2010)<br>15-0-0                        |
|                             |  | Identical letters<br>dated<br>23 November<br>2010 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>General<br>Assembly and<br>the President of<br>the Security<br>Council<br>(S/2010/598) |  |                                |  |                 |  |

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| <i>Meeting and date</i>     | <i>Item</i>   | <i>Sub-item</i>  | <i>Other documents</i>                                | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>        | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|---|--|---|----------------------------|---|--|---|
| 6463<br>22 December<br>2010 | 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   | Letter dated 1 November 2010 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council<br>(S/2010/588) | Draft resolution submitted by Austria<br>(S/2010/651) |                            |   | 5 Council members (Austria, Japan, Russian Federation, United Kingdom and United States) | Resolution 1966 (2010)<br>14-0-1 <sup>b</sup>     |
|                             | International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 | Letter dated 5 November 2010 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council<br>(S/2010/574)       |   |                            |   |  |   |
| 6545<br>6 June 2011         | 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   | Letter dated 12 May 2011 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council<br>(S/2011/316)     |   | Croatia, Rwanda, Serbia    | Presidents and Prosecutors of the Tribunals | All Council members and all invitees   |   |

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the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i> | <i>Item</i>   | <i>Sub-item</i>  | <i>Other documents</i>                              | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other<br/>invitations</i> | <i>Speakers</i> | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|-------------------------|---|--|---|--------------------------------|--|-----------------|--|
|                         | International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 | Letter dated 12 May 2011 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (S/2011/317)            |   |                                |  |                 |  |
| 6571<br>29 June 2011    | 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   | Letter dated 27 June 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/392)   | Draft resolution submitted by Portugal (S/2011/395) |                                |  |                 | Resolution 1993 (2011)<br>15-0-0                           |
| 6573<br>6 July 2011     | 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  | Identical letters dated 20 May 2011 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council (S/2011/329) | Draft resolution submitted by Portugal (S/2011/410) |                                |  |                 | Resolution 1995 (2011)<br>15-0-0                           |

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| <i>Meeting and date</i>   | <i>Item</i>   | <i>Sub-item</i>   | <i>Other documents</i>                              | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|---------------------------|---|---|---|----------------------------|--------------------------------------|-----------------|---|
|                           | Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994  |   |   |                            |                                      |                 |   |
| 6612<br>14 September 2011 | International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 | Letter dated 7 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/561)  | Draft resolution submitted by Portugal (S/2011/567) |                            |                                      |                 | Resolution 2006 (2011) 15-0-0                     |
| 6613<br>14 September 2011 | 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   | Letter dated 13 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/566) | Draft resolution submitted by Portugal (S/2011/569) |                            |                                      |                 | Resolution 2007 (2011) 15-0-0                     |

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the Security Council for the maintenance of  
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| <i>Meeting and date</i>    | <i>Item</i>  | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other<br/>invitations</i>            | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-<br/>abstaining)</i> |
|----------------------------|--|--|---|--------------------------------|---|--|--|
| 6632<br>14 October<br>2011 | International<br>Criminal Tribunal<br>for the Prosecution<br>of Persons<br>Responsible for<br>Genocide and<br>Other Serious<br>Violations of<br>International<br>Humanitarian Law<br>Committed in the<br>Territory of<br>Rwanda and<br>Rwandan Citizens<br>Responsible for<br>Genocide and<br>Other Such<br>Violations<br>Committed in the<br>Territory of<br>Neighbouring<br>States between<br>1 January 1994 and<br>31 December 1994   | Letter dated<br>30 September<br>2011 from the<br>Secretary-<br>General<br>addressed to the<br>President of the<br>Security<br>Council<br>(S/2011/609)  | Draft<br>resolution<br>submitted by<br>Portugal<br>(S/2011/636)   |                                |   |  | Resolution<br>2013 (2011)<br>15-0-0                        |
| 6678<br>7 December<br>2011 | International<br>Tribunal for the<br>Prosecution of<br>Persons<br>Responsible for<br>Serious Violations<br>of International<br>Humanitarian Law<br>Committed in the<br>Territory of the<br>Former Yugoslavia<br>since 1991<br><br>International<br>Criminal Tribunal<br>for the Prosecution<br>of Persons<br>Responsible for<br>Genocide and<br>Other Serious<br>Violations of<br>International<br>Humanitarian Law<br>Committed in the<br>Territory of<br>Rwanda and<br>Rwandan Citizens<br>Responsible for | Letter dated<br>15 November<br>2011 from the<br>President of the<br>International<br>Tribunal for the<br>Former<br>Yugoslavia<br>addressed to the<br>President of the<br>Security<br>Council<br>(S/2011/716)<br><br>Letter dated<br>16 November<br>2011 from the<br>President of the<br>International<br>Criminal<br>Tribunal for<br>Rwanda<br>addressed to the<br>President of the<br>Security<br>Council<br>(S/2011/731) | Eighteenth<br>annual report<br>of the<br>International<br>Tribunal for<br>the Former<br>Yugoslavia<br>(S/2011/473)<br><br>Sixteenth<br>annual report<br>of the<br>International<br>Criminal<br>Tribunal for<br>Rwanda<br>(S/2011/472) | Croatia,<br>Rwanda,<br>Serbia  | Presidents<br>and<br>Prosecutors<br>of the<br>Tribunals | All Council<br>members <sup>c</sup><br>and all<br>invitees |  |

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| <i>Meeting and date</i>  | <i>Item</i>   | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--------------------------|---|--|--|----------------------------|--------------------------------------|-----------------|---|
|                          | Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994  |  |  |                            |                                      |                 |   |
| 6694<br>21 December 2011 | International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 | Letter dated 16 November 2011 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (S/2011/731) | Draft resolution submitted by Portugal (S/2011/787)  | Rwanda                     |                                      |                 | Resolution 2029 (2011) 15-0-0                     |
|                          |   |  | Letter from the President of the International Criminal Tribunal for Rwanda requesting the extension of the terms of office of permanent and ad litem judges (S/2011/780, annex) |                            |                                      |                 |   |
|                          |   |  | Letter from the President of the Tribunal requesting the extension of the terms of office of one ad litem judge (S/2011/781, annex)  |                            |                                      |                 |   |

<sup>a</sup> The representative of Austria made a statement, in part, in his capacity as Chair of the Informal Working Group on International Tribunals.

<sup>b</sup> *For*: Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Turkey, Uganda, United Kingdom, United States; *abstaining*: Russian Federation.

<sup>c</sup> South Africa was represented by its Deputy Minister of Justice and Constitutional Development.

## 31. Children and armed conflict

### Overview

During the period under review, the Security Council held two meetings and adopted two decisions in its consideration of the item entitled “Children and armed conflict”. Debates in the Council focused primarily on the tools available to address violations against children in armed conflict, such as the use of sanctions, in particular against persistent perpetrators, the strengthening of the monitoring and reporting mechanism on grave child rights violations established by resolution 1612 (2005), the implementation of action plans consisting of time-bound commitments by armed forces and groups to release children associated with them, to prevent recruitment and to facilitate reintegration into civilian life. In 2011, the Council adopted resolution 1998 (2011), in which it requested the Secretary-General to list in the annexes to his reports parties to armed conflict that engaged in recurrent attacks on schools and/or hospitals.

During its consideration of various country-specific items, the Council included a number of provisions touching upon children and armed conflict in its decisions, indicating a continuing trend of mainstreaming cross-cutting issues into its work.<sup>706</sup>

### 16 June 2010: presidential statement concerning the adoption of measures against persistent perpetrators

At its 6341st meeting, on 16 June 2010, the Council adopted a presidential statement in which it repeated its strong condemnation of the recruitment, killing, maiming, rape and other abuse of children during armed conflict and expressed its readiness to take targeted and graduated measures against persistent perpetrators of such crimes. To that end, the Council encouraged greater cooperation and information-sharing among the Working Group on Children and Armed Conflict, the Special Representative of the Secretary-General for Children and Armed Conflict and relevant sanctions committees and their groups of experts. It also declared its intention, when establishing, modifying or reviewing the mandate of relevant sanctions regimes, to consider including

<sup>706</sup> For information on the mainstreaming of other thematic issues, see part I, sect. 32, “Protection of civilians”, and sect. 33, “Women and peace and security”.

provisions pertaining to parties to armed conflict that engaged in activities in violation of applicable international law relating to the rights and protection of children in armed conflict. In addition, the Working Group on Children and Armed Conflict was invited to carry out a country-specific visit within a year in order to examine a situation referred to in the report of the Secretary-General.<sup>707</sup>

At that meeting, the Council had before it a report of the Secretary-General that included for the first time, in addition to engaging in the recruitment and use of children, those parties to armed conflict that engaged in patterns of killing and maiming of children and/or rape and other sexual violence against children in contravention of applicable international law.<sup>708</sup>

At the same meeting, after the briefings and the testimony of a Nepalese former child soldier, a large number of speakers acknowledged the importance of the monitoring and reporting mechanism on crimes committed against children in armed conflict and welcomed the signing of action plans by some parties to end the recruitment and use of children. At the same time, several speakers emphasized the need to use caution when engaging with non-State actors in order to fully respect the national sovereignty of the Governments involved and avoid the risk of legitimizing such groups.<sup>709</sup> Others stressed the need for accurate and verifiable information to enable an appropriate response to crimes committed against children. Several speakers expressed concern as to the accuracy and legitimacy of references in that report to some cases related to situations, including those in their countries, that should not be defined as armed conflicts under international law.<sup>710</sup> The representative of Pakistan argued that overloading the reporting mechanism by stretching it beyond its mandate would weaken the message associated with the mandate of the Secretary-General regarding children and armed conflict.<sup>711</sup> Some speakers voiced concern that their

<sup>707</sup> S/PRST/2010/10.

<sup>708</sup> S/2010/181.

<sup>709</sup> S/PV.6341, p. 22 (Russian Federation); S/PV.6341 (Resumption 1), p. 13 (Viet Nam); and p. 46 (Philippines).

<sup>710</sup> S/PV.6341, p. 22 (Russian Federation); S/PV.6341 (Resumption 1), p. 7 (Thailand); p. 23 (India); pp. 25-27 (Iraq); p. 43 (Myanmar); and pp. 45-46 (Pakistan).

<sup>711</sup> S/PV.6341 (Resumption 1), p. 45.



police or military forces had been or remained listed in the annex to the report.<sup>712</sup> Other speakers called for clarification of the criteria for delisting the parties on the list and those for qualifying parties to conflicts as persistent violators.<sup>713</sup>

Speakers generally agreed on the need to take strong action against perpetrators of violations and abuses committed against children, particularly persistent violators who had been listed in the report of the Secretary-General for at least five years. While many supported the imposition of targeted measures, some cautioned against the frequent and indiscriminate use, or threat of use, of sanctions, arguing that greater attention should be given to conflict prevention, the local specificities of each situation and the unintended consequences of such measures on children themselves.<sup>714</sup> With regard to the parties and individuals listed in the annex to the report of the Secretary-General, a large number of speakers welcomed the expansion of triggers for listing to include killing and maiming of children, as well as rape and other forms of sexual violence. In addition to the inclusion of provisions related to violations against children in the mandates of relevant sanctions committees, speakers supported the inclusion of provisions on the protection of children in the mandates of peacekeeping and political missions, as well as the appointment of child protection advisers.

**12 July 2011: expansion of the listing criteria to include parties responsible for attacks on schools and hospitals**

On 12 July 2011, the Council unanimously adopted resolution [1998 \(2011\)](#), in which it expanded the criteria under which parties to armed conflicts could be included in the annexes to the periodic report of the Secretary-General on children and armed

conflict, to include those parties that engaged in recurrent attacks on schools and/or hospitals.

At that meeting, the Secretary-General emphasized the positive outcome of efforts on listed violations, such as the recruitment and use of child soldiers, as well as the effective implementation of action plans in 15 countries, which proved the value of “naming and shaming”.<sup>715</sup>

During the debate, speakers expressed concern at the emerging trend of attacks on schools and hospitals, emphasized that education and health were fundamental components of lasting peace and development, and thus welcomed the expansion of the listing criteria to include groups involved in attacks on such facilities as a step ahead in the development of the protection framework for children affected by armed conflict. Speakers also underlined the equal gravity of the six grave violations defined in resolution [1612 \(2005\)](#), the need for enhanced reporting and monitoring of the situation of children in armed conflict and the imposition of targeted measures against persistent perpetrators. Some welcomed that the Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo had listed, in December 2010, several individuals responsible for grave violations against children, following the briefing by the Special Representative of the Secretary-General for Children and Armed Conflict. The issue of the accountability gap which existed in cases where no country-specific sanctions regimes were in place was also addressed. While many speakers acknowledged the work of the Working Group on Children and Armed Conflict thus far, including its new practice of field visits, such as those to Nepal and Afghanistan in November 2010 and June 2011, respectively, several underscored the need to adequately follow up on its recommendations and to improve its ability to act swiftly in response to urgent situations in which children were affected.

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<sup>712</sup> Ibid., p. 29 (Afghanistan); and p. 44 (Myanmar).

<sup>713</sup> [S/PV.6341](#), p. 22 (Russian Federation); [S/PV.6341 \(Resumption 1\)](#), p. 36 (Sri Lanka).

<sup>714</sup> [S/PV.6341](#), p. 27 (China); [S/PV.6341 \(Resumption 1\)](#), p. 30 (Indonesia); and pp. 47-48 (Bangladesh).

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<sup>715</sup> [S/PV.6581](#), p. 3.

**Meetings: children and armed conflict**

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-------------------------|--|--|--------------------------------|---|--|---|
| 6341<br>16 June 2010    | Report of the Secretary-General (S/2010/181)<br><br>Letter dated 15 June 2010 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General (S/2010/314)                                | Letter dated 11 June 2010 from the Permanent Observer of Palestine to the United Nations requesting his participation (S/2010/316) | 40 Member States <sup>d</sup>  | Permanent Observer of Palestine to the United Nations, Special Representative of the Secretary-General for Children and Armed Conflict, Assistant Secretary-General for Peacekeeping Operations, Deputy Executive Director of the United Nations Children's Fund (UNICEF), Ms. Manju Gurung, <sup>b</sup> Acting Head of the Delegation of the European Union to the United Nations | All Council members <sup>c</sup> and all invitees  | S/PRST/2010/10  |
| 6581<br>12 July 2011    | Report of the Secretary-General on children and armed conflict (S/2011/250)<br><br>Letter dated 1 July 2011 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (S/2011/409) | Draft resolution submitted by 54 Member States <sup>d</sup> (S/2011/425)   | 59 Member States <sup>e</sup>  | Special Representative of the Secretary-General for Children and Armed Conflict, Executive Director of UNICEF, Acting Head of the Delegation of the European Union to the United Nations  | Secretary-General, all Council members, <sup>f</sup> 33 invitees under rule 37 <sup>g</sup> and all invitees under rule 39 | Resolution 1998 (2011) 15-0-0                         |

(Footnotes on following page)

(Footnotes to Meetings: children and armed conflict)

<sup>a</sup> Afghanistan, Argentina, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Canada (on behalf of the Group of Friends of Children and Armed Conflict), Chile, Colombia, Costa Rica (as Chair of the Human Security Network, including Austria, Canada, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, Norway, Slovenia, Switzerland and Thailand and South Africa as an observer), Croatia, Finland (on behalf of the five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden), Georgia, Germany, Hungary, India, Indonesia, Iraq, Israel, Italy, Kazakhstan, Liechtenstein, Myanmar, Nepal, Netherlands, New Zealand, Pakistan, Peru, Philippines, Qatar, Republic of Korea, Sierra Leone, Slovenia, South Africa, Sri Lanka, Switzerland, Thailand, Viet Nam and Yemen.

<sup>b</sup> Former child soldier in Nepal.

<sup>c</sup> Mexico was represented by its Minister for Foreign Affairs.

<sup>d</sup> Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chad, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Gabon, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Nigeria, New Zealand, Norway, Peru, Poland, Portugal, Qatar, Republic of Moldova, Romania, Samoa, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom and United States.

<sup>e</sup> Afghanistan, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bulgaria, Canada (on behalf of the Group of Friends of Children and Armed Conflict), Chad, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Estonia, Finland (on behalf of the five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden), Greece, Guatemala, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Myanmar, New Zealand, Norway, Pakistan, Papua New Guinea, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Samoa, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland (on behalf of the Human Security Network, including Austria, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, Norway, Slovenia, Switzerland and Thailand and South Africa as an observer), Thailand, Ukraine and Yemen.

<sup>f</sup> Bosnia and Herzegovina and Colombia were represented by their respective Ministers for Foreign Affairs, Germany by its Vice-Chancellor and Minister for Foreign Affairs, Portugal by its Secretary of State for Foreign Affairs, and South Africa by its Minister of Justice.

<sup>g</sup> Afghanistan, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Canada, Chile, Finland, Hungary, Iraq, Israel, Italy, Japan, Kenya, Kyrgyzstan, Liechtenstein, Luxembourg, Mexico, Myanmar, New Zealand, Pakistan, Papua New Guinea, Peru, Republic of Korea, Slovenia, Sri Lanka, Switzerland, Thailand, Ukraine and Yemen.

### **Mainstreaming of issues relating to children and armed conflict in the decisions of the Security Council**

During the period under review, the Security Council continued to include in its decisions provisions touching upon the issue of children and armed conflict in dealing with country-specific and regional situations, reflecting a trend of mainstreaming cross-cutting issues into its work.

The provisions related to children and armed conflict, which were addressed to relevant Governments, parties to a conflict, the Secretary-General or the international community, were included in decisions on Afghanistan, Burundi, the Central African Republic,

Côte d'Ivoire, the Democratic Republic of the Congo, Haiti, Somalia, the Sudan, the Central African region and the Middle East. Provisions include calls for the immediate cessation of violations and abuses against children, such as their recruitment and use, killing and maiming or abduction; the signature of action plans; monitoring and reporting on the situation of children; strengthening of national legislation to better protect the rights of children; and support for child reintegration and rehabilitation efforts.

In connection with the situation in Somalia, the Council expanded the criteria for imposing sanctions to include parties involved in recruiting or using children and those responsible for other violations, such as

killing and maiming, sexual violence and attacks on schools and hospitals.<sup>716</sup> With regard to the situation in Côte d'Ivoire, the Council called upon all Ivorian parties to fully implement the recommendations of the Working Group on Children and Armed Conflict,<sup>717</sup> notably to adopt and implement a national action plan to address sexual violence, and to ensure accountability for such crimes.<sup>718</sup>

In connection with the situation in the Central African Republic, the Council welcomed the work of the Special Representative of the Secretary-General for Children and Armed Conflict and encouraged the parties to continue engaging with her regarding the signature of action plans to halt the recruitment and use of children.<sup>719</sup> In connection with the situation concerning the Democratic Republic of the Congo, the Council called upon the Government to build on its cooperation with the Special Representative of the

Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict.<sup>720</sup> The Council welcomed, in connection with the situation in Côte d'Ivoire, the information-sharing between the Committee established pursuant to resolution [1572 \(2004\)](#) concerning Côte d'Ivoire and the two Special Representatives.<sup>721</sup>

The following table lists, by item, provisions relating to children and armed conflict that were included in decisions adopted under other items. The table does not reflect the integration of provisions relating to children and armed conflict into the mandates of subsidiary bodies, which are covered in part X of the present Supplement. Provisions with a specific focus on actions related to children and armed conflict are reproduced in full, while those that are broader in scope are indicated by a reference to the decision and paragraph number.

<sup>716</sup> Resolution [2002 \(2011\)](#), para. 1.

<sup>717</sup> [S/AC.51/2008/5](#).

<sup>718</sup> Resolution [1933 \(2010\)](#), para. 13.

<sup>719</sup> Resolution [2031 \(2011\)](#), para. 18.

<sup>720</sup> Resolution [1925 \(2010\)](#), para. 14.

<sup>721</sup> Resolution [1980 \(2011\)](#), para. 22.

## **Mainstreaming of issues relating to children and armed conflict in the decisions of the Security Council, 2010-2011: selected provisions**

*Decision*

*Provision*

### **Africa**

#### **The situation in Somalia**

Resolution [1964 \(2010\)](#)  
22 December 2010  
(adopted under Chapter VII)

Calls upon all parties to end grave violations committed against children in Somalia, welcomes the commitment by the Transitional Federal Government to appoint a focal point to address the issue of the recruitment of child soldiers, and requests the Secretary-General to ensure continued monitoring and reporting of the situation of children in Somalia, to continue a dialogue with the Transitional Federal Government towards the preparation of a time-limited action plan to end the recruitment and use of child soldiers and to strengthen the child protection component of the United Nations Political Office for Somalia (UNPOS) (para. 16)

See also the second and seventeenth preambular paragraphs and para. 15 of the resolution

[S/PRST/2011/6](#)  
10 March 2011

The Security Council stresses the responsibility of all parties and armed groups in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate or excessive use of force. The Council expresses deep concern about the continuing violations and abuses committed against children in Somalia by parties to the conflict and urges the immediate implementation of all conclusions of its Working Group on Children and Armed Conflict on Somalia (twelfth paragraph)

| <i>Decision</i>  | <i>Provision</i>  |
|--|---|
| Resolution <a href="#">2002 (2011)</a><br>29 July 2011<br>(adopted under Chapter VII)      | <p>Decides that the measures in paragraphs 1, 3 and 7 of resolution <a href="#">1844 (2008)</a> shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee [established pursuant to resolution <a href="#">751 (1992)</a>]:</p> <p>...</p> <p>(d) As being political or military leaders recruiting or using children in armed conflicts in Somalia in violation of applicable international law;</p> <p>(e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians, including children and women, in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement (para. 1)</p> <p>See also the third and twelfth preambular paragraphs of the resolution</p> |
| Resolution <a href="#">2010 (2011)</a><br>30 September 2011<br>(adopted under Chapter VII) | <p>Recalls the conclusions on children and armed conflict in Somalia endorsed by the Security Council Working Group on Children and Armed Conflict (<a href="#">S/AC.51/2011/2</a>), calls upon all parties to end grave violations and abuses committed against children in Somalia, urges the Transitional Federal Government to develop and implement a concrete time-bound action plan to halt the recruitment and use of children, requests the Secretary-General to continue his dialogue with the Transitional Federal Government in this regard, and reiterates its request to the Secretary-General to strengthen the child protection component of UNPOS and to ensure continued monitoring and reporting of the situation of children in Somalia (para. 24)</p> <p>See also the first and thirteenth preambular paragraphs and para. 22 of the resolution</p>  |
| <b>The situation in Burundi</b>  |   |
| Resolution <a href="#">1959 (2010)</a><br>16 December 2010                                 | <p>Commends the Government of Burundi for the completion of the reintegration of the last groups of children formerly associated with armed groups and of ex-combatants, encourages the Government to ensure that these results are sustainable, encourages the Peacebuilding Commission to consider what specific actions it could undertake to bolster its support to the sustainable reintegration of war-affected populations and other vulnerable groups, and supports the efforts of the Government in the voluntary civilian disarmament campaign and the launch of the Burundian National Police arms marking and registration process (para. 9)</p> <p>See also resolution <a href="#">1959 (2010)</a>, thirteenth preambular paragraph and para. 6; and resolution <a href="#">2027 (2011)</a>, fourteenth preambular paragraph and para. 3</p>   |
| <b>The situation concerning the Democratic Republic of the Congo</b>                       |   |
| Resolution <a href="#">1925 (2010)</a><br>28 May 2010<br>(adopted under Chapter VII)       | <p>Calls upon the Government of the Democratic Republic of the Congo to build on its cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict (para. 14)</p> <p>See also the eleventh and thirteenth preambular paragraphs of the resolution</p>   |

*Decision*

*Provision*

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[S/PRST/2010/17](#)  
17 September 2010

The Council reaffirms its resolve to eliminate all forms of violence against women and children during and after armed conflict. It supports the work of the Special Representative of the Secretary-General on Sexual Violence in Conflict, and encourages her to regularly interact with the Sexual Violence Unit of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to coordinate United Nations response and monitor the implementation of the Comprehensive Strategy on Combating Sexual Violence in the Democratic Republic of the Congo. The Council looks forward to her trip to the country later in September and requests a briefing upon her return (ninth paragraph)

[S/PRST/2011/11](#)  
18 May 2011

The Council reiterates its deep concern about the persistent high levels of violence, especially sexual violence, and human rights abuses against civilians, mostly affecting women and children, including the use and recruitment of children by parties to the conflict, in particular in the eastern part of the country. It reiterates its deep concern about continuing activities of the Lord's Resistance Army (LRA). It calls for an urgent end to the attacks against the civilian population by all armed groups. It condemns all violations of human rights, including those committed by some elements of the Congolese security forces. The Council welcomes progress with the recent prosecutions after the incidents in Fizi and other cases. It reiterates the urgent need for the swift prosecution of all perpetrators of human rights abuses, and urges the Congolese authorities, with the support of the Mission, to implement the appropriate responses to address this challenge, including in Walikale. It urges the Government of the Democratic Republic of the Congo to take all necessary steps, including ensuring proper conduct by its armed forces in compliance with international humanitarian and human rights law, to facilitate the return of refugees and displaced persons (fourth paragraph)

Resolution [1991 \(2011\)](#)  
28 June 2011  
(adopted under Chapter VII)

Demands that all armed groups, in particular the Forces démocratiques de libération du Rwanda and LRA, immediately cease all forms of violence and human rights abuses against the civilian population in the Democratic Republic of the Congo, in particular against women and children, including rape and other forms of sexual abuse, and demobilize (para. 13)

Encourages the Government of the Democratic Republic of the Congo to continue to build on its cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict and to meet, without further delay, its commitments to adopt and implement an action plan to halt the recruitment and use of children by the Armed Forces of the Democratic Republic of the Congo, in close collaboration with the Mission (para. 16)

See also the ninth and tenth preambular paragraphs of the resolution

*Decision*

*Provision*

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Resolution [2021 \(2011\)](#)

29 November 2011

(adopted under Chapter VII)

Demands that all armed groups, in particular the Forces démocratiques de libération du Rwanda, LRA, Mai Mai Yakutumba, the Forces nationales de libération and the Allied Democratic Forces, lay down their arms and immediately cease all forms of violence, human rights abuses and international humanitarian law violations against the civilian population in the Democratic Republic of the Congo and the Great Lakes region, in particular against women and children, including rape and other forms of sexual abuse, and demobilize (para. 13)

See also the eleventh preambular paragraph of the resolution

### **The situation in the Central African Republic**

Resolution [2031 \(2011\)](#)

21 December 2011

Strongly condemns the continued violations of international humanitarian and human rights law, including the recruitment and use of children, killing and maiming, rape, sexual slavery and other sexual violence and abductions perpetrated by armed groups, and specifically LRA, that threaten the population as well as the peace and stability of the Central African Republic and the subregion ... (para. 14)

Welcomes the recent signature by the Armée populaire pour la restauration de la démocratie and the Convention des patriotes pour la justice et la paix of action plans to halt the recruitment and use of children, calls upon all remaining parties listed in the report of the Secretary-General on children and armed conflict to follow suit as soon as possible, welcomes the work of the Special Representative of the Secretary-General for Children and Armed Conflict in the Central African Republic and encourages the parties to continue engaging with her in this regard, calls upon the international community to support child reintegration efforts, and urges the Government of the Central African Republic to continue to strengthen the protection of children, including through the implementation of pertinent legislation and in the conduct of military operations (para. 18)

See also the twelfth preambular paragraph of the resolution

### **The situation in Côte d'Ivoire**

Resolution [1911 \(2010\)](#)

28 January 2010

(adopted under Chapter VII)

Reaffirms paragraphs 14 to 17 of its resolution [1880 \(2009\)](#), calls upon all Ivorian parties, with the continued support of the United Nations Operation in Côte d'Ivoire, to ensure the protection of civilians, including women and children, to fully implement the recommendations of the Security Council Working Group on Children and Armed Conflict in Côte d'Ivoire ([S/AC.51/2008/5](#)), including to adopt a national action plan to address sexual violence, and to ensure that the rule of law is strengthened and that all reported abuses are investigated and those responsible brought to justice, and calls, in particular, upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence (para. 13)

See also the tenth preambular paragraph of the resolution

*Decision*

*Provision*

Resolution [1933 \(2010\)](#)  
30 June 2010  
(adopted under Chapter VII)

Requests the Secretary-General to continue to include in his reports relevant information on progress on the promotion and protection of human rights and international humanitarian law as well as on the strengthening of the rule of law, including on ending impunity in Côte d'Ivoire, with special attention to violence committed against children and women, and on progress on gender mainstreaming throughout the United Nations Operation in Côte d'Ivoire and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from sexual and gender-based violence, and consistent with resolutions [1325 \(2000\)](#), [1612 \(2005\)](#), [1820 \(2008\)](#), [1882 \(2009\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#) (para. 22)

See also resolution [1933 \(2010\)](#), ninth preambular paragraph and para. 13; and resolution [1962 \(2010\)](#), eighteenth preambular paragraph and para. 9

Resolution [1975 \(2011\)](#)  
30 March 2011  
(adopted under Chapter VII)

... Expresses its concern at the recent escalation of violence, and demands an immediate end to the violence against civilians, including women, children and internally displaced persons (para. 1)

Reiterates its firm condemnation of all violence committed against civilians, including women, children, internally displaced persons and foreign nationals, and other violations and abuses of human rights, in particular enforced disappearances, extrajudicial killings, killing and maiming of children and rapes and other forms of sexual violence (para. 5)

See also the ninth preambular paragraph of the resolution

Resolution [1980 \(2011\)](#)  
28 April 2011  
(adopted under Chapter VII)

Recalls paragraph 7 of resolution [1960 \(2010\)](#) and paragraph 7 (b) of resolution [1882 \(2009\)](#) regarding sexual and gender-based violence and children in armed conflict, and welcomes the information-sharing between the Security Council Committee established pursuant to resolution [1572 \(2004\)](#) concerning Côte d'Ivoire and the Special Representatives of the Secretary-General for Children and Armed Conflict and on Sexual Violence in Conflict, in accordance with their respective mandates and as appropriate (para. 22)

See also the seventh and eighth preambular paragraphs of the resolution

### Central African region

[S/PRST/2011/21](#)  
14 November 2011

The Council strongly condemns the continued violations of international humanitarian law and the abuses of human rights by LRA. The Council condemns further the recruitment and use of children, killing and maiming, rape, sexual slavery and other sexual violence, and abductions. The Council demands an immediate end to all attacks by LRA, particularly those on civilians, urges LRA leaders to release all those abducted, and insists that all LRA elements put an end to such practices, and surrender and disarm (second paragraph)

### Reports of the Secretary-General on the Sudan

Resolution [1919 \(2010\)](#)  
29 April 2010

Welcomes the adoption by the Sudan People's Liberation Army of an action plan to release all children still associated with its forces by the end of 2010, and in order to achieve this goal, calls for timely implementation of this action plan ... (para. 19)

See also the second, third and twelfth preambular paragraphs of the resolution



*Decision*

*Provision*

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Resolution [1996 \(2011\)](#)

8 July 2011

(adopted under Chapter VII)

Demands that all parties, in particular rebel militias and LRA, immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, in particular gender-based violence, including rape and other forms of sexual abuse, as well as all violations and abuses against children in violation of applicable international law, such as their recruitment and use, killing and maiming and abduction, with a view to specific and time-bound commitments to combat sexual violence in accordance with resolution [1960 \(2010\)](#) and violence and abuses against children (para. 9)

Calls upon the Government of the Republic of South Sudan and the Sudan People's Liberation Army to renew the action plan (signed by the United Nations and the Sudan People's Liberation Army on 20 November 2009) to end the recruitment and use of child soldiers that expired in November 2010, ... and requests the Secretary-General to strengthen child protection in United Nations system activities in the Republic of South Sudan and ensure continued monitoring and reporting of the situation of children (para. 10)

Encourages the Government of the Republic of South Sudan to ratify into law and implement key international human rights treaties and conventions, including those related to women and children, refugees and statelessness (para. 11)

See also the thirteenth preambular paragraph of the resolution

Resolution [2003 \(2011\)](#)

29 July 2011

Demands that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution [1820 \(2008\)](#) ... (para. 22)

Requests the Secretary-General to ensure (a) continued monitoring and reporting, as part of the reports referred to in paragraph 13 [of the resolution], of the situation of children, and (b) continued dialogue with the parties to the conflict towards the preparation of time-bound action plans to end the recruitment and use of child soldiers and other violations of international humanitarian law and human rights law against children (para. 23)

See also the third and sixth preambular paragraphs of the resolution

### **The situation in the Central African Republic, Chad and the subregion**

Resolution [1923 \(2010\)](#)

25 May 2010

Takes note of the measures already undertaken by the authorities of Chad to put an end to the recruitment and use of children by armed groups, encourages them to pursue their cooperation with United Nations bodies in this regard, particularly the United Nations Children's Fund, and calls upon all the parties involved to ensure that children are protected (para. 24)

See also the tenth and thirteenth preambular paragraphs and para. 2 of the resolution

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Decision

Provision

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## Americas

### The question concerning Haiti

Resolution [1944 \(2010\)](#)

14 October 2010

(adopted under Chapter VII)

Strongly condemns the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of women and girls, and calls upon the Government of Haiti, with the support of the United Nations Stabilization Mission in Haiti and the United Nations country team, to continue to promote and protect the rights of women and children as set out in Security Council resolutions [1325 \(2000\)](#) of 31 October 2000, [1612 \(2005\)](#) of 26 July 2005, [1820 \(2008\)](#) of 19 June 2008, [1882 \(2009\)](#) of 4 August 2009, [1888 \(2009\)](#) of 30 September 2009 and [1889 \(2009\)](#) of 5 October 2009 (para. 14)

*Same provision in resolution [2012 \(2011\)](#), para. 16*

Also requests the Secretary-General to include in his reports a comprehensive assessment of threats to security in Haiti and give particular attention to the protective environment for all, in particular women and children, and progress in the sustainable resettlement of displaced persons, and to propose, as appropriate, options to reconfigure the composition of the Mission (para. 22)

*Same provision in resolution [2012 \(2011\)](#), para. 24*

[S/PRST/2011/7](#)

6 April 2011

The Council expresses its concern about the situation of vulnerable groups, including internally displaced persons and children as victims of trafficking, and the increase of sexual and gender-based violence. In this regard, the Council encourages the Mission and the United Nations country team to continue assisting the Government of Haiti in providing adequate protection to the civilian population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children (sixth paragraph)

## Asia

### The situation in Afghanistan

Resolution [1917 \(2010\)](#)

22 March 2010

Expresses its strong concern about the recruitment and use of children by Taliban forces in Afghanistan as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict, in particular attacks against schools and the use of children in suicide attacks, calls for those responsible to be brought to justice, stresses the importance of implementing resolutions [1612 \(2005\)](#) and [1882 \(2009\)](#) in this context, and requests the Secretary-General to continue to strengthen the child protection component of the United Nations Assistance Mission in Afghanistan, in particular through the appointment of child protection advisers (para. 22)

*Same provision in resolution [1974 \(2011\)](#), para. 22*

See also the twenty-fourth preambular paragraph of the resolution; and resolution [1943 \(2010\)](#), third and twentieth preambular paragraphs

*Decision*

*Provision*

Resolution [1974 \(2011\)](#)  
22 March 2011

Welcomes the recent signing of a comprehensive, time-bound and verifiable action plan by the Government of Afghanistan and the United Nations to halt the use and recruitment of children into the Afghan National Security Forces (para. 23)

See also resolution [1974 \(2011\)](#), twenty-sixth preambular paragraph; and resolution [2011 \(2011\)](#), third and twenty-sixth preambular paragraphs

## Middle East

### The situation in the Middle East (Yemen)

Resolution [2014 \(2011\)](#)  
21 October 2011

Demands that all armed groups remove all weapons from areas of peaceful demonstration, refrain from violence and provocation and refrain from the recruitment of children, and urges all parties not to target vital infrastructure (para. 8)

See also paras. 1 and 6 of the resolution

## 32. Protection of civilians in armed conflict

### Overview

During the period under review, the Security Council held four meetings and adopted one presidential statement under the item entitled “Protection of civilians in armed conflict”. In its deliberations, the Council discussed such issues as the role of peacekeeping missions in the protection of civilians, compliance with international humanitarian law by non-State armed groups, humanitarian assistance and accountability for crimes committed against civilians in the context of armed conflicts. The deliberations of the Council on the protection of civilians acquired particular relevance in 2011, in the light of the political and social uprisings in the Middle East.

In decisions relating to country-specific and other thematic items, the Council included a number of provisions concerning the protection of civilians, confirming a trend of increased mainstreaming of cross-cutting issues into its decisions.<sup>722</sup>

<sup>722</sup> For information on the mainstreaming of other thematic issues, see part I, sect. 31, “Children and armed conflict”, and sect. 33, “Women and peace and security”.

### 7 July 2010: consideration of the gap between normative progress and effective protection on the ground

At its 6354th meeting, on 7 July 2010, the Council heard briefings by the Secretary-General, the United Nations High Commissioner for Human Rights and the Under-Secretary-General for Humanitarian Affairs. In his introductory statement, the Secretary-General highlighted that, despite important institutional measures taken by the Council, such as the adoption of an aide-memoire<sup>723</sup> and the establishment of an informal expert group on the protection of civilians in armed conflict, core challenges remained.<sup>724</sup> He stressed, for example, that the protection of civilians by peacekeeping missions should be maximized through sustained political and financial support, while it was also essential to

<sup>723</sup> [S/PRST/2009/1](#), annex.

<sup>724</sup> In his previous reports on the protection of civilians in armed conflict ([S/2007/643](#) and [S/2009/277](#)), the Secretary-General identified five core challenges: enhancing compliance with international law; enhancing compliance by non-State armed groups; enhancing protection through more effective and better-resourced United Nations peacekeeping and other relevant missions; enhancing humanitarian access; and enhancing accountability for violations.

“manage expectations”, since the protection of “all people from all threats at all times” was not achievable. Warning against the consequences of a premature drawdown of peacekeeping operations, he pointed out that host Governments should meet clear benchmarks on the protection of civilians before peacekeepers could withdraw. On the engagement of the United Nations with non-State armed groups, the Secretary-General encouraged the distinction between humanitarian and political goals and recalled that accountability should prevail in cases of violations against civilians, including the hindering of humanitarian access.<sup>725</sup> The Under-Secretary-General for Humanitarian Affairs emphasized that the existing normative framework had paradoxically outpaced the will and capacity of the international community to enforce accountability and that the Council should therefore take a more robust approach to implementing alternative accountability means, including the establishment of a permanent inquiry mechanism within the United Nations system, when national justice systems failed to prosecute.<sup>726</sup> The United Nations High Commissioner for Human Rights, pointing to a vast “gulf between policy and practice” in the protection of civilians, argued that greater cooperation between human rights and humanitarian actors on the ground was needed to bridge that implementation gap.<sup>727</sup>

During the debate, speakers welcomed progress on the implementation of resolution 1894 (2009) but acknowledged that much remained to be done to ensure the protection of civilians, in particular women and children. A number of speakers concurred that peacekeeping missions played a vital role in protecting civilians in armed conflict and that their mandates in that context should be reinforced. The Head of the Delegation of the European Union to the United Nations expressed readiness to cooperate with the United Nations in further developing guidelines for European Union missions.<sup>728</sup> The representative of Japan argued that the gap between expectation and implementation could be closed if protection mandates reflected in more specific terms targets and means of protecting civilians.<sup>729</sup> Regarding the pre-drawdown

requirements, the representative of Austria underlined that untimely and premature downscaling of peacekeeping missions could seriously endanger the safety of civilians,<sup>730</sup> and the representative of France stated that MONUSCO could not withdraw as long as the national forces were not in a position to take over in good conditions.<sup>731</sup>

The representative of China, however, argued that civilian protection tasks should not be generalized across all missions, as the need for and capacities to implement such mandates had to be evaluated on a case-by-case basis.<sup>732</sup> Noting that 8,000 Indian peacekeepers were serving in often very challenging situations, the representative of India pointed out the insufficient attention given by the Council to operational challenges compared with the emphasis on normative aspects, adding that peacekeepers found themselves “being asked to do more and more with less”.<sup>733</sup> Regarding accountability measures, the representative of the Russian Federation contended that the creation of new, separate Council mechanisms would not be useful, arguing that steadfast compliance with international humanitarian law and consensual interpretation of violations would be more helpful in protecting civilians.<sup>734</sup>

#### **22 November 2010: adoption of a presidential statement on the updated aide-memoire on the protection of civilians in armed conflict**

At its 6427th meeting, on 22 November 2010, the Council considered the latest report of the Secretary-General on the protection of civilians in armed conflict<sup>735</sup> and adopted a presidential statement in which it endorsed an updated aide-memoire on the protection of civilians. The Council reaffirmed the primary responsibility of parties to the conflict in ensuring the protection of affected civilians and emphasized the responsibility of States to comply with their relevant obligations to end impunity. It also emphasized that the promotion of peace processes and the achievement of sustainable peace and development as well as respect for human rights and the rule of law were of utmost importance for the long-term protection

<sup>725</sup> S/PV.6354, pp. 2-3.

<sup>726</sup> Ibid., pp. 7-8

<sup>727</sup> Ibid., p. 8.

<sup>728</sup> S/PV.6354 (Resumption 1), p. 13.

<sup>729</sup> S/PV.6354, p. 22.

<sup>730</sup> Ibid., p. 11.

<sup>731</sup> Ibid., p. 23.

<sup>732</sup> Ibid., p. 28.

<sup>733</sup> S/PV.6354 (Resumption 1), p. 9.

<sup>734</sup> S/PV.6354, p. 17.

<sup>735</sup> S/2010/579

of civilians and underlined the importance of clear benchmarks in the context of drawdown in peacekeeping missions and of including indicators of progress regarding the protection of civilians in such benchmarks. The Council reiterated its request that the Secretary-General include more comprehensive and detailed information on the protection of civilians in his reports on country-specific situations.<sup>736</sup>

In his briefing to the Council, the Director General of the International Committee of the Red Cross stated that the reality on the ground was often dismal compared with the progress in policy owing to the lack of respect for humanitarian law by State and non-State actors, coupled with a prevailing culture of impunity. He noted that while true consensus on the meaning of “protection” might be hard to achieve, it was essential to have clarity and transparency on the objectives of various actors and to distinguish between physical protection which humanitarian actors could not provide and protection by promoting compliance with the law.<sup>737</sup>

During the debate, speakers generally acknowledged that the primary responsibility for the protection of civilians remained with national authorities and that, on the question of impunity and accountability, the international community should be involved only where national systems were not able to fulfil their functions. The representatives of Austria, Chile, France and the United States, among others, stressed that the Council could encourage the use of mixed national-international courts, commissions of inquiry and referrals to the International Criminal Court or consider targeted sanctions, as necessary.<sup>738</sup>

Several speakers raised concerns regarding the operationalization of the concept of “protection of civilians”. For instance, the representative of the Bolivarian Republic of Venezuela emphasized the significant risks inherent in any initiative that sought to operationalize the protection of civilians, given the coexistence of divergent conceptual approaches and to the specificity of each conflict.<sup>739</sup> The representative of Egypt, speaking on behalf of the Non-Aligned Movement, underlined the need to refrain from using

the concept of protection of civilians as a pretext for military intervention by the United Nations, particularly in view of the challenges in identifying exactly who were the civilians that the peacekeepers would protect.<sup>740</sup> Some speakers, including the representatives of Sri Lanka<sup>741</sup> and Pakistan,<sup>742</sup> expressed concern about the impact of interaction with non-State actors, arguing that such contact could confer unintended legitimacy to terrorist groups. On the other hand, the representative of Germany, as well as other speakers, argued that access to non-State parties to conflict was essential in enhancing compliance by those groups with applicable international law and therefore encouraged Member States to grant the United Nations such access.<sup>743</sup>

### **10 May to 9 November 2011: protection of civilians in the context of the events in the Middle East**

At its 6531st meeting, on 10 May 2011, the Council held an open debate on the protection of civilians in the midst of developments in Libya,<sup>744</sup> the Syrian Arab Republic and Côte d’Ivoire, all of which involved attacks against civilians. In her briefing to the Council, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator noted the “pressing need” to ensure more effective protection of civilians in the conduct of hostilities. She added that the adoption of resolution [1973 \(2011\)](#) on Libya, in which the Council authorized the subsequent use of force to protect civilians, had prevented civilian deaths and injuries but had also raised concerns about potentially undermining the protection of civilians agenda and its important role in providing a framework for action in future crises.<sup>745</sup>

During the debate, the majority of speakers condemned all attacks on civilians during armed conflict, notably the disproportionate and excessive use of force, and stressed the need to hold perpetrators of human rights violations accountable. In addition, Member States exchanged views on the conditions and

<sup>736</sup> [S/PRST/2010/25](#).

<sup>737</sup> [S/PV.6427](#), pp. 10-11.

<sup>738</sup> *Ibid.*, p. 12 (Austria); pp. 14-15 (United States); and pp. 17-18 (France); [S/PV.6427 \(Resumption 1\)](#), pp. 4-5 (Chile).

<sup>739</sup> [S/PV.6427 \(Resumption 1\)](#), p. 28.

<sup>740</sup> [S/PV.6427](#), p. 36.

<sup>741</sup> [S/PV.6427 \(Resumption 1\)](#), p. 12.

<sup>742</sup> *Ibid.*, p. 16.

<sup>743</sup> *Ibid.*, p. 11.

<sup>744</sup> The official name of the country in the United Nations was changed from “Libyan Arab Jamahiriya” to “Libya” from 16 September 2011 at the request of the National Transitional Council of Libya.

<sup>745</sup> [S/PV.6531](#), pp. 2 and 4

legitimacy of Council-mandated action aimed at protecting civilians, with a particular emphasis on the Council-mandated, NATO-led intervention in Libya, and some speakers questioned whether the operation had gone beyond the mandate authorized by the Council and was rather aimed at changing the regime than protecting civilians.

Among the speakers, some argued that action to protect civilians must ensure full respect for the Charter of the United Nations, including the sovereignty and integrity of Member States, and that the decision to intervene must not be associated with political agendas or double standards. The representative of Brazil opined that the concept of protection of civilians should not be confused or conflated with threats to international peace and security or with the responsibility to protect. Acting on the basis of such confusion, she argued, could lead to the exacerbation of conflict, compromise the impartiality of the United Nations and encourage the perception that the principle of protection of civilians was used as a pretext for intervention or regime change.<sup>746</sup> Similarly, the representative of China expressed his opposition to any attempt to wilfully interpret the resolutions adopted in relation to the situation in Libya or to take actions exceeding the mandate set out therein. He stressed that only preventive diplomacy and negotiated conflict resolution could help to minimize civilian casualties.<sup>747</sup>

Other speakers strongly supported intervention on humanitarian grounds and stressed the responsibility of the international community and the United Nations to act when national Governments were not willing or able to protect their citizens. The representative of Liechtenstein argued that the indiscriminate and disproportionate use of force against civilians was unacceptable and unlawful and that there was a collective responsibility to protect civilians, including outside situations of armed conflict.<sup>748</sup> The representative of Austria noted that, with the recent adoption of resolutions 1970 (2011) and 1973 (2011) concerning Libya, as well as resolution 1975 (2011) concerning Côte d'Ivoire, the Council had sent a strong signal that serious violations of international humanitarian and human rights law would not be

tolerated and would necessarily entail action by the Council.<sup>749</sup> While noting the differences between the responsibility to protect and the protection of civilians conceptually, the representative of the Netherlands stressed that the two principles shared a similar normative foundation and that they could be better implemented if their similarities were better understood and further acknowledged.<sup>750</sup>

Some Member States welcomed the recent report of the Panel of Experts on Accountability in Sri Lanka and urged the Government of Sri Lanka to implement the recommendations provided therein.<sup>751</sup> Several speakers also welcomed the informal consultations held at the initiative of the Brazilian presidency in February 2011 to discuss ways to mutually reinforce protection-related items on the agenda of the Council, namely the protection of civilians, children and armed conflict, and women and peace and security.<sup>752</sup>

On 9 November 2011, the Council heard briefings by the Secretary-General, the United Nations High Commissioner for Human Rights, the Under-Secretary-General for Humanitarian Affairs and the Director of International Law and Cooperation of the International Committee of the Red Cross. In his statement, the Secretary-General highlighted that the five core challenges identified in his previous reports<sup>753</sup> remained relevant and stressed that only political solutions could end and prevent the majority of conflicts and ensure the safety and well-being of civilians.<sup>754</sup>

During the debate, the majority of speakers acknowledged that the protection of civilians was an essential part of the Council's work. While the representative of Nigeria underlined that the effectiveness of the United Nations, and of the Council in particular, was increasingly measured against its

<sup>749</sup> S/PV.6531 (Resumption 1), p. 17.

<sup>750</sup> Ibid., pp. 23-25.

<sup>751</sup> S/PV.6531, p. 8 (United Kingdom); p. 15 (United States); p. 19 (Germany); p. 24 (France); p. 30 (Switzerland); and p. 33 (Liechtenstein); S/PV.6531 (Resumption 1), p. 12 (Norway).

<sup>752</sup> S/PV.6531, p. 9 (Russian Federation); and p. 18 (South Africa); S/PV.6531 (Resumption 1), p. 17 (Austria); and p. 21 (Slovenia).

<sup>753</sup> For more information on the five core challenges, see footnote 2 above.

<sup>754</sup> S/PV.6650, pp. 4-5.

<sup>746</sup> Ibid., p. 11

<sup>747</sup> Ibid., pp. 20-21.

<sup>748</sup> Ibid., p. 33.

ability to protect civilians,<sup>755</sup> the representative of the United States deplored that no resolution had been adopted, even to condemn attacks against civilians, with regard to the situation in the Syrian Arab Republic.<sup>756</sup> The representative of the European Union stated that the Council had saved lives by mandating the protection of civilians, in particular in Côte d'Ivoire and Libya, and encouraged it to take robust action in situations of human rights violations, in particular in the Syrian Arab Republic, where the regime was "brutally repressing its own people".<sup>757</sup>

On the other hand, some Council members expressed grave concerns about civilian casualties involved as a result of action aimed at protecting civilians and cautioned against inadequate, excessive interpretation of the protection mandate. The representative of Brazil, speaking on behalf of the Minister for External Relations of Brazil, introduced "responsibility while protecting"<sup>758</sup> as a new concept to be further developed and operationalized, taking into account that the use of force authorized by the Council always carried with it risks of unintended casualties and spreading violence and instability. She added that mechanisms capable of producing an objective and detailed assessment of such risks should be established. She stated that even as the international community exercised its responsibility to protect, it also had to demonstrate a high level of responsibility while protecting by following certain parameters, such as the necessity to prioritize and exhaust preventive, non-military measures; when the use of force was envisaged, the need to limit harm and to strictly respect the objectives established by the Council; and the need for enhanced Council procedures to monitor and assess the manner in which resolutions were interpreted and

implemented, to ensure a high level of responsibility while protecting.<sup>759</sup> The representative of South Africa, referring to the situation in Libya, stated that "regime change and the arming and harming of civilians [could] not be justified in the name of protecting civilians" and warned that abusing the authorization granted by the Council would lead to a permanent state of paralysis within the Council in addressing similar situations.<sup>760</sup>

With regard to accountability for crimes committed against civilians, Council members acknowledged progress in the fight against impunity, in particular through the work of the International Criminal Court and the special tribunals. Some Member States highlighted the Council's responsibility to refer situations to the Court and to monitor conflict situations, including through the monitoring and reporting arrangements established in accordance with resolution 1960 (2010) on women and peace and security and through commissions of inquiry and fact-finding missions. The representative of Bosnia and Herzegovina was of the view that the Council should adopt a more consistent and comprehensive approach to addressing humanitarian access constraints, including means of accountability for grave instances of impeded access.<sup>761</sup> The representative of Germany,<sup>762</sup> as well as other speakers,<sup>763</sup> welcomed the adoption of resolution 1998 (2011) in July 2011, which would ensure that information concerning attacks on schools and hospitals was included in the annual report of the Secretary-General on children and armed conflict.

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<sup>755</sup> Ibid., p. 26.

<sup>756</sup> Ibid., p. 20.

<sup>757</sup> S/PV.6650 (Resumption 1), p. 8.

<sup>758</sup> See S/2011/701.

<sup>759</sup> S/PV.6650, pp. 16-17.

<sup>760</sup> Ibid., p. 22.

<sup>761</sup> Ibid., p. 13.

<sup>762</sup> Ibid., p. 28.

<sup>763</sup> Ibid., p. 22 (South Africa); and p. 27 (Nigeria); S/PV.6650 (Resumption 1), p. 6 (Bangladesh); and p. 13 (Norway).

**Meetings: protection of civilians in armed conflict**

| <i>Meeting and date</i>                  | <i>Sub-item</i>   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|--|---|--------------------------------|--|--|---|
| <a href="#">6354</a><br>7 July 2010      |   | 21 Member States <sup>a</sup>  | Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, United Nations High Commissioner for Human Rights, Acting Head of the Delegation of the European Union to the United Nations  | Secretary-General, all Council members and all invitees              |   |
| <a href="#">6427</a><br>22 November 2010 | Report of the Secretary-General on the protection of civilians in armed conflict ( <a href="#">S/2010/579</a> ) | 34 Member States <sup>b</sup>  | Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Under-Secretary-General for Peacekeeping Operations, United Nations High Commissioner for Human Rights, Director General of the International Committee of the Red Cross, Acting Head of the Delegation of the European Union to the United Nations                                 | All Council members and all invitees                                 | <a href="#">S/PRST/2010/25</a>                        |
| <a href="#">6531</a><br>10 May 2011      |   | 31 Member States <sup>c</sup>  | Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Under-Secretary-General for Peacekeeping Operations, Assistant Secretary-General for Human Rights and Head of the New York Office of the Office of the United Nations High Commissioner for Human Rights, Acting Head of the Delegation of the European Union to the United Nations | All Council members and all invitees                                 |   |
| <a href="#">6650</a><br>9 November 2011  |   | 28 Member States <sup>d</sup>  | United Nations High Commissioner for Human Rights, Assistant Secretary-General for Humanitarian Affairs, Director for International Law and Cooperation of the International Committee of the Red Cross, Head of the Delegation of the European Union to the United Nations, representative of the International Humanitarian Fact-Finding Commission                  | Secretary-General, all Council members <sup>e</sup> and all invitees |   |

(Footnotes on following page)



(Footnotes to Meetings: protection of civilians in armed conflict)

<sup>a</sup> Afghanistan, Argentina, Australia, Bangladesh, Canada, Colombia, Germany, India, Israel, Italy, Liechtenstein, Norway, Pakistan, Peru, Sierra Leone, South Africa, Switzerland, Syrian Arab Republic, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

<sup>b</sup> Afghanistan, Argentina, Armenia, Australia, Azerbaijan, Bangladesh, Botswana, Canada, Chile, Colombia, Costa Rica, Egypt, Georgia, Germany, Ghana, India, Indonesia, Israel, Italy, Liechtenstein, Morocco, Norway, Pakistan, Peru, Philippines, Portugal, Republic of Korea, Slovenia, Sri Lanka, Sudan, Switzerland, Syrian Arab Republic, Uruguay and Venezuela (Bolivarian Republic of).

<sup>c</sup> Armenia, Australia, Austria, Azerbaijan, Bangladesh, Botswana, Canada, Chile, Croatia, Cuba, Italy, Japan, Kenya, Liechtenstein, Mexico, Morocco, Netherlands, Nicaragua, Norway, Peru, Qatar, Republic of Korea, Slovenia, Sri Lanka, Switzerland, Syrian Arab Republic, Turkey, Ukraine, United Arab Emirates, Uruguay and Venezuela (Bolivarian Republic of).

<sup>d</sup> Australia, Austria, Bangladesh, Canada, Chile, Egypt, Georgia, Guatemala, Honduras, Israel, Japan, Liechtenstein, Luxembourg, Malaysia, Mexico, Morocco, Norway, Pakistan, Peru, Slovenia, Sri Lanka, Sudan, Switzerland, Syrian Arab Republic, Tunisia and Venezuela (Bolivarian Republic of).

<sup>e</sup> Portugal was represented by its President.

### **Mainstreaming of issues relating to the protection of civilians in armed conflict in the decisions of the Security Council**

During the period under review, the Council continued to include provisions on the protection of civilians in country- and region-specific resolutions and presidential statements, confirming a trend of increased mainstreaming of cross-cutting issues into its decisions. In addition, the Council incorporated provisions relating to the protection of civilians in a number of decisions adopted in connection with other thematic items.

In its decisions relating to country-specific situations, the Council included provisions related to the protection of civilians, which were addressed to relevant Member States, parties to a conflict or the Secretary-General. The provisions included calls for compliance with the obligations of parties under international humanitarian and human rights law, condemnations of violations of humanitarian and human rights law, calls to cease attacks against civilians, calls to facilitate humanitarian assistance to affected populations, including refugees and internally displaced persons, condemnation of attacks, threats and acts of obstruction and violence against United Nations personnel and calls for the prosecution of such crimes.

The Council included those provisions in decisions adopted in connection with Afghanistan, the

Central African region, the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo, the Middle East, Libya, Somalia and the Sudan. For instance, by resolution 1973 (2011), adopted in March 2011 in connection with the situation in Libya, the Council authorized, under Chapter VII of the Charter, all necessary measures to protect civilians under threat of attack and established a flight ban over the Libyan territory in order to help to protect civilians.<sup>764</sup> The previous month, following gross and systematic violations of human rights, including the repression of peaceful demonstrators, the Council had adopted measures under Article 41 of the Charter against individuals and entities involved in the commission of serious human rights abuses, as well as attacks on civilian populations and facilities.<sup>765</sup> By resolution 1923 (2010), adopted in connection with the situation in Chad, the Central African Republic and the subregion, the Council took note of the commitment of the Government of Chad to achieve specific benchmarks related to the protection of civilians and humanitarian workers in the context of the reduction of the military component of MINURCAT and the progressive drawdown of the Mission and requested the Secretary-General to establish a joint High-level Working Group with the Chadian authorities to assess the situation on the ground with respect to the

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<sup>764</sup> Paras. 4 and 6.

<sup>765</sup> Resolution 1970 (2011), para. 22.

protection of civilians.<sup>766</sup> In relation to the situation concerning the Democratic Republic of the Congo, the Council adopted a presidential statement following incidents of mass rapes committed by armed groups in the Walikale region in late July and early in August 2010, in which it expressed its readiness to consider all appropriate actions, including targeted measures against the perpetrators.<sup>767</sup> The following year, the Council adopted a presidential statement in which it expressed concerns at the persistent high levels of violence and human rights abuses against civilians. In its statement, the Council urged the Government of the Democratic Republic of the Congo to ensure the swift and fair prosecution of the perpetrators and to take all necessary steps, including ensuring proper conduct by

its armed forces in compliance with international humanitarian and human rights law, to facilitate the return of refugees and displaced persons.<sup>768</sup>

The following table lists, by item, provisions relating to the protection of civilians in armed conflict that were included in decisions adopted under other items. The table does not reflect the integration of provisions relating to the protection of civilians into the mandates of subsidiary bodies, which are covered in part X of the present Supplement. Provisions with a specific focus on the protection of civilians in armed conflict are reproduced in full, while those that are broader in scope are indicated by a reference to the decision and paragraph number.

<sup>766</sup> Paras. 2-4.

<sup>767</sup> S/PRST/2010/17, first paragraph.

<sup>768</sup> S/PRST/2011/11, fourth paragraph.

**Mainstreaming of issues relating to the protection of civilians in armed conflict in the decisions of the Security Council, 2010-2011: selected provisions**

| <i>Decision</i>  | <i>Provision</i>   |
|--|--|
| <b>Africa</b>  |  |
| <b>The situation in Somalia</b>  |  |
| <p>Resolution <a href="#">1910 (2010)</a><br/>28 January 2010<br/>(adopted under Chapter VII)</p>  | <p>Calls for the immediate cessation of all acts of violence or abuses committed against civilians and humanitarian personnel in violation of international humanitarian law and human rights law (para. 16)</p> <p>Calls upon all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across the country (para. 17)</p> <p><i>Same provision in resolution <a href="#">1964 (2010)</a>, para. 17</i></p> <p>See also the second, twelfth, fourteenth and sixteenth preambular paragraphs of the resolution</p> |
| <p>Resolution <a href="#">1964 (2010)</a><br/>22 December 2010<br/>(adopted under Chapter VII)</p> | <p>Calls for the immediate cessation of all acts of violence or abuses committed against civilians, including women and children, and humanitarian personnel in violation of international humanitarian law and human rights law, and stresses the responsibility of all parties and armed groups in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate or excessive use of force (para. 15)</p> <p>See also the second, fourteenth, sixteenth and seventeenth preambular paragraphs of the resolution</p>  |

*Decision*

*Provision*

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[S/PRST/2011/6](#)

10 March 2011

The Council condemns all attacks, including terrorist attacks on the Transitional Federal Government, the African Union Mission in Somalia and the civilian population by armed opposition groups and foreign fighters, particularly Al-Shabaab (tenth paragraph)

The Security Council stresses the responsibility of all parties and armed groups in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate or excessive use of force. The Council expresses deep concern about the continuing violations and abuses committed against children in Somalia by parties to the conflict and urges the immediate implementation of all conclusions of its Working Group on Children and Armed Conflict on Somalia (twelfth paragraph)

[S/PRST/2011/10](#)

11 May 2011

The Security Council calls upon all States, particularly those in the region, to fully implement the Somalia and Eritrea arms embargoes. The Council condemns attacks, including terrorist attacks, on the Transitional Federal Government, the African Union Mission in Somalia and the civilian population by armed opposition groups and foreign fighters, particularly Al-Shabaab. It calls upon all opposition groups to lay down their arms and join the peace process (eleventh paragraph)

### **The situation concerning the Democratic Republic of the Congo**

Resolution [1925 \(2010\)](#)

28 May 2010

Emphasizes that the Government of the Democratic Republic of the Congo bears primary responsibility for security, peacebuilding and development in the country, and encourages the Government to remain fully committed to protecting the population through the establishment of professional and sustainable security forces, to promote non-military solutions as an integral part of the overall solution for reducing the threat posed by Congolese and foreign armed groups and to restore full State authority in the areas freed from armed groups (para. 5)

Calls upon the United Nations system, along with international partners, to focus its efforts on helping the Government of the Democratic Republic of the Congo to consolidate the conditions to ensure effective protection of civilians and sustainable development in the Democratic Republic of the Congo, requests the Secretary-General to continue to coordinate all the activities of the United Nations system in the country through continued cooperation between the Mission and the United Nations country team under the authority of his Special Representative for the Democratic Republic of the Congo, and encourages the international and donor community to support the activities of the country team (para. 9)

[S/PRST/2010/17](#)

17 September 2010

The Security Council reiterates its strong condemnation of the mass rapes which occurred in the east of the Democratic Republic of the Congo in late July and August 2010, and, reaffirming its resolutions [1820 \(2008\)](#), [1882 \(2009\)](#), [1888 \(2009\)](#), [1894 \(2009\)](#) and [1925 \(2010\)](#) and recalling its statements to the press of 26 August and 8 and 9 September 2010, the Council urges the Government of the Democratic Republic of the Congo to ensure a swift and fair prosecution of the perpetrators of these terrible crimes and to inform the Council on measures taken to this end. The Council expresses its readiness to consider all appropriate actions, including targeted measures against the perpetrators (first paragraph)

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Decision

Provision

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The Council stresses the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law (second paragraph)

The Council requests a briefing by the Secretary-General on the strategy of the Mission for the protection of civilians and the overall challenges that the Mission faces in implementing this strategy. The Council continues to support a comprehensive approach to the protection of civilians and to ensuring peace and security in the region, in particular efforts to accelerate effective disarmament, demobilization and reintegration of Congolese armed groups and disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups, to fight against the illegal exploitation of natural resources and to establish effective State authority and strengthen the rule of law in conflict-affected areas (last paragraph)

Resolution [1952 \(2010\)](#)  
29 November 2010  
(adopted under Chapter VII)

Encourages the Government of the Democratic Republic of the Congo to continue to take appropriate measures to address the threat of criminal networks within the Armed Forces of the Democratic Republic of the Congo involved in illegal economic activities, such as mining, undermining their capacity to protect civilians in the eastern part of the country (para. 11)

See also the ninth and tenth preambular paragraphs of the resolution

[S/PRST/2011/11](#)  
18 May 2011

The Council reiterates its deep concern about the persistent high levels of violence, especially sexual violence, and human rights abuses against civilians, mostly affecting women and children, including the use and recruitment of children by parties to the conflict, in particular in the eastern part of the country. It reiterates its deep concern about continuing activities of LRA. It calls for an urgent end to the attacks against the civilian population by all armed groups. It condemns all violations of human rights, including those committed by some elements of the Congolese security forces. The Council welcomes progress with the recent prosecutions after the incidents in Fizi and other cases. It reiterates the urgent need for the swift prosecution of all perpetrators of human rights abuses, and urges the Congolese authorities, with the support of the Mission, to implement the appropriate responses to address this challenge, including in Walikale. It urges the Government of the Democratic Republic of the Congo to take all necessary steps, including ensuring proper conduct by its armed forces in compliance with international humanitarian and human rights law, to facilitate the return of refugees and displaced persons (fourth paragraph)

### **The situation in the Central African Republic**

[S/PRST/2010/26](#)  
14 December 2010

The Council remains seriously concerned by the security situation in the Central African Republic. The Council condemns all attacks by local and foreign armed groups that threaten the population as well as the peace and stability of the Central African Republic and the subregion, including the attacks on Birao carried out by the Convention des patriotes pour la justice et la paix on 19 July and 24 November 2010 (fifth paragraph)

Noting the primary responsibility of the Government of the Central African Republic to promote security and for protecting its civilians with respect for the rule of law, human rights and international humanitarian law, the Council stresses the importance of bilateral partners' work enhancing the capacity of the Central African Armed Forces and stresses that such assistance should be in support of the wider security sector reform process. The Council also encourages further cooperation between the Governments of the Central African Republic, Chad and the Sudan in order to secure their common borders. The Council recognizes the contribution of the Mission for the Consolidation of Peace in the Central African Republic in support of durable peace and security in the Central African Republic and calls upon regional and subregional organizations to consider, upon request of the Government of the Central African Republic, further actions to support security in the Central African Republic, such as reinforcing the Mission (seventh paragraph)

*Same provision in resolution [2031 \(2011\)](#), para. 11*

### **The situation in Côte d'Ivoire**

Resolution [1911 \(2010\)](#)  
28 January 2010  
(adopted under Chapter VII)

Reaffirms paragraphs 14 to 17 of resolution [1880 \(2009\)](#), calls upon all Ivorian parties, with the continued support of the United Nations Operation in Côte d'Ivoire (UNOCI), to ensure the protection of civilians, including women and children, to fully implement the recommendations of the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Côte d'Ivoire ([S/AC.51/2008/5](#) and Corr.1), including to adopt a national action plan to address sexual violence, and to ensure that the rule of law is strengthened and that all reported abuses are investigated and those responsible brought to justice, and calls, in particular, upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence (para. 13)

*Same provision in resolutions [1933 \(2010\)](#), para. 13, and [1962 \(2010\)](#), para. 9*

See also resolution [1911 \(2010\)](#), tenth preambular paragraph; resolution [1933 \(2010\)](#), ninth preambular paragraph; and resolution [1962 \(2010\)](#), fifth and eighteenth preambular paragraphs

Resolution [1975 \(2011\)](#)  
30 March 2011  
(adopted under Chapter VII)

Urges all the Ivorian parties and other stakeholders to respect the will of the people and the election of Mr. Alassane Dramane Ouattara as President of Côte d'Ivoire, as recognized by the Economic Community of West African States, the African Union and the rest of the international community, expresses its concern at the recent escalation of violence, and demands an immediate end to the violence against civilians, including women, children and internally displaced persons (para. 1)

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Decision

Provision

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Urges all Ivorian State institutions, including the Defence and Security Forces of Côte d'Ivoire, to yield to the authority vested by the Ivorian people in President Alassane Dramane Ouattara, condemns the attacks, threats, and acts of obstruction and violence perpetrated by the Defence and Security Forces, militias and mercenaries against United Nations personnel, obstructing them from protecting civilians and monitoring and helping to investigate human rights violations and abuses, stresses that those responsible for such crimes under international law must be held accountable, and calls upon all parties, in particular Mr. Laurent Gbagbo's supporters and forces, to fully cooperate with UNOCI and to cease interfering with its activities in implementation of its mandate (para. 4)

Reiterates its firm condemnation of all violence committed against civilians, including women, children, internally displaced persons and foreign nationals, and other violations and abuses of human rights, in particular enforced disappearances, extrajudicial killings, killing and maiming of children and rapes and other forms of sexual violence (para. 5)

See also the ninth and thirteenth preambular paragraphs of the resolution

#### **Reports of the Secretary-General on the Sudan**

Resolution [1919 \(2010\)](#)  
29 April 2010

Expresses its concern for the health and welfare of the civilian populations in the Sudan, calls upon the parties to the Comprehensive Peace Agreement and the communiqué signed by the United Nations and the Government of National Unity in Khartoum on 28 March 2007 to support and protect all humanitarian personnel and facilitate all humanitarian operations in the Sudan, and urges the Government of the Sudan to continue working with the United Nations to ensure the continuity of humanitarian assistance throughout the Sudan (para. 13)

Resolution [1935 \(2010\)](#)  
30 July 2010

Demands that all parties to the conflict in Darfur immediately end violence and attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under human rights and international humanitarian law, affirms in this context the strong opposition of the Council to serious violations of international humanitarian law and human rights law, calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire, requests the Secretary-General to consult with relevant parties with a view to developing a more effective ceasefire monitoring mechanism, and underlines the need for the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to report on major instances of violence which undermines the full and constructive efforts of the parties towards peace (para. 9)

Demands that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution [1820 \(2008\)](#) of 19 June 2008, requests UNAMID to report on the implementation of its comprehensive strategy for providing protection to women and children from sexual violence and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and requests the Secretary-General to ensure that the relevant provisions of resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#) of 30 September 2009 and [1889 \(2009\)](#) of 5 October 2009 are implemented by the Operation and to include information on this in his reporting to the Council (para. 18)

See also resolution [1945 \(2010\)](#), seventh and ninth preambular paragraphs

*Decision*

*Provision*

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[S/PRST/2010/24](#)  
16 November 2010

The Council underlines the need for the parties to the Comprehensive Peace Agreement to promote calm, including by providing immediate and ongoing reassurance to people of all nationalities in the Sudan, including Southerners in the North and Northerners in the South, that their rights, safety and property will be respected whatever the outcome of the referendums. The Council calls for an immediate end to statements threatening the security of vulnerable populations. The Council also emphasizes that the protection of civilians is primarily the responsibility of the Sudanese authorities. The Council urges the parties to work actively with local leaders to mitigate tensions in Abyei and other border areas (sixth paragraph)

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions, and all parties immediately to cease hostilities and engage constructively in negotiations with a view to finding a lasting peace in Darfur. The Council expresses concern about attacks on civilians by militias and calls for all support to such groups to cease. The Council expresses its willingness to consider measures against any party whose actions undermine peace in Darfur (tenth paragraph)

The Council expresses deep concern about the increase in violence and insecurity in Darfur, including ceasefire violations, attacks by rebel groups, aerial bombardment by the Government of the Sudan, increased intertribal fighting, and attacks on humanitarian personnel and peacekeepers, which have restricted humanitarian access to conflict areas where vulnerable populations reside. In this context, the Council calls upon all parties to protect civilians and maintain full, safe and unhindered access for humanitarian workers to the population in need of assistance. The Council notes the need to support efforts to halt arms flows into Darfur in contravention of the arms embargo strengthened by resolution [1945 \(2010\)](#). The Council recalls the importance it attaches to an end to impunity, and to justice for crimes committed in Darfur (eleventh paragraph)

[S/PRST/2010/28](#)  
16 December 2010

The Council reiterates its call for all parties to cooperate fully with the United Nations Mission in the Sudan in the discharge of its mandate, specifically with respect to the protection of civilians and to granting unhindered access and freedom of movement (fourth paragraph)

The Council reiterates the urgent need for the parties to provide immediate and ongoing reassurance to people of all nationalities in the Sudan, so that their rights, safety and property will be respected whatever the outcome of the referendums, and the urgent need to focus on the security and protection of minorities, including Southerners in the North and Northerners in the South. The Council urges the parties to ensure that citizenship and residency arrangements are in accordance with applicable international obligations and refrain from arbitrarily depriving an individual of citizenship. The Council urges the parties to the Comprehensive Peace Agreement to respect their obligations (fifth paragraph)

*Decision*

*Provision*

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[S/PRST/2011/3](#)  
9 February 2011

The Council reiterates its deep concern over the increase in violence and insecurity in Darfur, including ceasefire violations, attacks by rebel groups and aerial bombardment by the Sudanese Armed Forces, which recently displaced approximately 43,000 civilians, and the kidnapping on 13 January 2011 of three members of the United Nations Humanitarian Air Service. The Council recalls the importance it attaches to an end to impunity, and to justice for crimes committed in Darfur. The Council reaffirms its support for UNAMID and urges all parties to ensure full and unhindered access for the Operation throughout the mission area and to allow humanitarian workers to provide assistance to all populations in need (ninth paragraph)

[S/PRST/2011/8](#)  
21 April 2011

The Council reaffirms its support for UNAMID, including the increasingly full implementation of its Chapter VII mandate to deliver its core tasks to protect civilians and assure humanitarian access, as defined in resolution [1769 \(2007\)](#) of 31 July 2007, and recalls the priority given to its efforts in support of the African Union-United Nations-led political process for Darfur. The Council demands that the Government of the Sudan and the armed movements cease hostilities and ensure full and unhindered access, by land and by air, for the Operation throughout the mission area and allow humanitarian workers to provide assistance to all populations in need. The Council notes the statement made by the Permanent Representative of the Sudan to the United Nations before the Council on 20 April 2011 that his Government would issue all outstanding 1,117 visas for Operation personnel, and urgently calls upon the Government of the Sudan to do so (ninth paragraph)

[S/PRST/2011/12](#)  
3 June 2011

The Council strongly condemns the Government of the Sudan's taking and continued maintenance of military control over the Abyei Area and the resulting displacement of tens of thousands of residents of Abyei. The Council calls upon the Sudanese Armed Forces to ensure an immediate halt to all looting, burning and illegal resettlement. The Council stresses that all those responsible for violations of international law, including humanitarian and human rights law, as well as those who ordered those acts, will be held accountable. The Council expresses grave concern about the deteriorating humanitarian situation in the area and praises the efforts of the humanitarian community to deliver emergency assistance, including food, health care, shelter and water, to those affected by the conflict, despite continued insecurity in the region and despite severe limitations on access (second paragraph)

The Council underscores the responsibility of the parties to protect civilians, and to respect the Chapter VII mandate of the Mission for the protection of civilians under imminent threat of physical violence in Abyei. In this regard, the Council condemns in the strongest terms ongoing threats and intimidation against elements of the Mission. ... (twelfth paragraph)



*Decision*

*Provision*

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Resolution [2003 \(2011\)](#)  
29 July 2011

Demands that all parties to the conflict in Darfur immediately end violence and attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law; affirms in this context the Council's condemnation of serious violations of international humanitarian law and human rights law; calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire; requests the Secretary-General to consult with relevant parties with a view to developing a more effective ceasefire monitoring mechanism; and underlines the need for UNAMID to report on major instances of violence which undermines the full and constructive efforts of the parties towards peace (para. 14)

Expresses its serious concern at the deterioration of the humanitarian situation in some parts of Darfur, the continued threats to humanitarian organizations and the restricted humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers and denial of access by the parties to the conflict, calls for the full implementation of the joint communiqué between the Government of the Sudan and the United Nations on facilitation of humanitarian activities in Darfur, including regarding the timely issuance of visas and travel permits for humanitarian organizations, demands that the Government of the Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel and the delivery of humanitarian assistance to populations in need, and underscores the importance of upholding the principles of neutrality, impartiality and independence in the provision of humanitarian assistance (para. 15)

See also the thirteenth preambular paragraph of the resolution

#### **The situation in Chad, the Central African Republic and the subregion**

Resolution [1923 \(2010\)](#)  
25 May 2010

Takes note of the commitment of the Government of Chad, as recalled in the letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council ([S/2010/250](#)), to assume full responsibility for the security and protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, and United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law, and underscores that in so doing, the Government commits itself to carrying out the following tasks:

- (i) To ensure the security and protection of civilians in danger, particularly refugees and internally displaced persons;
- (ii) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad;
- (iii) To ensure the security and freedom of movement of Mission staff and United Nations and associated personnel (para. 2)

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Decision

Provision

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Notes that, in this context, the Government of Chad commits itself to working towards the achievement of the following benchmarks related to the protection of civilians and humanitarian workers, in accordance with international humanitarian law, as outlined in resolution [1861 \(2009\)](#):

- (i) Voluntary return and resettlement in secure and sustainable conditions of internally displaced persons;
- (ii) Demilitarization of refugee and internally displaced persons camps as evidenced by a decrease in arms, violence and human rights abuses;
- (iii) Improvement in the capacity of Chadian authorities in eastern Chad, including national law enforcement agencies, the judiciary and the prison system, to provide the necessary security for refugees, internally displaced persons, civilians and humanitarian workers with respect for international human rights standards (para. 3)

Requests the Government of Chad and the Secretary-General to establish a joint Government of Chad/United Nations High-level Working Group to assess on a monthly basis the situation on the ground with respect to the protection of civilians, the measures adopted by the Government to implement the tasks set out in paragraph 2 above and to progress towards meeting the benchmarks set out in paragraph 3 above, and the capacity of the *Détachement intégré de sécurité* to provide security inside and around refugee camps and internally displaced persons sites, security escorts and area security, in coordination with the Gendarmerie and the Nomad National Guard (para. 4)

Welcomes the intention of the Government of Chad and the United Nations to establish a forum to foster dialogue and collaboration with a view to reaching a common understanding of roles and responsibilities on issues relating to the protection of civilians, humanitarian access, and safety and security arrangements of humanitarian actors and in order to impact positively on humanitarian and early recovery initiatives (para. 13)

See also the ninth, eleventh, twelfth and thirteenth preambular paragraphs of the resolution

[S/PRST/2010/29](#)  
20 December 2010

The Council recalls the commitment of the Government of Chad, outlined in the letter dated 7 September 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Council ([S/2010/470](#)), to assume full responsibility for the security and the protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, and United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law (third paragraph)

The Council requests the Secretary-General to report by the conclusion of the liquidation phase of the Mission on 30 April 2011 on the progress made in eastern Chad on the protection of civilians, especially women and children, including (i) the status of refugees and internally displaced persons and durable solutions to their displacement, (ii) unimpeded, safe and timely humanitarian access, including the movement and security of humanitarian personnel and the delivery of humanitarian aid, (iii) the measures taken to respond to violations of humanitarian, human rights and refugee law, and (iv) the overall security situation as it affects the humanitarian situation (sixth paragraph)

**The situation in Libya<sup>a</sup>**

Resolution [1970 \(2011\)](#)

26 February 2011

(adopted under Chapter VII)

Decides that the measures contained in paragraphs 15 and 17 [of the resolution] shall apply to the individuals and entities designated by the Committee, pursuant to paragraphs 24 (b) and (c) [of the resolution] respectively:

- (a) Involved in or complicit in ordering, controlling or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or
- (b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a) (para. 22)

Resolution [1973 \(2011\)](#)

17 March 2011

(adopted under Chapter VII)

Demands the immediate establishment of a ceasefire and a complete end to violence and all attacks against, and abused of, civilians (para. 1)

Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of [resolution 1970 \(2011\)](#), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by the present paragraph which shall be immediately reported to the Security Council (para. 4)

Decides to establish a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help to protect civilians (para. 6)

Decides also that the ban imposed by paragraph 6 above shall not apply to flights whose sole purpose is humanitarian, such as delivering or facilitating the delivery of assistance, including medical supplies, food, humanitarian workers and related assistance, or evacuating foreign nationals from the Libyan Arab Jamahiriya, nor shall it apply to flights authorized by paragraphs 4 or 8, nor to other flights which are deemed necessary by States acting under the authorization conferred in paragraph 8 [of the resolution] to be for the benefit of the Libyan people, and that these flights shall be coordinated with any mechanism established under paragraph 8 (para. 7)

*Decision*

*Provision*

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See also the third, fourth, fifth, sixth, seventh, ninth, twelfth, fourteenth, fifteenth, seventeenth and eighteenth preambular paragraphs of the resolution

## Asia

### The situation in Afghanistan

Resolution [1917 \(2010\)](#)  
22 March 2010

Condemns in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemns further the use by the Taliban and other extremist groups of civilians as human shields (para. 18)

Recognizes the progress made by the International Security Assistance Force and other international forces in minimizing the risk of civilian casualties, as described in the January 2010 report of the Mission on the protection of civilians in armed conflict, and calls upon them to continue to make robust efforts in this regard, notably by the continuous review of tactics and procedures and the conduct of after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate (para. 20)

See also resolution [1917 \(2010\)](#), fifteenth, sixteenth, seventeenth and nineteenth preambular paragraphs; resolution [1943 \(2010\)](#), fifteenth, eighteenth and nineteenth paragraphs; and resolution [1974 \(2011\)](#), twenty-second preambular paragraph

## Middle East

### The situation in the Middle East, including the Palestinian question

[S/PRST/2010/9](#)  
1 June 2010

The Security Council deeply regrets the loss of life and injuries resulting from the use of force during the Israeli military operation in international waters against the convoy sailing to Gaza. The Council, in this context, condemns those acts which resulted in the loss of at least 10 civilian lives and left many wounded, and expresses its condolences to the families (first paragraph)

The Council requests the immediate release of the ships as well as the civilians held by Israel. The Council urges Israel to permit full consular access, to allow the countries concerned to retrieve their deceased and wounded immediately and to ensure the delivery of humanitarian assistance from the convoy to its destination (second paragraph)

## Thematic issues

### United Nations peacekeeping operations

[S/PRST/2010/2](#)  
12 February 2010

The Council underlines that an advanced peace process is an important factor in achieving successful transition from a peacekeeping operation to other configurations of United Nations presence. It also highlights the importance of a host State protecting its population, managing political disputes peaceably and providing for basic services and long term development (third paragraph)

Further improvement can be made in Council practice, supported by the Secretariat, to ensure successful transitions, by developing clear, credible and achievable mandates, to be matched by appropriate resources. The Council:

...

Recalls the necessity to take into account the protection of civilians in situations of armed conflict, as and when mandated, throughout the life cycle of United Nations peacekeeping and other relevant missions, in line with Council resolution [1894 \(2009\)](#) (sixth paragraph)

### Women and peace and security

Resolution [1960 \(2010\)](#)  
16 December 2010

Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of civilians (ninth preambular paragraph)

Recalling that international humanitarian law affords general protection to women and children as part of the civilian population during armed conflicts and special protection due to the fact that they can be placed particularly at risk (tenth preambular paragraph)

Reaffirming that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future, drawing attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and “mixed” criminal courts and tribunals and truth and reconciliation commissions, and noting that such mechanisms can promote not only individual responsibility for serious crimes but also peace, truth, reconciliation and the rights of the victims (eleventh preambular paragraph)

### Maintenance of international peace and security

[S/PRST/2010/18](#)  
23 September 2010

The Council also reiterates its strong support for the protection of civilians and reaffirms its conviction that the protection of civilians in armed conflicts, particularly women and children, should be an important aspect of any comprehensive strategy to resolve conflicts. The Council further reiterates its opposition to impunity for serious violations of international humanitarian law and human rights law (sixth paragraph)

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**Maintenance of international peace and security: the interdependence between security and development**

[S/PRST/2011/4](#)  
11 February 2011

The Council underlines that integrated action on the ground by security and development actors needs to be coordinated with the national authorities and can significantly contribute to stabilizing and improving the security situation and ensuring the protection of civilians. The Council also notes the importance of cooperation with civil society in this context. The Council affirms that sustainable peace and development cannot be achieved without the inclusion of all relevant stakeholders and underlines that women must be included as active participants in all stages of peacebuilding, peace agreements and development programmes. The Council expresses its willingness to engage in dialogue, where necessary, on specific situations on its agenda with other actors, including United Nations agencies, funds and programmes and international financial institutions (twelfth paragraph)

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<sup>a</sup> Pursuant to a note by the President of the Security Council dated 16 March 2011 ([S/2011/141](#)), as from that date the earlier consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya under the item entitled “Peace and security in Africa” was subsumed under the item entitled “The situation in Libya”.

### 33. Women and peace and security

#### Overview

During the period under review, the Security Council held five meetings, including one high-level meeting, and adopted one resolution and three presidential statements in connection with women and peace and security. In its deliberations, the Council focused on the implementation of resolution [1325 \(2000\)](#), the issue of conflict-related sexual violence and the participation of women in conflict prevention, resolution and peacebuilding. In addition, the Council included provisions related to women and peace and security in a number of its decisions relating to country-specific and thematic items, reflecting a trend of increased mainstreaming of cross-cutting issues into its work.<sup>769</sup>

#### 27 April 2010 to 28 October 2011: implementation of resolution [1325 \(2000\)](#)

On 27 April 2010, the Security Council considered a set of 26 indicators in connection with women and peace and security, developed by the Secretary-General<sup>770</sup> to track the implementation of

resolution [1325 \(2000\)](#) in the four main areas of prevention, participation, protection, and relief and recovery.<sup>771</sup>

During the debate, Member States unanimously acknowledged the necessity to measure the progress made since the adoption of resolution [1325 \(2000\)](#) in order to better identify obstacles to its effective implementation. However, speakers shared a common view that the proposed indicators required further conceptual and technical development before they could be implemented. Some representatives pointed to the need to balance quantitative and qualitative indicators<sup>772</sup> and improve their adaptability to country-specific situations.<sup>773</sup> Mindful that data collection could prove challenging for some States, particularly those in the midst of or emerging from conflict, some

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<sup>771</sup> In 2009, the Council adopted resolution [1889 \(2009\)](#), in which it called for the development of indicators which could serve as a common basis for reporting by relevant United Nations entities, other international and regional organizations and Member States on the implementation of resolution [1325 \(2000\)](#) in 2010 and beyond.

<sup>772</sup> [S/PV.6302](#), p. 9 (United States); p. 12 (Turkey); p. 13 (Lebanon); p. 17 (Bosnia and Herzegovina); and p. 20 (Brazil).

<sup>773</sup> *Ibid.*, p. 13 (Lebanon); p. 17 (Bosnia and Herzegovina); p. 18 (China); and p. 20 (Brazil).

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<sup>769</sup> For information on the mainstreaming of other thematic issues, see part I, sect. 31, “Children and armed conflict”, and sect. 32, “Protection of civilians”.

<sup>770</sup> See [S/2010/173](#)

speakers stressed that those States should not be burdened with additional reporting responsibilities<sup>774</sup> and that particular support should be provided to them.<sup>775</sup> Other speakers expressed their wish for a clear delineation of roles and responsibilities among Member States and the United Nations and within the United Nations system.<sup>776</sup> At the end of the meeting, the Council issued a presidential statement in which it requested the Secretary-General to continue to consult with the Council, taking into account views expressed by other relevant stakeholders, including the broader United Nations membership, taking into account the need to further develop the indicators contained in his report, and expressed its intention to take action on a comprehensive set of indicators on the occasion of the tenth anniversary of resolution 1325 (2000) in October 2010.<sup>777</sup>

On 26 October 2010, at the meeting marking the tenth anniversary of the adoption of resolution 1325 (2000), the Council adopted a presidential statement in which it supported taking forward the set of indicators contained in the annex to the report of the Secretary-General on women and peace and security<sup>778</sup> for use as an initial framework to track the implementation of resolution 1325 (2000). The Council requested the Secretary-General to propose in his next annual report a strategic framework to guide United Nations implementation of the resolution and expressed its intention to convene a high-level review in 2015.<sup>779</sup> In his statement to the Council, the Secretary-General noted that despite the wide array of activities initiated by Member States and the United Nations since the adoption of resolution 1325 (2000), much remained to be done to increase the participation of women at all stages of conflict management and to prevent and prosecute conflict-related gender-based violence, in particular sexual violence. He emphasized the general lack of adequate methods for monitoring progress, a gap which his comprehensive set of indicators sought to bridge.<sup>780</sup> In her briefing, the Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) said that the

set of indicators submitted in the report represented a highly practical new tool to support the accelerated implementation of resolution 1325 (2000) and strongly urged the Council to begin to use them as a basis for the Council's review, analysis and intervention on issues related to women and peace and security at both the global and country levels. She added that the operationalization of the indicators would mean a shift in the implementation of resolution 1325 (2000) from "just a focus on activities to an output- and results-driven endeavour".<sup>781</sup>

A large number of speakers highlighted that the mass rapes perpetrated in the Democratic Republic of the Congo in July 2010 had demonstrated the need to urgently and effectively implement resolution 1325 (2000).<sup>782</sup> With regard to the set of indicators developed by the Secretary-General, several speakers encouraged its prompt implementation,<sup>783</sup> while others argued that the use of such indicators should be opted on a voluntary basis<sup>784</sup> and applied to conflict-related situations only.<sup>785</sup>

On 28 October 2011, at its 6642th meeting, the Council considered the comprehensive strategic framework outlined in the annual report of the Secretary-General on women and peace and security,<sup>786</sup> which contained a set of objectives, goals and indicators to guide United Nations implementation of resolution 1325 (2000) until 2020 and to strengthen the accountability of the United Nations system. In his statement to the Council, the Secretary-General called upon Member States to do more, including through additional funding, to implement the priorities of his

<sup>774</sup> Ibid., p. 17 (Bosnia and Herzegovina); and p. 20 (Brazil).

<sup>775</sup> Ibid., pp. 14-15 (Gabon).

<sup>776</sup> Ibid., p. 16 (Russian Federation); and p. 17 (Bosnia and Herzegovina).

<sup>777</sup> S/PRST/2010/8.

<sup>778</sup> S/2010/498.

<sup>779</sup> S/PRST/2010/22.

<sup>780</sup> S/PV.6411, pp. 4-5.

<sup>781</sup> Ibid, pp. 5-7.

<sup>782</sup> Ibid., p. 14 (United States); p. 20 (France); p. 22 (Nigeria); pp. 23-24 (United Kingdom); p. 28 (Russian Federation); p. 31 (Canada); p. 40 (Ireland, Slovenia); and p. 42 (South Africa); S/PV.6411 (Resumption 1), p. 4 (New Zealand); p. 14 (Liechtenstein); p. 16 (Switzerland); p. 29 (Israel); p. 37 (Australia); p. 50 (European Union); and p. 61 (Bahamas).

<sup>783</sup> S/PV.6411, p. 12 (Austria); p. 20 (France); p. 24 (United Kingdom); p. 30 (Canada, on behalf of the Group of Friends of Women, Peace and Security); and p. 31 (Italy); S/PV.6411 (Resumption 1), p. 15 (Estonia); p. 22 (Luxembourg); p. 38 (Croatia); p. 51 (European Union); p. 58 (Ukraine); and p. 72 (Ghana).

<sup>784</sup> S/PV.6411 (Resumption 1), p. 20 (Viet Nam).

<sup>785</sup> S/PV.6411, p. 29 (Russian Federation); S/PV.6411 (Resumption 1), p. 24 (Egypt).

<sup>786</sup> S/2011/598.

strategic framework.<sup>787</sup> Most of the speakers welcomed and supported the strategic framework as a positive step forward in the effective implementation of the resolution. The representative of the United Kingdom, however, regretted that such support would not be reflected in the presidential statement to be issued at the end of the meeting.<sup>788</sup> The representative of the Russian Federation stressed that there were pending questions on the suitability, relevance and scope of individual indicators and that a more transparent consultative process should be guaranteed in the discussions on the indicators and the strategic framework.<sup>789</sup>

### **27 April to 17 December 2010: sexual violence in armed conflict**

On 27 April 2010, the Council heard a briefing by the Special Representative of the Secretary-General on Sexual Violence in Conflict. The Special Representative shared her assessment of a number of critical gaps in the response to the widespread and systematic use of sexual violence, particularly rape, as a tactic of war and recommended a five-point priority agenda to strengthen United Nations action, consisting of ending impunity, empowering women to become agents of change, mobilizing political leadership, increasing the recognition of rape as a tactic and consequence of conflict, and ensuring a coordinated response from the United Nations system.<sup>790</sup>

On 16 December 2010, the Council unanimously adopted resolution [1960 \(2010\)](#), in which it expressed its readiness to take appropriate steps to address widespread or systematic sexual violence in situations of armed conflict when considering situations on its agenda. In the resolution, the Council requested the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence. It encouraged him to include in his reports on the implementation of resolutions [1820 \(2008\)](#) and [1888 \(2009\)](#) detailed information on parties to armed conflict that were credibly suspected of committing or being responsible for acts of rape or other forms of sexual violence and to list those in an annex to the reports and expressed its intention to use the list as a basis for more focused engagement with those parties,

including measures in accordance with the procedures of relevant sanctions committees. The Council called upon parties to armed conflict to implement specific and time-bound commitments to combat sexual violence and requested the Secretary-General to track and monitor implementation of those commitments and to regularly update the Council in reports and briefings.<sup>791</sup>

During the debate held on 16 and 17 December 2010 there was a large consensus among States that the alarming prevalence of conflict-related sexual violence called for a consistent, coordinated approach and that urgent action was needed to reinforce accountability and end impunity for perpetrators of sexual violence, including through sanctions and referrals to the International Criminal Court. Many expressed hope that the proposed monitoring and reporting mechanisms would be established, adding that reliable data collection and analysis would require increased coordination and collaboration between the various bodies and organs of the United Nations, both at headquarters and in the field. Several speakers noted the importance of building on the experience and practice of the mechanism established under resolutions [1612 \(2005\)](#) and [1882 \(2009\)](#) on children and armed conflict, welcoming greater cooperation and information-sharing between the Special Representative on Sexual Violence in Conflict and the Special Representative for Children in Armed Conflict.<sup>792</sup> Some speakers recommended that the Council establish a working group on women and peace and security,<sup>793</sup> as well as a listing and delisting mechanism,<sup>794</sup> both already in place under the children and armed conflict agenda. Other speakers, while supportive of concrete measures to help to prevent and prosecute crimes of sexual violence, insisted that the tools adopted under resolution [1960 \(2010\)](#) should be applied to conflicts which were a threat to peace and

<sup>787</sup> [S/PV.6642](#), p. 3.

<sup>788</sup> *Ibid.*, p. 8.

<sup>789</sup> *Ibid.*, p. 23.

<sup>790</sup> [S/PV.6302](#), pp. 2-5.

<sup>791</sup> The first report pursuant to resolution [1960 \(2010\)](#) was to be submitted in December 2011; however, the report ([S/2012/33](#)) was submitted on 13 January 2012 and is thus covered in the subsequent Supplement of the *Repertoire*.

<sup>792</sup> [S/PV.6453](#), p. 11 (United Kingdom); p. 12 (Mexico); p. 13 (France); p. 15 (Bosnia and Herzegovina); p. 22 (Japan); p. 23 (Austria); and p. 26 (Germany); [S/PV.6453 \(Resumption 1\)](#), p. 4 (Portugal); pp. 4-5 (Switzerland); p. 6 (Slovenia); p. 9 (Costa Rica, on behalf of the Human Security Network); and p. 12 (Chile).

<sup>793</sup> [S/PV.6453](#), p. 23 (Austria).

<sup>794</sup> *Ibid.*, p. 16 (Bosnia and Herzegovina); p. 26 (Germany); p. 30 (Netherlands); and p. 34 (Finland).



security only<sup>795</sup> and that the Special Representative on Sexual Violence should perform her responsibilities strictly in line with the mandate formulated by the Council.<sup>796</sup>

**28 October 2011: participation of women in decision-making processes**

On 28 October 2011, at its 6642nd meeting, the Council considered the annual report of the Secretary-General on the implementation of resolution 1325 (2000)<sup>797</sup> and a concept paper prepared by the presidency (Nigeria),<sup>798</sup> which emphasized that, despite their essential role in building peace and reinforcing the foundation of democracy, women remained insufficiently involved in all conflict prevention and resolution processes. At that meeting, the Council adopted a presidential statement in which it welcomed the efforts and commitments to implement resolution 1325 (2000) while remaining concerned at

the continued low numbers of women in formal institutions of conflict prevention and resolution, particularly in preventive diplomacy and mediation efforts. The Council requested the Secretary-General to assist in enabling regular consultations between women's groups and relevant participants in conflict mediation and peacebuilding processes and to ensure that regular briefings were provided to his mediators and their teams on gender issues relevant to peace agreement provisions and specific obstacles to full and equal political participation of women. It recognized the need for more systematic attention to and implementation of women and peace and security commitments in its own work and expressed its willingness to ensure that measures to enhance women's engagement in conflict prevention and resolution and peacebuilding were advanced in its work. The Council also noted with satisfaction the increased coordination and coherence in policy and programming for women and girls within the United Nations system since the creation of UN-Women.<sup>799</sup>

<sup>795</sup> Ibid., p. 21 (Russian Federation).

<sup>796</sup> Ibid., p. 18 (China).

<sup>797</sup> S/2011/598.

<sup>798</sup> S/2011/654.

<sup>799</sup> S/PRST/2011/20.

**Meetings: women and peace and security**

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|------------------------|----------------------------|--|--------------------------------------|---|
| 6302<br>27 April 2010   | Report of the Secretary-General on women and peace and security (S/2010/173) |                        |                            | Special Representative of the Secretary-General on Sexual Violence in Conflict, Special Adviser to the Secretary-General on Gender Issues and Advancement of Women | All Council members and all invitees | S/PRST/2010/8                                     |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>               | <i>Sub-item</i>   | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>  | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|---------------------------------------|---|--|--------------------------------|---|---|---|
| 6411<br>26 October<br>2010            | Report of the Secretary-General on women and peace and security (S/2010/498)                                  | Report of the Secretary-General on women's participation in peacekeeping (S/2010/466)<br><br>Letter dated 22 October 2010 from the observer of Palestine to the President of the Security Council (S/2010/549) | 66 Member States <sup>a</sup>  | 9 invitees <sup>b</sup>   | Secretary-General (video message), <sup>c</sup> all Council members, <sup>d</sup> 65 invitees under rule 37 <sup>e</sup> and all invitees under rule 39 | <a href="#">S/PRST/2010/22</a>                        |
| 6453<br>16 and<br>17 December<br>2010 | Report of the Secretary-General on the implementation of resolutions 1820 (2008) and 1888 (2009) (S/2010/604) | Draft resolution submitted by 68 Member States <sup>f</sup> (S/2010/641)   | 58 Member States <sup>g</sup>  | Special Representative of the Secretary-General on Sexual Violence in Conflict, Under-Secretary-General for Peacekeeping Operations, Military Adviser of the Office of Military Affairs in the Department of Peacekeeping Operations, Acting Head of the Delegation of the European Union to the United Nations | Secretary-General, all Council members, 23 invitees under rule 37 <sup>h</sup> and all invitees under rule 39   | Resolution <a href="#">1960 (2010)</a><br>15-0-0      |
| 6515<br>14 April 2011                 |   |  |                                | Special Representative of the Secretary-General on Sexual Violence in Conflict  | Special Representative of the Secretary-General on Sexual Violence in Conflict  |   |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>    | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|----------------------------|---|------------------------|-------------------------------|---|---|---|
| 6642<br>28 October<br>2011 | Report of the Secretary-General on women and peace and security (S/2011/598)<br><br>Letter dated 20 October 2011 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General (S/2011/654) |                        | 42 Member States <sup>i</sup> | Under-Secretary-General for Gender Equality and the Empowerment of Women, President of the Economic and Social Council, Representative of the NGO Working Group on Women, Peace and Security, Head of the Delegation of the European Union to the United Nations, NATO Civilian Liaison Officer to the United Nations | Secretary-General, all Council members and all invitees | S/PRST/2011/20                                    |

<sup>a</sup> Afghanistan, Argentina, Armenia, Australia, Bahamas, Bangladesh, Belgium, Botswana, Burkina Faso, Burundi, Canada (Minister of International Cooperation), Chile, Colombia, Costa Rica, Croatia, Denmark, Egypt, El Salvador, Estonia, Fiji, Finland (Minister of the Interior), Gambia (Minister of Tourism and Culture), Germany, Ghana, Honduras, Hungary, Iceland, India, Indonesia, Ireland (Minister of State for Equality, Integration and Human Rights), Israel, Italy (Minister of Equal Opportunities), Jamaica, Kazakhstan, Kenya, Liberia (Minister of Gender and Development), Liechtenstein, Luxembourg, Malawi, Monaco, Morocco, Namibia (on behalf of the Southern African Development Community), Nepal, Netherlands, New Zealand, Norway (Minister of Defence), Pakistan, Papua New Guinea, Peru, Philippines, Portugal, Rwanda (Senator), Sierra Leone, Slovenia (Director General in the Ministry of Foreign Affairs), Solomon Islands, South Africa (Deputy Minister for Social Development), Sri Lanka, Sudan, Sweden (State Secretary for Foreign Affairs), Switzerland, Trinidad and Tobago, Tunisia, Ukraine, United Republic of Tanzania, Uruguay and Viet Nam.

<sup>b</sup> Permanent Observer of the State of Palestine, Under-Secretary-General for Gender Equality and the Empowerment of Women, Under-Secretary-General for Peacekeeping Operations, President of the Economic and Social Council, Acting Head of the Delegation of the European Union to the United Nations, Commissioner for Peace and Security of the African Union, Permanent Observer and Head of the Delegation of the International Committee of the Red Cross to the United Nations, NATO Civilian Liaison Officer to the United Nations and representative of the Civil Society Advisory Group to the United Nations on Women, Peace and Security.

<sup>c</sup> The Deputy Secretary-General attended the meeting but did not make a statement.

<sup>d</sup> Austria was represented by its Minister for Foreign Affairs, the United States by its Secretary of State, Japan by its Parliamentary Vice-Minister for Foreign Affairs, and Mexico by the Head of the National Commission to Prevent and Eradicate Violence against Women in Mexico.

<sup>e</sup> The representative of Malawi did not make a statement.

<sup>f</sup> Albania, Argentina, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Colombia, Costa Rica, Croatia, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Panama, Papua New Guinea, Peru, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Uganda, Ukraine, United Kingdom and United States.

<sup>g</sup> Albania, Argentina, Armenia, Australia, Belgium, Benin, Bulgaria, Burkina Faso, Canada, Chile, Colombia, Costa Rica, Croatia, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Estonia, Finland, Georgia, Germany, Greece, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Kenya, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Peru, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste and Ukraine.

<sup>h</sup> Argentina, Armenia, Australia, Canada, Chile, Colombia, Costa Rica, Finland (on behalf of the Nordic countries), Georgia, Germany, India, Ireland, Israel, Italy, Kenya, Liechtenstein, Luxembourg, Netherlands, Portugal, Republic of Korea, Slovenia, Spain and Switzerland.

<sup>i</sup> Afghanistan, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Burundi, Canada, Chile, Croatia, Estonia, Fiji, Finland, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Republic of Korea, Kyrgyzstan, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Mexico, Nepal, Netherlands, Peru, Senegal, Solomon Islands, Spain, Sudan, Switzerland, Timor-Leste, Tunisia, Turkey, Ukraine and Vanuatu.

### **Mainstreaming of issues relating to women and peace and security in the decisions of the Security Council**

During the period under review, the Council continued to include provisions on women and peace and security in country- and region-specific resolutions and presidential statements, confirming a trend of increased mainstreaming of cross-cutting issues into its decisions. In addition, the Council incorporated such elements as the protection or participation of women in a significant number of decisions adopted in connection with thematic items.

Overall, issues relating to women and peace and security were mainstreamed in such diverse areas as democratic governance and the rule of law, security sector reform, small arms, justice and the protection of human rights, the protection of civilians, humanitarian assistance, conflict prevention and resolution, post-conflict peacebuilding and the fight against HIV/AIDS. In addition, the Council welcomed and encouraged information-sharing and cooperation between the Special Representatives of the Secretary-General for Children and Armed Conflict and on Sexual Violence in Conflict.

The provisions relating to women and peace and security, which were addressed to relevant Member States, parties to a conflict, the Secretary-General or the international community, include condemnations of discrimination against women and girls, requests for the prevention, investigation, prosecution and reporting of sexual and gender-based violence, and calls for the protection of and assistance to victims, the full and equal participation of women in elections and peace processes, and the imposition of sanctions. The Council included the provisions in its decisions on Afghanistan, Burundi, the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Haiti, Liberia, Libya, Sierra Leone, Somalia,

the Sudan, Timor-Leste and the Central African region. For instance, in relation to the situation concerning the Democratic Republic of the Congo, the Council adopted a presidential statement following incidents of mass rapes committed by armed groups in the Walikale region in late July and early in August 2010, in which it expressed its readiness to consider all appropriate actions, including targeted measures against the perpetrators, and urged the Government of the Democratic Republic of the Congo to ensure a swift and fair prosecution of the perpetrators and encouraged regular interaction between the Special Representative of the Secretary-General on Sexual Violence in Conflict and MONUSCO.<sup>800</sup> During its consideration of the item entitled "Reports of the Secretary-General on the Sudan", the Council requested the Secretary-General, for the first time since the adoption of resolution 1960 (2010), to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence and demanded that all parties cease all forms of violence against the civilian population in South Sudan, in particular gender-based violence, with a view to specific and time-bound commitments to combat sexual violence in accordance with resolution 1960 (2010).<sup>801</sup> In connection with the situation in Somalia, the Council decided to impose sanctions (travel ban, asset freeze and arms embargo) on individuals and entities designated as being responsible for violations against civilians, including sexual and gender-based violence.<sup>802</sup> The Council continued to request the Secretary-General to ensure full compliance with the United Nations zero-tolerance policy on sexual abuses and exploitation in a number of peacekeeping missions and urged troop- and police-contributing countries to take action to prevent their personnel from committing such abuses.

<sup>800</sup> S/PRST/2010/17.

<sup>801</sup> Resolution 1996 (2011).

<sup>802</sup> Resolution 2002 (2011).

Furthermore, provisions related to women and peace and security were incorporated into decisions relating to thematic issues. The Council acknowledged that addressing the root causes of conflicts also required a systematic and comprehensive approach to women and peace and security issues<sup>803</sup> and, reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding, reiterated its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts.<sup>804</sup> In addition, acknowledging the correlated impact of the HIV pandemic and conflict-related sexual violence on women, the Council requested the Secretary-General to include HIV-related concerns to his activities pertinent

to the prevention and resolution of conflict, in particular the prevention and response to conflict-related sexual violence.<sup>805</sup>

The following table lists, by item, provisions relating to women and peace and security that were included in decisions adopted under other items. The table does not reflect the integration of provisions on women and peace and security into the mandates of subsidiary bodies, which are covered in part X. Provisions with a specific focus on actions related to women and peace and security are reproduced in full, while those that are broader in scope are indicated by a reference to the corresponding decision and relevant paragraph number.

<sup>803</sup> S/PRST/2010/18.

<sup>804</sup> S/PRST/2011/18.

<sup>805</sup> Resolution 1983 (2011).

### Mainstreaming of issues relating to women and peace and security in the decisions of the Security Council, 2010-2011: selected provisions

*Decision*

*Provision*

#### Africa

##### The situation in Liberia

Resolution 1938 (2010)

15 September 2010

(adopted under Chapter VII)

Recalling its resolutions 1325 (2000), 1820 (2008) 1888 (2009) and 1889 (2009) on women, peace, and security, condemning the continuing sexual violence, welcoming the continuing efforts of UNMIL and the Government of Liberia to promote and protect the rights of civilians, in particular women and children, recognizing the challenges that remain in addressing the serious issues of gender-based violence and sexual exploitation and abuse, and calling on Member States to increase support to the Government in its efforts (sixteenth preambular paragraph)

Resolution 2008 (2011)

16 September 2011

(adopted under Chapter VII)

Welcomes the efforts by the Government of Liberia to combat sexual and gender-based violence and further encourages it, in coordination with UNMIL, to continue to combat impunity for perpetrators of such crimes and to provide redress, support, and protection to victims (para. 13)

See also the seventh and fifteenth preambular paragraphs of the resolution

##### The situation in Somalia

S/PRST/2011/6

10 March 2011

The Council affirms the importance of the development of government institutions and the strengthening of civilian capacity-building across Somalia, including ensuring the participation of women in public life, the prevention and resolution of conflict, peacebuilding and socioeconomic reconstruction. The Council urges the international community to mobilize additional support to the Transitional Federal Government, and local and regional administrations in this regard (fifth paragraph)

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Decision

Provision

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Resolution [2002 \(2011\)](#)  
29 July 2011  
(adopted under Chapter VII)

Decides that the measures in paragraphs 1, 3, and 7 of resolution [1844 \(2008\)](#) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee:

...

(e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians, including children and women, in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement (para. 1)

See also resolution [2002 \(2011\)](#), twelfth preambular paragraph

Resolution [2010 \(2011\)](#)  
30 September 2011  
(adopted under Chapter VII)

Expresses serious concern about increasing reports of conflict-related sexual violence in Somalia, calls upon all parties to cease such violations and abuses, and requests the Secretary-General to implement the relevant provisions of resolutions [1325 \(2000\)](#) of 31 October 2000, [1820 \(2008\)](#) of 19 June 2008, [1888 \(2009\)](#) of 30 September 2009, [1889 \(2009\)](#) of 5 October 2009 and [1960 \(2010\)](#) of 16 December 2010, including the strengthening of the women's protection component of the United Nations Political Office for Somalia (para. 25)

See also para. 22 of the resolution

### **The situation in Burundi**

Resolution [1959 \(2010\)](#)  
16 December 2010

Recognizes the primary responsibility of the Government of Burundi for peacebuilding, security and long-term development in the country, and encourages the Government to pursue its efforts regarding peace consolidation challenges, in particular democratic governance, the fight against corruption, security sector reform, justice and the protection of human rights, with a special focus on the rights of women and children as well as marginalized and vulnerable minorities (para. 6)

*Same provision in resolution [2027 \(2011\)](#), para. 3*

Underscores the importance of security sector reform, and urges all international partners, together with the United Nations Office in Burundi, to continue supporting the efforts of the Government of Burundi to professionalize and enhance the capacity of the national security services and the police, in particular in the fields of training on human rights and sexual and gender-based violence, and with a view to consolidating security sector governance (para. 8)

*Same provision in resolution [2027 \(2011\)](#), para. 6*

### The situation in Sierra Leone

Resolution [1941 \(2010\)](#)  
29 September 2010

Commends the Government of Sierra Leone for recognizing the important role of women in the prevention and resolution of conflicts and in peacebuilding, as referred to in resolutions [1325 \(2000\)](#) of 31 October 2000 and [1820 \(2008\)](#) of 19 June 2008, by establishing national strategies, underscores the importance that the Government continue its efforts in addressing sexual and gender-based violence, and encourages the United Nations Integrated Peacebuilding Office in Sierra Leone to work with the Government in this area (para. 10)

*Same provision in resolution [2005 \(2011\)](#), para. 11*

See also resolution [2005 \(2011\)](#), fifth preambular paragraph

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

Resolution [1925 \(2010\)](#)  
28 May 2010  
(adopted under Chapter VII)

Calls upon the Government of the Democratic Republic of the Congo to build on its cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict (para. 14)

Requests the Secretary-General to take the measures necessary to ensure full compliance of the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed if cases of such conduct occur (para. 15)

Demands that all armed groups, in particular the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army (LRA), immediately cease all forms of violence and human rights abuse against the civilian population in the Democratic Republic of the Congo, in particular gender-based violence, including rape and other forms of sexual abuse (para. 18)

*Same provision in resolution [1991 \(2011\)](#), para. 13*

See also resolution [1925 \(2010\)](#), eleventh preambular paragraph; and resolution [1991 \(2011\)](#), seventh and ninth preambular paragraphs and para. 5

[S/PRST/2010/17](#)  
17 September 2010

The Security Council reiterates its strong condemnation of the mass rapes which occurred in the east of the Democratic Republic of the Congo in late July and August 2010, and, reaffirming its resolutions [1820 \(2008\)](#), [1882 \(2009\)](#), [1888 \(2009\)](#), [1894 \(2009\)](#) and [1925 \(2010\)](#) and recalling its statements to the press of 26 August and 8 and 9 September 2010, the Council urges the Government of the Democratic Republic of the Congo to ensure a swift and fair prosecution of the perpetrators of these terrible crimes and to inform the Council on measures taken to this end. The Council expresses its readiness to consider all appropriate actions, including targeted measures against the perpetrators (first paragraph)

The Council calls upon the Government of the Democratic Republic of the Congo to condemn these atrocities and to provide effective assistance to the victims of sexual abuse and to support efforts undertaken by all relevant stakeholders, including civil society, to protect and assist the victims and to prevent further violence (third paragraph)

*Decision*

*Provision*

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The Council reiterates its urgent call to the Government of the Democratic Republic of the Congo, in cooperation with the United Nations and other relevant actors, to put an end to impunity; in particular, those bearing responsibility for gross human rights violations must be held to account. The Council is determined to support the Congolese authorities in addressing the root causes of the above incidents (fourth paragraph)

The Council supports the launch by the Mission and the United Nations country team of a sensitization campaign, including through Radio Okapi, to encourage victims of sexual violence to report it and to seek treatment and legal assistance (eighth paragraph)

The Council reaffirms its resolve to eliminate all forms of violence against women and children during and after armed conflict. It supports the work of the Special Representative of the Secretary-General on Sexual Violence in Conflict, and encourages her to regularly interact with the Sexual Violence Unit of the Mission to coordinate United Nations response and monitor the implementation of the Comprehensive Strategy on Combating Sexual Violence in the Democratic Republic of the Congo. The Council looks forward to her trip to the country later in September and requests a briefing upon her return (ninth paragraph)

Resolution [1952 \(2010\)](#)  
29 November 2010  
(adopted under Chapter VII)

Calls upon the Congolese authorities to continue their fight against impunity, especially against all perpetrators of human rights and international humanitarian law violations, including sexual violence, including those committed by any illegal armed groups or elements of the Armed Forces of the Democratic Republic of the Congo (para. 12)

See also the ninth preambular paragraph and para. 13 of the resolution

[S/PRST/2011/11](#)  
18 May 2011

The Council underlines the importance of economic development to ensure long-term stabilization and peace consolidation. It stresses that special attention should be placed on women's empowerment and participation in the economy, job creation for youth, and reintegration of former combatants ... (seventh paragraph)

See also the fourth paragraph of the statement

Resolution [2021 \(2011\)](#)  
29 November 2011  
(adopted under Chapter VII)

Demands that all armed groups, in particular the Forces démocratiques de libération du Rwanda, LRA, Mai Mai Yakutumba, the Forces nationales de libération and the Allied Democratic Forces, lay down their arms and immediately cease all forms of violence, human rights abuses and international humanitarian law violations against the civilian population in the Democratic Republic of the Congo and the Great Lakes region, in particular against women and children, including rape and other forms of sexual abuse, and demobilize (para. 13)

See also the eleventh preambular paragraph and para. 14 of the resolution



### The situation in the Central African Republic

Resolution [2031 \(2011\)](#)  
21 December 2011

Strongly condemns the continued violations of international humanitarian and human rights law, including the recruitment and use of children, killing and maiming, rape, sexual slavery and other sexual violence and abductions perpetrated by armed groups, and specifically LRA, that threaten the population as well as the peace and stability of the Central African Republic and the subregion, and calls upon the United Nations Integrated Peacebuilding Office in the Central African Republic to report on human rights violations perpetrated by armed groups, particularly against children and women (para. 14)

### The situation in Côte d'Ivoire

Resolution [1911 \(2010\)](#)  
28 January 2010  
(adopted under Chapter VII)

Stresses the importance of an inclusive participation of Ivorian civil society in the electoral process, and of ensuring the equal protection of and respect for the human rights of every Ivorian as they relate to the electoral system, in particular respect for freedom of opinion and expression, and removing obstacles and challenges to the participation and full involvement of women in public life (para. 7)

*Same provision in resolution [1933 \(2010\)](#), para. 6*

Reaffirms paragraphs 14 to 17 of resolution [1880 \(2009\)](#), calls upon all Ivorian parties, with the continued support of the United Nations Operation in Cote d'Ivoire (UNOCI), to ensure the protection of civilians, including women and children, to fully implement the recommendations of the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Côte d'Ivoire ([S/AC.51/2008/5](#) and Corr.1), including to adopt a national action plan to address sexual violence, and to ensure that the rule of law is strengthened and that all reported abuses are investigated and those responsible brought to justice, and calls, in particular, upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence (para. 13)

*Same provision in resolution [1933 \(2010\)](#), para. 13; and resolution [1962 \(2010\)](#), para. 9*

Requests the Secretary-General to continue to take the measures necessary to ensure full compliance in UNOCI with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel (para. 19)

See also the tenth preambular paragraph of the resolution

Decision

Provision

Resolution [1933 \(2010\)](#)  
30 June 2010  
(adopted under Chapter VII)

Requests the Secretary-General to continue to include in his reports relevant information on progress on the promotion and protection of human rights and international humanitarian law as well as on the strengthening of the rule of law, including on ending impunity in Côte d'Ivoire, with special attention to violence committed against children and women, and on progress on gender mainstreaming throughout UNOCI and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from sexual and gender-based violence, and consistent with resolutions [1325 \(2000\)](#), [1612 \(2005\)](#), [1820 \(2008\)](#), [1882 \(2009\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#) (para. 22)

See also resolution [1933 \(2010\)](#), ninth preambular paragraph and para. 23; and resolution [1946 \(2010\)](#), sixth preambular paragraph

Resolution [1980 \(2011\)](#)  
28 April 2011  
(adopted under Chapter VII)

Recalls paragraph 7 of resolution [1960 \(2010\)](#) and paragraph 7 (b) of resolution [1882 \(2009\)](#) regarding sexual and gender-based violence and children in armed conflict, and welcomes the information-sharing between the Committee and the Special Representatives of the Secretary-General for Children and Armed Conflict and on Sexual Violence in Conflict, in accordance with their respective mandates and as appropriate (para. 22)

See also resolution [1980 \(2011\)](#), eighth preambular paragraph; resolution [1975 \(2011\)](#), paras. 1 and 5; and resolution [2000 \(2011\)](#), twelfth, thirteenth and nineteenth preambular paragraphs

### Central African region: impact of illicit arms trafficking on peace and security

[S/PRST/2010/6](#)  
19 March 2010

The Council is gravely concerned about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, particularly in the subregion of Central Africa, which have a wide range of humanitarian and socioeconomic consequences, in particular for the security of civilians, by fuelling armed conflict, which in turn exacerbates the risks of gender-based violence and recruitment of child soldiers and poses a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the local, national, regional and international levels (second paragraph)

### Reports of the Secretary-General on the Sudan

Resolution [1919 \(2010\)](#)  
29 April 2010

Requests the Secretary-General to continue the measures necessary to ensure full compliance by the United Nations Mission in the Sudan with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council fully informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel (para. 24)

*Same provision in resolution [1990 \(2011\)](#), para. 13; resolution [1996 \(2011\)](#), para. 23; and resolution [2032 \(2011\)](#), para. 11*

*Decision*

*Provision*

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Resolution [1935 \(2010\)](#)

30 July 2010

Demands that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution [1820 \(2008\)](#) of 19 June 2008, requests the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to report on the implementation of its comprehensive strategy for providing protection to women and children from sexual violence and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and requests the Secretary-General to ensure that the relevant provisions of resolutions [1325 \(2000\)](#), [1820 \(2008\)](#) [1888 \(2009\)](#) of 30 September 2009 and [1889 \(2009\)](#) of 5 October 2009 are implemented by the Operation and to include information on this in his reporting to the Council (para. 18)

*Same provision in resolution [2003 \(2011\)](#), para. 22*

See also resolution [1935 \(2010\)](#), para. 3

Resolution [1945 \(2010\)](#)

14 October 2010

(adopted under Chapter VII)

Requests the Panel of Experts to coordinate its activities, as appropriate, with the operations of UNAMID and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution [1556 \(2004\)](#) of 30 July 2004 and paragraph 7 of resolution [1591 \(2005\)](#) and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence, and other violations of the above-mentioned resolutions (para. 4)

See also the seventh and ninth preambular paragraphs of the resolution

[S/PRST/2010/24](#)

16 November 2010

The Council calls for respect for international law, international human rights law and humanitarian law; the protection of freedom of expression; humanitarian access across the Sudan, including in the border areas; and an end to all harassment of civil society. The Council underlines the importance of increased participation of women in the Sudanese peace processes (fifteenth paragraph)

See also [S/PRST/2010/28](#), eighth paragraph; [S/PRST/2011/3](#), twelfth paragraph; and [S/PRST/2011/8](#), tenth paragraph

Resolution [1996 \(2011\)](#)

8 July 2011

(adopted under Chapter VII)

Demands that all parties, in particular rebel militias and LRA, immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, in particular gender-based violence, including rape and other forms of sexual abuse, as well as all violations and abuses against children in violation of applicable international law, such as their recruitment and use, killing and maiming and abduction, with a view to specific and time-bound commitments to combat sexual violence in accordance with resolution [1960 \(2010\)](#) and violence and abuses against children (para. 9)

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Decision

Provision

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Encourages the Government of the Republic of South Sudan to ratify into law and implement key international human rights treaties and conventions, including those related to women and children, refugees and statelessness, and requests the United Nations Mission in South Sudan to advise and assist the Government in this regard (para. 11)

Calls upon the Government of the Republic of South Sudan to take measures to improve women's participation in the outstanding issues of the Comprehensive Peace Agreement and post-independence arrangements and to enhance the engagement of South Sudanese women in public decision-making at all levels, including by promoting women's leadership, supporting women's organizations and countering negative societal attitudes about women's capacity to participate equally (para. 12)

Reaffirms the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions [1325 \(2000\)](#) and [1820 \(2008\)](#), recalls the need to address violence against women and girls as a tool of warfare, looks forward to the appointment of women protection advisers in accordance with resolutions [1888 \(2009\)](#), [1889 \(2009\)](#) and [1960 \(2010\)](#), requests the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence, including rape in situations of armed conflict and in post-conflict and other situations relevant to the implementation of resolution [1888 \(2009\)](#), as appropriate, and encourages the Mission as well as the Government of the Republic of South Sudan to actively address these issues (para. 24)

See also the twelfth and fifteenth preambular paragraphs of the resolution

### **Peace consolidation in West Africa**

[S/PRST/2010/3](#)  
16 February 2010

The Council reiterates the call made in its resolution [1888 \(2009\)](#) to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding (eighth paragraph)

### **The situation in Chad, the Central African Republic and the subregion**

Resolution [1923 \(2010\)](#)  
25 May 2010

Takes note of the commitment of the Government of Chad, as recalled in the letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council ([S/2010/250](#)), to assume full responsibility for the security and protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, and United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law, and underscores that in so doing, the Government commits itself to carrying out the following tasks ... (para. 2)

See also [S/PRST/2010/29](#), second and third paragraphs

**The situation in Libya<sup>a</sup>**

Resolution [2009 \(2011\)](#)  
16 September 2011  
(adopted under Chapter VII)

Emphasizes the importance of promoting the equal and full participation of women and minority communities in the discussions related to the political process in the post-conflict phase (para. 3)

Calls upon the Libyan authorities to promote and protect human rights, including those of people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian law and human rights law, and calls for those responsible for violations, including sexual violence, to be held accountable in accordance with international standards (para. 7)

See also resolution [2009 \(2011\)](#), fifth preambular paragraph; and resolution [2016 \(2011\)](#), fifth preambular paragraph

**Americas**

**The question concerning Haiti**

Resolution [1944 \(2010\)](#)  
14 October 2010  
(adopted under Chapter VII)

Calling upon the Government of Haiti and all the other relevant Haitian actors to ensure the holding of credible and legitimate presidential and legislative elections, due to be held on 28 November 2010, which will further consolidate democracy, allow for the completion of constitutional reform and contribute to the reconstruction process, and emphasizing the need to continue to promote the participation of women in the electoral process (fourth preambular paragraph)

Expressing its concern over the rise in the number of weapons in circulation, the increase in drug trafficking and the security situation in camps for internally displaced persons, and further expressing its concern over sexual and gender-based crimes in Haiti (twelfth preambular paragraph)

Recognizing that strengthening national human rights institutions and respect for human rights, due process, combating criminality and sexual and gender-based violence, and putting an end to impunity are essential to ensuring the rule of law and security in Haiti (thirteenth preambular paragraph)

*Same provision in resolution [2012 \(2011\)](#), eighteenth preambular paragraph*

Requests the United Nations country team, and calls upon all actors, to complement security and development operations undertaken by the Government of Haiti with the support of the Mission with activities aimed at effectively improving the living conditions of the concerned populations, in particular women and children (para. 7)

*Same provision in resolution [2012 \(2011\)](#), para. 13*

Decision

Provision

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Strongly condemns the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of women and girls, and calls upon the Government of Haiti, with the support of the Mission and the United Nations country team, to continue to promote and protect the rights of women and children as set out in Security Council resolutions [1325 \(2000\)](#) of 31 October 2000, [1612 \(2005\)](#) of 26 July 2005, [1820 \(2008\)](#) of 19 June 2008, [1882 \(2009\)](#) of 4 August 2009, [1888 \(2009\)](#) of 30 September 2009 and [1889 \(2009\)](#) of 5 October 2009 (para. 14)

*Same provision in resolution [2012 \(2011\)](#), para. 16*

Requests the Secretary-General to continue to take the measures necessary to ensure full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and urges troop- and police-contributing countries to ensure that acts involving their personnel are properly investigated and punished (para. 15)

*Same provision in resolution [2012 \(2011\)](#), para. 17*

Also requests the Secretary-General to include in his reports a comprehensive assessment of threats to security in Haiti and give particular attention to the protective environment for all, in particular women and children, and progress in the sustainable resettlement of displaced persons, and to propose, as appropriate, options to reconfigure the composition of the Mission (para. 22)

*Same provision in resolution [2012 \(2011\)](#), para. 24*

See also [S/PRST/2011/7](#), sixth and eighth paragraphs; and resolution [2012 \(2011\)](#), fifth and sixteenth preambular paragraphs and para. 8

## Asia

### The situation in Timor-Leste

Resolution [1912 \(2010\)](#)

26 February 2010

Requests the Mission to fully take into account gender considerations as set out in resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#) as a cross-cutting issue throughout its mandate, stressing the importance of strengthening the responsiveness of the security sector to the specific needs of women, and requests the Secretary-General to include in his reporting to the Council progress on gender mainstreaming throughout the Mission and all other aspects relating to the situation of women and girls, especially on the need to protect them from gender-based violence, detailing special measures to protect women and girls from such violence (para. 15)

*Same provision in resolution [1969 \(2011\)](#), para. 18*

Requests the Secretary-General to continue to take the measures necessary to ensure full compliance by the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges those countries contributing troops and police to take appropriate preventive action and to ensure full accountability in cases of such conduct involving their personnel (para. 16)

*Same provision in resolution 1969 (2011), para. 17*

See also resolution 1969 (2011), seventeenth preambular paragraph

### **The situation in Afghanistan**

Resolution 1917 (2010)

22 March 2010

Recognizes that, despite progress achieved on gender equality, enhanced efforts are necessary to secure the rights of women and girls, strongly condemns continuing forms of discrimination and violence against women and girls, in particular violence aimed at preventing girls from attending school, stresses the importance of implementing resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009), supports efforts to accelerate implementation of the National Action Plan for the Women of Afghanistan, welcomes the commitment of the Government of Afghanistan to strengthen the participation of women in all Afghan governance institutions, including elected and appointed bodies and the civil service, and requests the Secretary-General to continue to include in his reports to the Council relevant information on the process of integration of women into the political, economic and social life of Afghanistan (para. 35)

Resolution 1974 (2011)

22 March 2011

Welcomes the renewed efforts of the Government of Afghanistan, including through the national Consultative Peace Jirga, held from 2 to 4 June 2010, the establishment of the High Peace Council and the implementation of the Afghan Peace and Reintegration Programme, to promote dialogue with those elements in opposition to the Government who are ready to renounce violence, break ties with Al-Qaida and other terrorist organizations, denounce terrorism and accept the Afghan Constitution, particularly as it relates to gender and human rights issues, and encourages the Government of Afghanistan to make use of the good offices of the Mission to support this process, as appropriate, in full respect of the implementation of measures and procedures introduced by the Security Council in its resolution 1267 (1999), 1822 (2008) and 1904 (2009) as well as other relevant resolutions of the Council, also welcomes the measures taken by the Government, encourages it to continue to increase the participation of women, minorities and civil society in outreach and consultation processes, and recalls that women can play a vital role in the peace process, as recognized in Council resolution 1325 (2010) and related resolutions (para. 11)

Recognizes that, despite progress achieved on gender equality, enhanced efforts are necessary to secure the rights of women and girls, strongly condemns continuing forms of discrimination and violence against women and girls, in particular violence aimed at preventing girls from attending school, and stresses the importance of implementing resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) and of ensuring that women fleeing domestic violence are able to find safe and secure refuge (para. 36)

*Decision*

*Provision*

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Welcomes the commitment by the Government of Afghanistan to strengthen the participation of women in all Afghan governance institutions, including elected and appointed bodies and the civil service, supports efforts to accelerate implementation of the National Action Plan for the Women of Afghanistan, to integrate its benchmarks into the national priority programmes and to develop a strategy to implement the Law on the Elimination of Violence Against Women, including services to victims, recalls that the promotion and protection of women's rights are an integral part of peace, reintegration and reconciliation, and requests the Secretary-General to continue to include in his reports to the Security Council relevant information on the process of integration of women into the political, economic and social life of Afghanistan (para. 37)

### **Thematic issues**

#### **Protection of civilians in armed conflict**

[S/PRST/2010/25](#)

22 November 2010

The Council remains committed to addressing the impact of armed conflict on civilians, in particular women and children. The Council expresses its deep regret that civilians continue to account for the vast majority of casualties in situations of armed conflict, including as a result of deliberate targeting, indiscriminate or disproportionate attacks and sexual and gender-based violence, as well as other acts that violate applicable international law. The Council demands that all relevant parties immediately put an end to such practices and reaffirms its readiness to adopt appropriate measures (para. 7)

See also sect. III of the annex to the statement

#### **Threats to international peace and security caused by terrorist acts**

Resolution [1988 \(2011\)](#)

17 June 2011

(adopted under Chapter VII)

Directs the Security Council Committee established pursuant to resolution [1267 \(1999\)](#) to remove expeditiously on a case-by-case basis individuals and entities that no longer meet the listing criteria outlined in paragraph 3 [of the resolution], and requests that the Committee give due regard to requests for removal of individuals who meet the reconciliation conditions agreed to by the Government of Afghanistan and the international community, which include the renunciation of violence, no links to international terrorist organizations, including Al-Qaida, or any cell, affiliate, splinter group or derivative thereof, and respect for the Afghan Constitution, including the rights of women and persons belonging to minorities (para. 18)

See also the ninth preambular paragraph of the resolution

#### **The promotion and strengthening of the rule of law in the maintenance of international peace and security**

[S/PRST/2010/11](#)

29 June 2010

The Council further reiterates its call for all parties to armed conflict to respect international law applicable to the rights and protection of women and children, as well as displaced persons and humanitarian workers and other civilians who may have specific vulnerabilities, such as persons with disabilities and older persons (sixth paragraph)



### **Post-conflict peacebuilding**

[S/PRST/2010/7](#)

16 April 2010

While recognizing the importance of developing State capacity, the Council also emphasizes the importance of increased attention and coherent policies to the reconstruction of conflict-affected communities and empowerment of affected people, in particular vulnerable civilians, such as children, the elderly, refugees and internally displaced persons. The Council takes note of the need for assistance for victims. The Council, in accordance with its resolutions [1325 \(2000\)](#) and [1820 \(2008\)](#), underlines the key role that women and young persons can play in re-establishing the fabric of society, and stresses the need for their involvement in the development and implementation of post-conflict strategies in order to take account of their perspectives and needs (seventh paragraph)

See also the eleventh paragraph of the statement

### **Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security**

[S/PRST/2010/18](#)

23 September 2010

The Council also reaffirms the important role of women in all aspects of the prevention and resolution of conflicts, as well as in peacekeeping and peacebuilding, and recognizes that a concerted and determined approach that addresses the root causes of conflicts also requires a systematic and comprehensive approach to women and peace and security issues. The Council, in this regard, looks forward to marking the 10th anniversary of resolution [1325 \(2000\)](#) by taking action on a comprehensive set of indicators on the basis of recommendations of the Secretary-General (eighteenth paragraph)

See also the sixth paragraph of the statement

### **Maintenance of international peace and security: conflict prevention**

[S/PRST/2011/18](#)

22 September 2011

The Council emphasizes that an effective preventive diplomacy framework requires the active involvement of civil society, especially youth, and other relevant actors, such as academia and the media. The Council also reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts in line with resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#) and the statements by its President of 13 October 2010 ([S/PRST/2010/20](#)) and 26 October 2010 ([S/PRST/2010/22](#)) (thirteenth paragraph)

See also the tenth paragraph of the statement

### **Maintenance of international peace and security: optimizing the use of preventive diplomacy tools: prospects and challenges in Africa**

[S/PRST/2010/14](#)

16 July 2010

The Council reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts and all related decision-making processes with regard to conflict resolution and peacebuilding, in line with resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#) (fifth paragraph)

Decision

Provision

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**Maintenance of international peace and security: the interdependence between security and development**

[S/PRST/2011/4](#)

11 February 2011

The Council underlines that integrated action on the ground by security and development actors needs to be coordinated with the national authorities and can significantly contribute to stabilizing and improving the security situation and ensuring the protection of civilians. The Council also notes the importance of cooperation with civil society in this context. The Council affirms that sustainable peace and development cannot be achieved without the inclusion of all relevant stakeholders and underlines that women must be included as active participants in all stages of peacebuilding, peace agreements and development programmes. The Council expresses its willingness to engage in dialogue, where necessary, on specific situations on its agenda with other actors, including United Nations agencies, funds, and programmes and international financial institutions (twelfth paragraph)

**Maintenance of international peace and security: impact of the HIV/AIDS epidemic on international peace and security**

[Resolution 1983 \(2011\)](#)

7 June 2011

Also notes that the disproportionate burden of HIV and AIDS on women is one of the persistent obstacles and challenges to gender equality and empowerment of women, and urges Member States, United Nations entities, international financial institutions and other relevant stakeholders to support the development and strengthening of capacities of national health systems and civil society networks in order to provide sustainable assistance to women living with or affected by HIV in conflict and post-conflict situations (para. 3)

Requests the Secretary-General to consider HIV-related needs of people living with, affected by and vulnerable to HIV, including women and girls, in his activities pertinent to the prevention and resolution of conflict, the maintenance of international peace and security, the prevention and response to sexual violence related to conflict, and post-conflict peacebuilding (para. 6)

**Maintenance of international peace and security: moving forward with security sector reform: prospects and challenges in Africa**

[S/PRST/2011/19](#)

12 October 2011

The Council encourages reforming States, while taking into account their capacity constraints, to strive to allocate national resources to security sector reform efforts to ensure the long-term sustainability and viability of such reform. In this context, the Council emphasizes the importance of improving women's participation in discussions pertinent to the prevention and resolution of conflict and the maintenance of peace and security, and encourages women to participate in the national armed and security forces in accordance with relevant international law. In this regard, the Council encourages the development of a security sector that is accessible and responsive to all, including women and other vulnerable groups (fourth paragraph)

See also the second and eighth paragraphs of the statement

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<sup>a</sup> Pursuant to a note by the President of the Security Council dated 16 March 2011 ([S/2011/141](#)), as from that date, the earlier consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya under the item entitled "Peace and security in Africa" was subsumed under the item entitled "The situation in Libya".

## 34. Threats to international peace and security caused by terrorist acts

### Overview

During the period under review, the Security Council held five meetings, adopting three resolutions and three presidential statements in connection with threats to international peace and security caused by terrorist acts. The Council decided that the Counter-Terrorism Committee Executive Directorate should continue to operate as a special political mission.<sup>806</sup> The Council also decided to establish a Committee of the Council to oversee sanctions measures in connection with the Taliban and any individuals, groups, undertakings and entities associated with them.<sup>807</sup> In addition, the Council extended the mandate of the Office of the Ombudsperson for a period of 18 months, and requested the Secretary-General to strengthen the capacity of the Office of the Ombudsperson to ensure its continued ability to carry out its mandate in an effective and timely manner.<sup>808</sup>

### 27 September 2010: responses to threats posed by terrorist acts

On 27 September 2010, the Council held an open debate at the ministerial level to assess the efforts to combat terrorism over the past 10 years and lay out a strategy for future action. Speakers underscored the importance of a comprehensive approach to combating the global threat posed by terrorism, which required action not only to strengthen security and law enforcement but also to address root causes and conditions conducive to the spread of terrorism.<sup>809</sup> They agreed on the urgent need to eradicate this scourge through coordinated efforts led by the United Nations, in particular in enhancing collective efforts to combat terrorism and to address existing gaps in this global fight.<sup>810</sup> Several speakers highlighted the need for a coordinated approach to address terrorism through international and regional cooperation and

through the sharing of information and best practices.<sup>811</sup>

Following the debate, the Council adopted a presidential statement, in which it noted with concern that terrorism continued to pose a serious threat to international peace and security, and that this threat had become more diffuse. Recognizing that terrorism would not be defeated by military force, law enforcement measures and intelligence operations alone, the Council underlined the need to address the conditions conducive to the spread of terrorism. In that regard, the Council recognized that development, peace and security and human rights were interlinked and mutually reinforcing, and underlined the international effort to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all.<sup>812</sup>

### 20 December 2010: resolution concerning the Counter-Terrorism Committee Executive Directorate

On 20 December 2010, the Council adopted resolution [1963 \(2010\)](#), in which it decided that the Counter-Terrorism Committee Executive Directorate should continue to operate as a special political mission under the policy guidance of the Counter-Terrorism Committee for the period ending 31 December 2013, and further decided to conduct an interim review by 30 June 2012. It directed the Executive Directorate to produce an updated global implementation survey of resolution [1373 \(2001\)](#) by 30 June 2011, and to produce a global implementation survey of resolution [1624 \(2005\)](#) by 31 December 2011. Both surveys were expected to assess the evolution of risks and threats and the impact of their implementation, as well as identify gaps and propose new practical ways to implement them.

<sup>806</sup> Resolution [1963 \(2010\)](#).

<sup>807</sup> Resolutions [1988 \(2011\)](#) and [1989 \(2011\)](#).

<sup>808</sup> Resolution [1989 \(2011\)](#).

<sup>809</sup> [S/PV.6390](#), p. 3 (Secretary-General); p. 5 (Austria); p. 6 (United States); p. 7 (Brazil); p. 8 (United Kingdom); p. 10 (Nigeria); p. 11 (Uganda); p. 13 (Russian Federation); pp. 15-16 (Lebanon); p. 19 (China); and p. 20 (Turkey).

<sup>810</sup> *Ibid.*, p. 4 (Austria); pp. 5-6 (United States); pp. 6-7 (Brazil); and pp. 9-10 (Nigeria).

<sup>811</sup> *Ibid.*, p. 4 (Austria); p. 9 (Gabon); p. 10 (Nigeria); p. 11 (Uganda); p. 12 (Russian Federation); and p. 14 (Bosnia and Herzegovina).

<sup>812</sup> [S/PRST/2010/19](#).

**2 May 2011: presidential statement concerning  
the death of Osama bin Laden**

On 2 May 2011, the Council adopted a presidential statement welcoming the news on 1 May 2011 that Osama bin Laden would never again be able to perpetrate acts of terrorism, and reaffirmed that terrorism could not and should not be associated with any religion, nationality, civilization or group. Furthermore, the Council stressed that no cause or grievance could justify the murder of innocent people and that terrorism would not be defeated by military force, law enforcement measures and intelligence operations alone, and could only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and relevant international and regional organizations and civil society to address the conditions conducive to the spread of terrorism and to impede, impair, isolate and incapacitate the terrorist threat.<sup>813</sup>

**17 June 2011: decision to split Al-Qaida and  
Taliban sanctions regime**

On 17 June 2011, the Council adopted resolution 1988 (2011), in which it established a new sanctions regime and requested all States to take measures with respect to the Taliban and individuals, groups, undertakings and entities associated with them in constituting a threat to the peace, stability and security of Afghanistan as designated on the List of the Committee established pursuant to paragraph 30 of the resolution. The Committee, under the new regime, would oversee the implementation by States of the three sanctions measures (assets freeze, travel ban and arms embargo) imposed by the Council on individuals, groups, undertakings and entities associated with the Taliban. In addition, the resolution introduced broader listing criteria and a greater role for the Government of Afghanistan in consultations on listing and delisting decisions.

In resolution 1989 (2011), the Council decided that the sanctions list maintained by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities<sup>814</sup> would henceforth be known as the

“Al-Qaida Sanctions List”, and that it should include only the names of those individuals, groups, undertakings and entities associated with Al-Qaida. The Council directed the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) to transmit to the Committee established pursuant to resolution 1988 (2011) all listing submissions, delisting requests and proposed updates to the existing information associated with the Taliban. In addition, the Council renewed the mandate of the Analytical Support and Sanctions Monitoring Team, directed it to keep the Committee informed of instances of non-compliance with the measures imposed, and further directed it to provide recommendations to the Committee on actions taken to respond to non-compliance.

Following the adoption of resolutions 1988 (2011) and 1989 (2011), speakers stressed that their adoption was an important step to further support political dialogue in Afghanistan, to counter the threat to international peace and security posed by Al-Qaida and its affiliates, and to strengthen the effectiveness of targeted sanctions through further enhancing fair and clear procedures.<sup>815</sup>

**28 February and 17 June 2011: strengthening  
the Office of the Ombudsperson and renewal of  
its mandate**

On 28 February 2011, the Council issued a presidential statement in which it underlined its commitment to ensuring that the Office of the Ombudsperson was able to continue to carry out its role effectively, in accordance with its mandate and, in that regard, undertook to renew the Office’s mandate in June 2011. The Council welcomed the first report<sup>816</sup> of the Ombudsperson submitted pursuant to annex II of resolution 1904 (2009) and the work of the Ombudsperson to date. The Council took note of the observations in the report, to which it would respond in the context of the renewal of the Ombudsperson’s mandate in June 2011 to ensure that any necessary improvements to the Ombudsperson procedure were implemented.<sup>817</sup>

On 17 June 2011, the Council adopted resolution 1989 (2011), in which it extended the mandate of the

<sup>813</sup> S/PRST/2011/9.

<sup>814</sup> Formerly “Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities”.

<sup>815</sup> S/PV.6557, p. 2 (United States); p. 3 (Germany); p. 4 (France); p. 5 (Portugal); and p. 5 (United Kingdom).

<sup>816</sup> S/2011/29, annex.

<sup>817</sup> S/PRST/2011/5.

Ombudsperson for a period of 18 months from the date of adoption of the resolution. The Council further decided that the sanctions measures described in paragraph 1 of the resolution with respect to a listed individual, group, undertaking or entity should terminate 60 days after the Committee had completed consideration of a comprehensive report of the Ombudsperson, where the Ombudsperson recommended delisting, unless the Committee decided otherwise by consensus. In cases where consensus did not exist, the Chair of the Committee should, on the request of a Committee member, submit the question of whether to delist that individual, group, undertaking or entity to the Council for a decision within a period of 60 days. The Council also requested the Secretary-General to strengthen the capacity of the Office of the Ombudsperson to ensure its continued ability to carry out its mandate in an effective and timely manner.

Following the adoption of resolution [1989 \(2011\)](#), the representative of Germany hailed it as a

major achievement that the Committee would need consensus for keeping individuals on the list if the Ombudsperson had recommended delisting.<sup>818</sup> The representative of Portugal concurred that the strengthened Office of the Ombudsperson was in a better position to play a crucial role in assisting individuals in the process of reviewing their cases.<sup>819</sup> The representative of the United Kingdom noted that the introduction of two sunset clauses, to be triggered by a delisting recommendation from the Ombudsperson or a delisting request from a designating State, would make it more straightforward to delist individuals and entities that no longer constituted a threat, while ensuring that those who continued to pose a threat remained listed.<sup>820</sup>

<sup>818</sup> [S/PV.6557](#), p. 3.

<sup>819</sup> *Ibid.*, p. 5.

<sup>820</sup> *Ibid.*, p. 6.

#### Meetings: threats to international peace and security caused by terrorist acts

| <i>Meeting and date</i>                   | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i>                        | <i>Decision and vote (for-against-abstaining)</i> |
|---|--|--|----------------------------|--------------------------------------|--|---|
| <a href="#">6390</a><br>27 September 2010 | Letter dated 1 September 2010 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General ( <a href="#">S/2010/462</a> )  |  |                            |                                      | Secretary-General, all Council members | <a href="#">S/PRST/2010/19</a>                    |
| <a href="#">6459</a><br>20 December 2010  | Letter dated 3 December 2010 from the Chairman of the Security Council Committee established pursuant to resolution <a href="#">1373 (2001)</a> concerning counter-terrorism addressed to the President of the Security Council ( <a href="#">S/2010/616</a> ) | Draft resolution submitted by France, Japan, Nigeria, Turkey, United Kingdom, United States ( <a href="#">S/2010/645</a> ) |                            |                                      |  | Resolution <a href="#">1963 (2010)</a><br>15-0-0  |

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and<br/>other invitations</i>   | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-----------------------------|--|---|--------------------------------|--|--|---|
| 6492<br>28 February<br>2011 | Letter dated<br>21 January 2011<br>from the<br>Ombudsperson<br>addressed to the<br>President of the<br>Security Council<br>(S/2011/29) |   |                                |  |  | S/PRST/2011/5   |
| 6526<br>2 May 2011          |  |   |                                |  |  | S/PRST/2011/9   |
| 6557<br>17 June 2011        |  | Draft resolution<br>submitted by<br>France,<br>Germany,<br>Portugal, United<br>Kingdom,<br>United States<br>(S/2011/368)<br><br>Draft resolution<br>submitted by<br>France,<br>Germany, United<br>Kingdom,<br>United States<br>(S/2011/369) |                                | 7 Council<br>members<br>(France,<br>Germany,<br>India,<br>Portugal,<br>Russian<br>Federation,<br>United<br>Kingdom,<br>United<br>States) | Resolution<br>1988 (2011)<br>15-0-0<br><br>Resolution<br>1989 (2011)<br>15-0-0 |   |

## 35. Briefings

### Overview

During the period under review, the Security Council heard a number of briefings that were not explicitly connected to any specific item on the Council's agenda, but included under a number of unique items.

### Briefings by Chairmen of subsidiary bodies of the Security Council

From 2010 to 2011, the Council held six meetings in connection with the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council" at which the Chairmen of various sanctions and counter-terrorism committees and working groups provided an overview of the work of those organs to the Council.

### Other briefings

During the period under review, the Council also heard two briefings by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE) and two briefings held in closed sessions by the President of the International Court of Justice.

### Briefing by Chairperson-in-Office of the Organization for Security and Cooperation in Europe

On 5 February 2010, the Secretary of State and Minister for Foreign Affairs of Kazakhstan, speaking as Chairman-in-Office of the Organization for Security and Cooperation in Europe, briefed the Council on areas of cooperation between the United Nations and

OSCE. He presented the priorities of OSCE for 2010 and the main challenges of the organization, including terrorism, the accumulation and proliferation of small arms and light weapons, and illegal migration, as well as trafficking in weapons, drugs and people. He stressed the importance of strengthening the role of OSCE in the European security architecture, making tolerance and intercultural dialogue a top priority, responding to the challenges of environmental security and improving its partnership with the United Nations in tackling threats to global peace and security. Noting that Kazakhstan was the first Central Asian and post-Soviet Republic to chair the OSCE, he touched on a host of other priorities, among them, bolstering security in the southern Caucasus, Kosovo and Afghanistan, combating terrorism, curbing weapons proliferation, promoting human rights and pressing for broader implementation of United Nations resolutions.<sup>821</sup>

Members of the Council welcomed the Secretary of State and Minister for Foreign Affairs of Kazakhstan and congratulated him on the assumption of the OSCE chairmanship. They expressed their support for the priorities defined by the OSCE chairmanship and their readiness to increase cooperation between the United Nations and OSCE.

On 15 February 2010, the Minister for Foreign Affairs of Lithuania briefed the Council in his capacity as Chairperson-in-Office of OSCE. Setting out priority areas for 2011, he stated that OSCE would seek tangible progress in addressing protracted conflicts, improved implementation of media freedom commitments, including those emanating from outside the OSCE area, enhancing the role of OSCE in the area of energy security and promoting tolerance education throughout the OSCE region. He also noted that with respect to protracted conflicts, the role of OSCE in seeking progress in achieving a settlement of the Transdnistrian and Nagorny-Karabakh conflicts remained a high priority. He emphasized that crises and conflicts in the OSCE region over the past years demanded an urgent need to strengthen capabilities across the entire conflict cycle, adding that early warning must be followed by early action, as demonstrated by the quick response of OSCE to events in Albania. In terms of cooperation with the United Nations, he pledged support to the United Nations-led international efforts to stabilize Afghanistan.<sup>822</sup>

Members of the Council welcomed the activities of OSCE in resolving protracted conflicts in the region, notably in Afghanistan, Georgia, Kyrgyzstan and Kosovo.

<sup>821</sup> S/PV.6268, pp. 2-6.

<sup>822</sup> S/PV.6481, pp. 2-4.

## Meetings: briefings

### A. Briefings by Chairmen of subsidiary bodies of the Security Council

| <i>Meeting and date</i> | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>                                      | <i>Speakers</i>  |
|-------------------------|-----------------|------------------------|-------------------------------|---|--|
| 6310<br>11 May 2010     |                 |                        | 12 Member States <sup>a</sup> | Acting Head of the Delegation of the European Union to the United Nations | All Council members, all invitees, Chairman of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, Chairman of the Committee established pursuant to resolution 1540 (2004) |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37 invitations</i>   | <i>Rule 39 and other invitations</i>                                      | <i>Speakers</i>   |
|-----------------------------|-----------------|------------------------|--|---|---|
| 6424<br>15 November<br>2010 |                 |                        | 13 Member States <sup>b</sup>  | Acting Head of the Delegation of the European Union                       | All Council members, all invitees, Chairman of the Committee established pursuant to resolution 1267 (1999), Chairman of the Committee established pursuant to resolution 1373 (2001), Chairman of the Committee established pursuant to resolution 1540 (2004)   |
| 6457<br>20 December<br>2010 |                 |                        |  |   | Chairman of the Committee established pursuant to resolution 1591 (2005) concerning the Sudan and of the Informal Working Group on International Tribunals, Chairman of the Committee established pursuant to resolution 1737 (2006), of the Working Group on Peacekeeping Operations and of the Informal Working Group on Documentation and Other Procedural Questions, Chairman of the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea <sup>c</sup> and of the Working Group on Children and Armed Conflict, Chairman of the Committee established pursuant to resolution 1718 (2006) and of the Working Group established pursuant to resolution 1566 (2004), Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa |
| 6536<br>16 May 2011         |                 |                        | 13 Member States <sup>d</sup>  | Acting Head of the Delegation of the European Union                       | All Council members, all invitees, Chairman of the Committee established pursuant to resolution 1267 (1999), Chairman of the Committee established pursuant to resolution 1373 (2001), Chairman of the Committee established pursuant to resolution 1540 (2004)   |
| 6658<br>14 November<br>2011 |                 |                        | Cuba, Israel, Japan, New Zealand, Pakistan, Spain, Switzerland, Syrian Arab Republic | Deputy Head of the Delegation of the European Union to the United Nations | All Council members, all invitees, Chairman of the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, <sup>e</sup> Chairman of the Committee established pursuant to resolution 1373 (2001), Chairman of the Committee established pursuant to resolution 1540 (2004)   |



## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>     | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i>  |
|-----------------------------|-----------------|------------------------|----------------------------|--------------------------------------|--|
| 6686<br>14 December<br>2011 |                 |                        |                            |                                      | Chairman of the Committee established pursuant to resolution 1518 (2003) and of the Working Group on Peacekeeping Operations, Chairman of the Committee established pursuant to resolution 1521 (2003) concerning Liberia, Chairman of the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, Chairman of the Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, Chairman of the Committee established pursuant to resolution 1636 (2005), Chairman of the Informal Working Group on Documentation and Other Procedural Questions |

<sup>a</sup> Argentina, Colombia, Cuba, India, Iran (Islamic Republic of), Israel, Morocco, New Zealand, Norway, Syrian Arab Republic, Tunisia and Venezuela (Bolivarian Republic of).

<sup>b</sup> Afghanistan, Cuba, India, Iran (Islamic Republic of), Israel, Morocco, Norway, Pakistan, Philippines, Spain, Sri Lanka, Syrian Arab Republic and Venezuela (Bolivarian Republic of).

<sup>c</sup> On 2 March 2010, the Council amended the name of the Committee to "Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea".

<sup>d</sup> Cuba, Costa Rica, Indonesia, Iran (Islamic Republic of), Israel, Japan, Morocco, Pakistan, Spain, Switzerland, Syrian Arab Republic, Turkey and Venezuela (Bolivarian Republic of).

<sup>e</sup> On 30 June 2011, the Council decided to change the name of the Committee to "Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities".

### B. Briefings by the Chairperson-in-Office of OSCE and the President of the International Court of Justice

| <i>Meeting and date</i>          | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  |
|----------------------------------|---|--|
| 6268<br>5 February 2010          | Chairperson-in-Office of OSCE and Secretary of State and Minister for Foreign Affairs of Kazakhstan | All Council members, Chairperson-in-Office of OSCE               |
| 6412 (closed)<br>27 October 2010 | President of the International Court of Justice   | Council members, President of the International Court of Justice |
| 6481<br>15 February 2011         | Chairperson-in-Office of OSCE and Minister for Foreign Affairs of Lithuania                         | All Council members, Chairperson-in-Office of OSCE               |
| 6637 (closed)<br>25 October 2011 | President of the International Court of Justice   | Council members, President of the International Court of Justice |

## 36. Security Council mission

### Overview

During the period under review, the Security Council completed four missions in which members of the Council visited the field. Destinations of the missions included several countries in Africa<sup>823</sup> and Afghanistan. The missions consisted of representatives of all members of the Council. The Council held three meetings in connection with the item entitled “Security Council mission”, at which the heads of the missions briefed the Council on their findings in those countries. The Council heard a briefing on the mission to Afghanistan in connection with the item entitled “The situation in Afghanistan”.<sup>824</sup> Summaries of the briefings are presented by region.<sup>825</sup>

### Briefings on Security Council missions

#### 19 May 2010: Security Council mission to the Democratic Republic of the Congo, 13 to 16 May 2010

On 19 May 2010, the Council included in its agenda the item entitled “Briefing by the Security Council mission to the Democratic Republic of the Congo”. At the meeting, the Council heard a briefing by the representative of France and head of the mission to the Democratic Republic of the Congo. He reported on the meetings held with the President and members of the Government of the Democratic Republic of the Congo, the Parliament and others, which confirmed that while the country had evolved over the past 10 years and progress had been made, the humanitarian and human rights situations in the country remained fragile, and security sector reform remained a key challenge. The mission had conveyed to the Congolese authorities the Council’s readiness to work with them to strengthen peace and stability in the country, to ensure the protection of civilians and allow for the reconfiguration of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).<sup>826</sup>

<sup>823</sup> Democratic Republic of the Congo, Ethiopia, Kenya, Sudan and Uganda.

<sup>824</sup> See [S/PV.6351](#).

<sup>825</sup> For more information on the composition and reports of the missions, see part VI, sect. II, “Investigation of disputes and fact-finding”.

<sup>826</sup> [S/PV.6317](#), pp. 2-3.

#### 30 June 2010: Security Council mission to Afghanistan, 21 to 24 June 2010

On 30 June 2010, the Council included in its agenda the item entitled “The situation in Afghanistan”. During the meeting, the Council heard a briefing by the representative of Turkey and head of the mission to Afghanistan. He reported that members of the mission had met with the President of Afghanistan and his Cabinet as well as with members of the executive and legislative branches, and that the members of the mission had underlined, *inter alia*, the necessity of free and fair elections. The members of the mission had also encouraged the Afghan authorities to advance their efforts to promote, among other issues, the rule of law and human rights, and had highlighted the importance of combating the narcotics industry and trade.<sup>827</sup>

#### 14 October 2010: Security Council mission to Africa, 4 to 10 October 2010

On 14 October 2010, the Council included in its agenda the item entitled “Briefing by the Security Council mission to Africa”. The Council heard briefings by the representative of Uganda and head of the Uganda segment of the mission and the representatives of the United States and the United Kingdom, leaders of the Sudan segment of the mission.

The representative of Uganda reported that the President of Uganda, in his meeting with the mission, had stated that it was imperative that the Comprehensive Peace Agreement be implemented fully and had stressed the importance of supporting the efforts of the parties towards peaceful, credible and timely referendums. The President also emphasized the importance of strengthening cooperation between the United Nations, the African Union and subregional organizations on security issues, and called on the United Nations to support regional efforts in dealing with the Lord’s Resistance Army. Mission members also visited the Entebbe Support Base, where they were briefed on its operations in support of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). Council members were informed that, in addition to MONUSCO, the base was supporting other African field missions and entities, including the African

<sup>827</sup> [S/PV.6351](#), p. 6.

Union-United Nations Hybrid Operation in Darfur (UNAMID) and the United Nations Mission in the Central African Republic and Chad (MINURCAT).<sup>828</sup>

The representative of the United States reported that in Juba, the mission had met with the President of Southern Sudan, who emphasized his concerns on such issues as the unresolved border demarcation and delay in preparations for the referendum in Abyei. The mission, which had also met with members of civil society and religious officials, had heard their concerns about the tight timetable for the referendum and the situation in Abyei. She reiterated the need for the Council to steadfastly support the full and timely implementation of the Comprehensive Peace Agreement.<sup>829</sup>

The representative of the United Kingdom reported that in Darfur, the mission had met with the Joint Special Representative for UNAMID, who briefed the members of the mission on the work of UNAMID and the security situation in the region. The mission also visited the internally displaced persons camp in Abu Shouk, where mission members had met with representatives of the camp to gain a better understanding of their concerns regarding food, medical and other needs. He stated that the mission had returned with deep concerns regarding the security situation in Darfur and its impact on the plight of civilians. In Khartoum, the mission had met with the Vice-President of the Sudan, the Minister for Foreign Affairs, the Chair of the Southern Sudan Referendum Commission and others. Both the Vice President and the Minister for Foreign Affairs had expressed the strong commitment by the Government of the Sudan to fully implement the Comprehensive Peace Agreement, as well as to tackle key outstanding issues, including the situation in Abyei and the post-referendum arrangements on border demarcation, citizenship and wealth-sharing. On the issue of Darfur, the Vice President and the Minister for Foreign Affairs had reiterated the Government's commitment to pursue peace and development in the region, but had also stressed the need for rebel groups to join the peace process immediately and without preconditions. The mission expressed its concern about the security situation in Darfur and the continuing restrictions on UNAMID and humanitarian workers. He noted that the mission had returned with a better understanding of the

urgency of the challenges facing the Sudan and the political will that would be required to meet them.<sup>830</sup>

#### **6 June 2011: Security Council mission to Africa, 19 to 26 May 2011**

On 6 June 2011, the Council included in its agenda the item entitled "Briefing by the Security Council mission to Africa". During the meeting, the Council heard briefings by the representative of France and leader of the Ethiopia segment of the mission and the representative of the United States, leader of the Sudan segment of the mission, on behalf of the Russian Federation, which was also a leader of the Sudan segment. The representatives of the United Kingdom and South Africa, leaders of the Kenya segment, also briefed the Council.

The representative of France reported that in Addis Ababa, the mission had met with members of the Peace and Security Council of the African Union and with the Prime Minister of Ethiopia. The annual meeting with the Peace and Security Council had enabled the members of the mission to consider in detail issues concerning Côte d'Ivoire, Libya, Somalia and the Sudan, with a view to establishing a common strategy that would allow the United Nations and the African Union to implement their actions more effectively. Members of the mission had also met with the Prime Minister of Ethiopia to discuss the situation in Somalia and the Sudan, as well as the issues of Eritrea and Libya.<sup>831</sup>

The representative of the United States reported that in Khartoum, the members of the mission had met with the Minister of State for the Presidency and several other officials of the Government of the Sudan and had emphasized the need for a peaceful resolution to the conflict in Abyei. They had also met with the Chair of the African Union High-Level Implementation Panel, who outlined his efforts to facilitate negotiations on outstanding issues concerning the Comprehensive Peace Agreement and post-referendum arrangements. In Juba, the mission had met with the President, Vice-President and ministers of the Government of South Sudan, and had reiterated its grave concern regarding events in Abyei, including the attack by the Sudan People's Liberation Army on a convoy of the United Nations Mission in the Sudan (UNMIS) on 19 May.

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<sup>828</sup> S/PV.6397, pp. 2-3.

<sup>829</sup> Ibid., pp. 3-4.

<sup>830</sup> Ibid., pp. 5-6.

<sup>831</sup> S/PV.6546, pp. 2-3.

She stated that the mission had continuously stressed the importance of both parties fully implementing the Comprehensive Peace Agreement before South Sudan gained independence on 9 July 2011, especially in the light of the crisis in Abyei.<sup>832</sup>

The representative of the United Kingdom reported that in Nairobi the mission had met with the Transitional Federal President and other officials of the Transitional Federal Government and Parliament of Somalia, as well as the Presidents of Galmudug and Puntland and representatives of Somaliland. In its meeting with the Transitional Federal Institutions, the mission had expressed its grave concern regarding the impact that the discord between the Transitional Federal Institutions was having on the political process and the security situation, and had conveyed in very clear and strong terms the Council's expectation that the Government and Parliament would reach an agreement on the issue of elections rapidly. The Presidents of Galmudug and Puntland and the representatives of Somaliland all highlighted the progress made on security and development, but also stressed the threats that their people faced from piracy and terrorism. The mission recognized the need for the international community to support further stabilization, peacebuilding and socioeconomic reconstruction, as

<sup>832</sup> Ibid., pp. 3-5.

well as for a comprehensive response to tackle piracy and its underlying causes.<sup>833</sup>

The representative of South Africa reported on the meetings, also in Nairobi, with the Prime Minister and the Vice-President of Kenya, the African Union High Representative and the Special Representative of the Chairperson of the Commission of the African Union, the Intergovernmental Authority on Development and others. In the meeting with the Vice President, he had expressed concern regarding terrorism, piracy and the lack of support for the African Union Mission in Somalia (AMISOM) from the international community and the Council. In the meeting with the Force Commander of AMISOM, members of the Security Council mission were briefed on the challenges faced by AMISOM, in particular the lack of equipment, logistical support, air and maritime support, and predictable financing. Reporting also on meetings held with the United Nations Political Office for Somalia (UNPOS), Intergovernmental Authority on Development and the African Union, the representative of South Africa concluded that they needed a comprehensive strategy for dealing with the security, humanitarian and development challenges in Somalia.<sup>834</sup>

<sup>833</sup> Ibid., p. 5.

<sup>834</sup> Ibid., pp. 5-7.

## Meetings: briefings on Security Council missions

### A. Security Council mission

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Speakers</i>   |
|-------------------------|--|--|---|
| 6317<br>19 May 2010     | Briefing by the Security Council mission to the Democratic Republic of the Congo (13 to 16 May 2010) | Letter from the President of the Security Council to the Secretary-General containing the terms of reference of the mission to the Democratic Republic of the Congo (S/2010/187 and Add.1) | France  |
| 6397<br>14 October 2010 | Briefing by the Security Council mission to Africa (4 to 10 October 2010)                            | Letter from the President of the Security Council to the Secretary-General containing the terms of reference of the mission to Uganda and the Sudan (S/2010/509)                           | Uganda, United States, United Kingdom                                   |
| 6546<br>6 June 2011     | Briefing by the Security Council mission to Africa (19 to 26 May 2011)                               | Letter from the President of the Security Council to the Secretary-General containing the terms of reference of the mission to Ethiopia, the Sudan and Kenya (S/2011/319)                  | France, Russian Federation, South Africa, United Kingdom, United States |

## B. The situation in Afghanistan

| <i>Meeting and date</i> | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i>  | <i>Rule 39 invitations</i>  | <i>Speakers</i>                      |
|-------------------------|---|---|---|---|--------------------------------------|
| 6351<br>30 June 2011    | Report of the Secretary-General pursuant to paragraph 40 of resolution 1917 (2010) (S/2010/318) | Letter from the President of the Security Council to the Secretary-General containing the terms of reference of the mission to Afghanistan (S/2010/325) | Afghanistan, Australia, Canada, Germany, India, Italy, Norway, Pakistan | Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan (UNAMA), Acting Head of the Delegation of the European Union to the United Nations | All Council members and all invitees |

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

#### Overview

During the period under review, the Security Council held one meeting in connection with the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security,” and adopted one presidential statement.

#### 29 June 2010: adoption of a presidential statement

On 29 June 2010, the Council held an open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security. The speakers focused on the three main topics recommended by the President (Mexico) in his concept note:<sup>835</sup> the promotion of the rule of law in conflict and post-conflict situations; international justice and the peaceful settlement of disputes; and the efficiency and credibility of sanctions regimes.

The Deputy Secretary-General stated that the United Nations had a broad and ambitious agenda in the area of the rule of law. The debate in the Council was expanding from a focus on the rule of law in war-torn societies to include the strengthening of the rule of law at the international level as well. In that regard, she emphasized the special role of the International Court of Justice in the peaceful settlement of disputes and the importance of strengthening the Court’s relationship with the Council. She outlined several initiatives being undertaken within the United Nations system in the

area of the rule of law, including the creation of a deployable team of experts to assist national authorities, the establishment of the Office of Rule of Law and Security Institutions within the Department of Peacekeeping Operations and the Rule of Law Coordination and Resource Group, which brought together the United Nations departments and agencies most engaged in rule of law activities. However, she noted that the Organization was also facing major challenges and constraints, including the need to recruit high-quality personnel, inadequate financial resources and a crowded and fragmented external environment, spanning the legal, development, security and political disciplines.<sup>836</sup>

The Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations stated that establishing respect for the rule of law at the international level was essential not only to maintain peace, but also to enable sustained economic progress and development. She noted that the Charter of the United Nations had envisaged a system of settling disputes peacefully before conflicts arose, but that the links between the General Assembly, the Council and the International Court of Justice towards that goal had not been fully used to coordinate and complement their respective actions. In that regard, she encouraged the Council to follow up on the 2006 recommendation by

<sup>835</sup> S/2010/322, annex.

<sup>836</sup> S/PV.6347, pp. 2-4.

the President of the Council to refer, as a general rule, legal disputes to the International Court of Justice.<sup>837</sup>

Regarding the promotion and strengthening of the rule of law, speakers generally agreed that it was crucial to the maintenance of international peace and security, being an important element in both conflict and post-conflict situations. Many speakers welcomed the Council's role in incorporating rule of law components into the mandates of peacekeeping missions.<sup>838</sup> Other speakers emphasized the need for concerted efforts by relevant actors in this regard.<sup>839</sup>

Many speakers acknowledged that the International Court of Justice was a key mechanism in the peaceful settlement of disputes. Several speakers encouraged Member States that had not yet done so to accept the compulsory jurisdiction of the Court.<sup>840</sup> On the issue of combating impunity, several speakers expressed hope for the emerging role of the International Criminal Court.<sup>841</sup> Others also noted the importance of international criminal tribunals and special courts, such as the International

Tribunal for the Former Yugoslavia and the Special Court for Sierra Leone.<sup>842</sup>

Many speakers also noted the role of sanctions regimes with regard to the promotion and strengthening of the rule of law. Many speakers welcomed the progress made in strengthening the legal framework for targeted sanctions, including the appointment of the Ombudsperson responsible for considering the delisting requests made by Member States. Several speakers emphasized the need for such measures to be carefully implemented and reviewed.<sup>847</sup>

At the conclusion of the meeting, the Council adopted a presidential statement in which it, inter alia, reiterated its call upon Member States to settle disputes by peaceful means as set forth in Chapter VI of the Charter, and emphasized the key role of the International Court of Justice in adjudicating disputes among States. The Council also recognized that sustainable peacebuilding required an integrated approach, which strengthened coherence between political, security, development, human rights and rule of law activities, and in this regard reiterated the urgency of peacebuilding efforts, including assisting national authorities to uphold the rule of law.<sup>844</sup>

<sup>837</sup> Ibid., pp. 4-6.

<sup>838</sup> Ibid., p. 12 (Nigeria); p. 14 (France); and p. 27 (Gabon); [S/PV.6347 \(Resumption 1\)](#), p. 8 (Australia); and p. 12 (Norway).

<sup>839</sup> [S/PV.6347](#), p. 17 (Austria); and p. 25 (United States); [S/PV.6347 \(Resumption 1\)](#), p. 5 (Italy); and p. 15 (Peru).

<sup>840</sup> [S/PV.6347](#), p. 8 (Mexico); p. 17 (Austria); p. 18 (United Kingdom); and p. 23 (Japan); [S/PV.6347 \(Resumption 1\)](#), p. 13 (Norway); and p. 19 (Germany).

<sup>841</sup> [S/PV.6347](#), p. 10 (Bosnia and Herzegovina); p. 11 (Uganda); p. 14 (France); p. 16 (Brazil); p. 17 (Austria); p. 18 (United Kingdom); p. 23 (Japan); and p. 26 (Turkey); [S/PV.6347 \(Resumption 1\)](#), p. 2 (Denmark); p. 4 (Finland); p. 6 (Italy); p. 7 (Liechtenstein); p. 9 (Republic of Korea); p. 11 (Argentina); and p. 15 (Peru).

<sup>842</sup> [S/PV.6347](#), p. 9 (Bosnia and Herzegovina), p. 17 (Austria); p. 25 (United States); and p. 28 (Gabon); [S/PV.6347 \(Resumption 1\)](#), p. 11 (Argentina); p. 12 (Norway); and p. 15 (Peru).

<sup>847</sup> [S/PV.6347](#), p. 11 (Bosnia and Herzegovina); p. 16 (Brazil); p. 23 (Russian Federation); and p. 26 (Turkey); [S/PV.6347 \(Resumption 1\)](#), p. 3 (Switzerland); p. 5 (Finland); p. 8 (Australia); p. 16 (South Africa); p. 18 (European Union); and p. 20 (Solomon Islands).

<sup>844</sup> [S/PRST/2010/11](#).

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

| <i>Meeting and date</i> | <i>Sub-item</i>   | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|---|----------------------------|--|--|---|
| 6347<br>29 June 2010    | Letter dated 18 June 2010 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General (S/2010/322) | 18 countries <sup>a</sup>  | Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations, Acting Head of the Delegation of the European Union to the United Nations | Deputy Secretary-General, all Council members, <sup>b</sup> all invitees | S/PRST/2010/11                                    |

<sup>a</sup> Argentina, Armenia, Australia, Azerbaijan, Botswana, Canada, Denmark, Finland, Germany, Guatemala, Italy, Liechtenstein, Norway, Peru, Republic of Korea, Solomon Islands, South Africa and Switzerland.

<sup>b</sup> Mexico was represented by its Deputy Minister for Multilateral Affairs and Human Rights.

### 38. Items relating to non-proliferation

#### A. Non-proliferation of weapons of mass destruction

##### Overview

During the period under review, the Security Council held one meeting in connection with the item entitled “Non-proliferation of weapons of mass destruction”, and adopted a resolution to extend the mandate of the Committee established pursuant to resolution 1540 (2004) for a period of 10 years.

##### 20 April 2011: extension of mandate of Committee established pursuant to resolution 1540 (2004)

On 20 April 2011, the Council unanimously adopted resolution 1977 (2011), in which it reaffirmed that it was gravely concerned by the threat of terrorism and the risk that non-State actors may acquire, develop, traffic in, or use nuclear, chemical and biological weapons and their means of delivery. The Council, acting under Chapter VII of the Charter, decided to extend the mandate of the 1540 Committee for a period of 10 years, until 25 April 2021. In addition, the Council requested the Secretary-General to establish, in consultation with the Committee, a group of up to eight experts (“group of experts”) acting under the

direction and purview of the Committee, to assist it in carrying out its mandate.<sup>845</sup>

Following the adoption of the resolution, the representative of Brazil emphasized that, while her Government strongly supported an effective and well-coordinated group of experts, it did not favour the idea that the group should have a leadership position on a par with, or superseding, the authority of the 1540 Committee.<sup>846</sup> The representative of India emphasized that the international community should join hands in eliminating the risks related to sensitive materials and technologies falling into the hands of terrorists and non-State actors. He stated that the focus on non-State actors should in no way diminish State accountability in combating terrorism and dismantling its support infrastructure and its linkages with weapons of mass destruction. He pointed out that after the adoption of resolution 1540 (2004), his Government had taken additional steps to further strengthen its existing legislative and regulatory mechanism for exercising

<sup>845</sup> For more information on the sanctions measures, see part VII, sect. III, “Measures not involving the use of armed force in accordance with Article 41 of the Charter”. For information on the mandate of the Committee established pursuant to resolution 1540 (2004) and the mandate of the Group of Experts concerning resolution 1540 (2004), see part IX, sect. I.B, “Committees established under Chapter VII of the Charter”.

<sup>846</sup> S/PV.6518, p. 2.

control over weapons of mass destruction and their means of delivery.<sup>847</sup>

<sup>847</sup> Ibid., p. 3.

### Meeting: non-proliferation of weapons of mass destruction

| <i>Meeting and date</i> | <i>Other documents</i>  | <i>Speakers</i>  | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-------------------------|---|------------------|---|
| 6518<br>20 April 2011   | Draft resolution submitted by Bosnia and Herzegovina, China, Colombia, France, Gabon, Germany, Lebanon, Nigeria, Portugal, Russian Federation, South Africa, United Kingdom, United States ( <a href="#">S/2011/257</a> ) | Brazil,<br>India | Resolution <a href="#">1977 (2011)</a><br>15-0-0      |

## B. Non-proliferation

### Overview

During the period under review, the Security Council held eleven meetings under the item entitled “Non-proliferation”, including one closed meeting, adopted two resolutions under Article 41 of Chapter VII of the Charter and received eight briefings by the Chairman of the Committee established pursuant to resolution [1737 \(2006\)](#). The Council imposed new sanctions measures against the Islamic Republic of Iran and, pursuant to resolution [1929 \(2010\)](#), established the Panel of Experts on the Islamic Republic of Iran.<sup>848</sup> It also extended the mandate of the Panel of Experts for one year.<sup>849</sup>

### 9 June 2010: imposition of new sanctions measures on the Islamic Republic of Iran

On 9 June 2010, the Council met to consider a draft resolution that would strengthen sanctions measures on the Islamic Republic of Iran.<sup>850</sup> Prior to the adoption of the resolution, the representative of Brazil stated that her delegation would vote against the draft resolution in order to honour the Tehran

declaration,<sup>851</sup> which she emphasized provided a unique opportunity to solve the problem through dialogue rather than sanctions. She stated that sanctions would lead to the suffering of the people and play into the hands of those on all sides who did not want a peaceful resolution of the issue. The representative further expressed regret that the declaration had neither received the recognition it deserved, nor been given time to bear fruit.<sup>852</sup> Similarly, the representative of Turkey argued that the adoption of sanctions would negatively affect the momentum created by the Tehran declaration and the overall diplomatic process. He emphasized that adoption of the draft resolution should not be seen as an end to diplomacy, and urged the Islamic Republic of Iran to work towards the implementation of the declaration and to resume talks with the five plus one group (the five permanent members of the Council plus Germany) to discuss its nuclear programme, including the suspension of enrichment.<sup>853</sup>

The draft resolution ([S/2008/447](#)) was put to the vote, received 9 votes in favour, 5 against (China, Libyan Arab Jamahiriya, Russian Federation, South Africa, Viet Nam) and 1 abstention (Indonesia). The draft resolution ([S/2008/447](#)) was put to the vote, received 9 votes in favour, 5 against (China, Libyan Arab Jamahiriya, Russian Federation, South Africa, Viet Nam) and 1 abstention (Indonesia).

<sup>848</sup> For more information on the sanctions measures, see part VII, sect. III, “Measures not involving the use of armed force in accordance with Article 41 of the Charter”. For information on the mandate of the Committee established pursuant to resolution [1540 \(2004\)](#) and the mandate of the Group of Experts, see part IX, sect. I.B, “Committees established under Chapter VII of the Charter”.

<sup>849</sup> Resolution [1984 \(2011\)](#).

<sup>850</sup> [S/2010/283](#).

<sup>851</sup> Joint declaration by the Islamic Republic of Iran, Turkey and Brazil on nuclear fuel, signed in Tehran on 17 May 2010.

<sup>852</sup> [S/PV.6335](#), pp. 2-3.

<sup>853</sup> Ibid., pp. 3-4.



The draft resolution was put to the vote, received 12 votes in favour, 2 against (Brazil, Turkey, and abstention (Lebanon). By resolution 1929 (2010), the Council, concerned by the proliferation risks presented by the nuclear programme of the Islamic Republic of Iran and acting under Article 41 of Chapter VII of the Charter, inter alia, decided that all States should prevent the sale of heavy weapons to the Islamic Republic of Iran; called upon all States to inspect all cargo to and from the Islamic Republic of Iran if the State concerned suspected banned cargo was on board; authorized all States to seize and dispose of prohibited items; called upon all States to prevent the provision of financial services, including insurance or reinsurance, if they had information that provided reasonable grounds to believe that such services could contribute to the Islamic Republic of Iran's banned activities; and requested that the Secretary-General create a panel of up to eight experts ("the Panel of Experts") for an initial period of one year.

Following the adoption of the resolution, several speakers highlighted the importance of continuing dialogue to achieve diplomatic solutions, and emphasized that imposing sanctions on specific individuals and entities did not seek to harm the general population.<sup>854</sup> The representatives of Austria, Japan, and Nigeria also expressed their support for the dual-track process.<sup>855</sup> The representative of China emphasized that the new resolution was aimed at bringing the Islamic Republic of Iran back to the negotiating table and activating a new round of diplomatic efforts.<sup>856</sup>

The representative of the United Kingdom acknowledged the good-faith efforts of Turkey and Brazil to persuade the Islamic Republic of Iran to engage with the International Atomic Energy Agency (IAEA) on the Tehran Research Reactor, but argued that his Government could not accept the attempts by the Islamic Republic of Iran to use those efforts to justify its continued defiance of successive Security Council resolutions that mandated a suspension of its enrichment operations.<sup>857</sup>

The representative of the United States said that the Islamic Republic of Iran had chosen to clearly and wilfully violate its commitments to IAEA and the resolutions of the Council. She stressed that the resolution was aimed at reinforcing the need for that country to comply with its international obligations, and pointed out that the Tehran Research Reactor proposal did not respond to the fundamental concerns about the nuclear programme of the Islamic Republic of Iran. She stated that the Treaty on the Non-Proliferation of Nuclear Weapons<sup>858</sup> must remain at the centre of global efforts to stop nuclear proliferation.<sup>859</sup>

The representative of Lebanon, while abstaining from the vote and stating that his Government had not reached a final position on the matter, stated that his Government believed that the understanding reflected in the Tehran declaration on enriched uranium was a significant step towards a diplomatic solution to the Iranian nuclear issue. He pointed out that the declaration did not have the necessary support and was not given enough time to yield the expected results. He said that the new sanctions resolution was a sad setback for diplomatic efforts.<sup>860</sup>

The representative of the Islamic Republic of Iran stated that his Government opposed the development and use of weapons of mass destruction on religious, as well as security grounds, and that his Government was determined to exercise its inalienable right to nuclear technology for peaceful purposes and to build on its own scientific advances in developing various peaceful aspects of this technology. He stated that his Government had maintained a robust, proactive and unprecedented collaboration with IAEA, and stressed that no amount of pressure or mischief would be able to break his Government's determination to pursue and defend its legal and inalienable rights.<sup>861</sup> In a second statement, the representative of the United Kingdom noted that the statements made by the Islamic Republic of Iran seemed designed as an excuse for not responding to international concerns about its nuclear programme.<sup>862</sup>

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<sup>854</sup> Ibid., pp. 4-5 (United States); pp. 7-8 (France); pp. 8-9 (Russian Federation); and pp. 10-11 (China).

<sup>855</sup> Ibid., p. 10 (Austria); p. 10 (Japan); and p. 12 (Nigeria).

<sup>856</sup> Ibid., p. 11.

<sup>857</sup> Ibid., p. 6.

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<sup>858</sup> United Nations, *Treaty Series*, vol. 729, No. 10485.

<sup>859</sup> S/PV.6335, pp. 4-5.

<sup>860</sup> Ibid., p. 12.

<sup>861</sup> Ibid., pp. 15-17.

<sup>862</sup> Ibid., pp. 17-18.

### 9 June 2011: extension of mandate of the Panel of Experts on the Islamic Republic of Iran

On 9 June 2011, by resolution [1984 \(2011\)](#), the Council, acting under Article 41 of Chapter VII of the Charter, *inter alia*, decided to extend the mandate of the Panel of Experts on the Islamic Republic of Iran until 9 June 2012.

Following the adoption of the resolution, many speakers stressed that the Panel of Experts played a crucial role in ensuring the full implementation of the Council's sanctions on the Islamic Republic of Iran. They also drew attention to the fact that it was important for the Panel to continue to act impartially and independently.<sup>863</sup> The representatives of the Russian Federation and China both stressed that the Panel should act strictly in accordance with its mandate as established by resolution [1929 \(2010\)](#).<sup>864</sup> The representative of Lebanon noted that the resolution was purely technical in nature, and because his Government abstained from voting on resolution [1929 \(2010\)](#), in line with its consistent position, his Government abstained from the vote on resolution [1984 \(2011\)](#).<sup>865</sup>

### 4 March 2010 to 21 December 2011: briefings by the Chairman of the Committee established pursuant to resolution [1737 \(2006\)](#)

From 4 March 2010 to 21 December 2011, the Chairman of the Committee established pursuant to resolution [1737 \(2006\)](#) regularly updated the Council on the activities of the Committee.<sup>866</sup> Activities included the receipt of implementation reports from Member States pursuant to the relevant resolutions, the receipt of notifications pursuant to resolution [1737 \(2006\)](#) and the receipt of and response to queries and written requests for guidance from Member States concerning the sanctions regime.

On 4 March 2010, several speakers highlighted elements of the latest report of the Director-General of IAEA as further evidence of Islamic Republic of Iran's continued lack of compliance and cooperation with IAEA and its Security Council obligations as well as the possible military dimension to its nuclear

programme. They concurred that there was no choice but to seek new measures in keeping with the dual-track approach that left the door open for diplomacy.<sup>867</sup> In contrast, the representatives of the Russian Federation and China stressed the importance of continuing dialogue and diplomatic efforts to resolve the situation and achieve a peaceful settlement.<sup>868</sup> The representative of the Russian Federation emphasized that room for negotiations still existed, including the pursuit of a convincing and mutually acceptable fuel-exchange model for the Tehran Research Reactor.<sup>869</sup> While the representative of China expressed hope that all parties concerned would take the broader and more long-term situation into consideration,<sup>870</sup> the representative of the Russian Federation called on Tehran to make the necessary accommodations to ensure the resumption of dialogue with the five plus one group, with a view towards achieving a negotiated settlement of the situation concerning the Iranian nuclear programme.<sup>871</sup>

On 28 June 2010, several speakers expressed concern about the continuing nuclear activities of the Islamic Republic of Iran and its denial to IAEA of access to its facilities. The representatives of the United States, the United Kingdom, France, the Russian Federation and China expressed their support for the resumption of dialogue to resolve the situation concerning the Iranian nuclear programme and for the dual-track strategy on the Islamic Republic of Iran.<sup>872</sup> The representative of the United Kingdom joined the representative of the United States in urging the preparation of an ambitious Committee work programme pursuant to resolution [1929 \(2010\)](#).<sup>873</sup> The representative of the United States specifically encouraged the Chairman of the Committee to personally engage with the Committee in setting out such a programme, and also encouraged the Committee and the Secretariat to work together to establish the newly created panel of experts which would become

<sup>863</sup> [S/PV.6552](#), p. 3 (China); p. 3 (United States); pp. 3-4 (France); p. 4 (Germany); and p. 4 (United Kingdom).

<sup>864</sup> *Ibid.*, p. 2 (Russian Federation); and p. 3 (China).

<sup>865</sup> *Ibid.*, p. 2.

<sup>866</sup> 6280th, 6344th, 6384th, 6442nd, 6502nd, 6563rd, 6607th and 6697th meetings.

<sup>867</sup> [S/PV.6280](#), p. 4 (United States); p. 5 (United Kingdom); and p. 7 (France).

<sup>868</sup> *Ibid.*, p. 7 (Russian Federation); and pp. 7-8 (China).

<sup>869</sup> *Ibid.*, p. 7.

<sup>870</sup> *Ibid.*, p. 8.

<sup>871</sup> *Ibid.*, p. 7.

<sup>872</sup> [S/PV.6344](#), p. 3 (United States); pp. 3-4 (United Kingdom); and pp. 4-5 (France); p. 5 (Russian Federation); and pp. 5-6 (China).

<sup>873</sup> *Ibid.*, p. 3 (United States); and p. 4 (United Kingdom).

the eyes and ears of the Council in the field.<sup>874</sup> The representative of China stated that all parties were continuing to work actively to promote the implementation of the Tehran Research Reactor agreement (Tehran declaration) signed by Brazil, Turkey and the Islamic Republic of Iran. He maintained that the Islamic Republic of Iran had expressed its willingness to negotiate with the international community and to cooperate with IAEA. He hoped that all parties would seize the opportunity to resume talks and to carry out diplomatic efforts, especially outside the Council, to find a peaceful solution.<sup>875</sup> The representative of the Russian Federation emphasized that strict compliance with the Council's measures required Member States to refrain from taking additional restrictive steps not covered under the relevant resolutions, especially those of an extraterritorial nature. He expressed concern over the prevention by third-party States of the delivery of supplies to the Islamic Republic of Iran, under the pretext that the supplies were not in compliance with the domestic norms of those States.<sup>876</sup>

On 15 September 2010, the representative of the United States stated that the Director General of IAEA had reported to the Council that the Islamic Republic of Iran was continuing and expanding its proliferation-sensitive nuclear activities in violation of its international obligations. She noted that its recent actions reminded the Council of the urgent need to redouble its efforts to implement the United Nations sanctions, particularly those new measures adopted in resolution 1929 (2010).<sup>877</sup> The representative of the United Kingdom expressed his Government's concern about the Iranian nuclear programme as well as the serial violation of the resolutions of the Council by the Islamic Republic of Iran, which was why his country supported resolution 1929 (2010), which introduced further sanctions. He specifically highlighted his Government's concerns over the engagement of the Islamic Republic of Iran in activities related to ballistic missiles capable of delivering nuclear weapons, and stated that the Council and the Committee would need to consider an appropriate response.<sup>878</sup>

<sup>874</sup> *Ibid.*, p. 3.

<sup>875</sup> *Ibid.*, pp. 5-6.

<sup>876</sup> *Ibid.*, p. 5.

<sup>877</sup> *S/PV.6384*, pp. 3-4.

<sup>878</sup> *Ibid.*, pp. 5-6.

On 10 December 2010, the Council heard a briefing by the Chairman of the Committee, who reported on the appointment of the Panel of Experts established under paragraph 29 of resolution 1929 (2010). Following the briefing, speakers welcomed its establishment.<sup>879</sup> The representative of the United States noted that not much had changed since the adoption of resolution 1929 (2010), as the Islamic Republic of Iran persisted in its non-compliance with IAEA and Council resolutions, as well as its defiance of the international community. She commended Nigeria and Italy on their seizures of illegal arms shipments, and reiterated her country's commitment to the dual-track strategy, with the aim of continuing a phased confidence-building process between the Islamic Republic of Iran and the international community.<sup>880</sup> The representative of China, hoping that IAEA could play a constructive role in finding an appropriate solution to the Iranian nuclear issue, emphasized that the sanctions were not an end in themselves and could not fundamentally resolve any issue. He pointed out that a new opportunity to restart the dialogue on the Iranian nuclear issue existed, and highlighted the positive and useful dialogue that the European Union and six countries had just carried out in Geneva.<sup>881</sup>

On 22 March 2011, the representatives of the United States and the United Kingdom expressed concern about the nuclear activities of the Islamic Republic of Iran, including its continuation of enrichment and its lack of cooperation with IAEA, as conveyed in the Agency's latest report.<sup>882</sup> Many speakers also expressed disappointment with the lack of progress in the discussions held in Istanbul between the five plus one group and the Islamic Republic of Iran.<sup>883</sup> While several speakers stressed the right of the Islamic Republic of Iran to the development of nuclear energy for peaceful purposes, some also called for it to abide by its international obligations.

On 23 June 2011, several speakers expressed concern over the announcements by the Islamic

<sup>879</sup> *S/PV.6442*, p. 4 (United Kingdom); p. 5 (China); pp. 5-6 (France); pp. 6-7 (Russian Federation); and pp. 7-8 (United States).

<sup>880</sup> *Ibid.*, pp. 7-8.

<sup>881</sup> *Ibid.*, p. 5.

<sup>882</sup> *S/PV.6502*, p. 3 (United States); and p. 5 (United Kingdom).

<sup>883</sup> *Ibid.*, p. 4 (United States); p. 6 (Germany); p. 8 (Portugal); p. 8 (Brazil); and pp. 10-11 (France).

Republic of Iran of its intention to significantly boost its uranium enrichment activities and of the successful launch of a satellite into orbit. The representative of the United Kingdom stated that the Panel of Experts' recent report made it clear that the Islamic Republic of Iran continued to violate the Council's sanctions. In addition, he noted that IAEA had reported that it was unable to confirm that all nuclear material was being used for peaceful purposes and had concluded that the Islamic Republic of Iran had once again failed to comply with its obligations.<sup>884</sup> The representative of Germany argued that, given the Islamic Republic of Iran's unwillingness to talk about its nuclear programme, there was no choice other than following up on the pressure track of the dual-track strategy to move it back to the negotiation table.<sup>885</sup> The representative of France noted that the need to take additional measures would be determined on the basis of the conduct of the Islamic Republic of Iran.<sup>886</sup> The representatives of China, Portugal and Brazil emphasized that the prompt resumption of dialogue was the only way to reach an adequate and lasting settlement that would meet the common interests of all parties.<sup>887</sup>

On 7 September 2011, most speakers expressed concern over the lack of progress towards a negotiated settlement regarding the transparency of the nuclear activities of the Islamic Republic of Iran, as indicated in the latest report of IAEA. Furthermore, many speakers expressed concern that the final report of the Panel of Experts had not yet been posted on the Committee's website.<sup>888</sup> The representative of the United States stated that her Government strongly believed that this report should be made available to all States as soon as possible, as it highlighted information and best practices that could help States carry out their

obligations. Failure to circulate these documents contravened the Committee's commitment to transparency and undermined the entire purpose behind having a Panel of Experts.<sup>889</sup>

On 21 December 2011, speakers continued to express concern about the non-publication of the final report of the Panel of Experts on the Islamic Republic of Iran. The representative of the United States stated that her Government remained seriously concerned that the report had yet to be released to the wider United Nations membership owing to the continued objections of some members of the Council. She also drew the Council's attention to the recently released report by the Director General of IAEA, which concluded that the Islamic Republic of Iran remained in non-compliance with its international nuclear obligations and added to the evidence that it was misleading the international community about its nuclear activities. She highlighted the Islamic Republic of Iran's self-proclaimed intention to start enrichment at the underground Qom facility. Stressing that the behaviour of the Islamic Republic of Iran plainly belied the purported peaceful nature of its nuclear programme, she called for the Council to redouble its efforts to implement sanctions that had already been imposed.<sup>890</sup>

The representative of South Africa stated that a renewed dedication by the Islamic Republic of Iran to intensify cooperation with IAEA, without preconditions, was of the utmost importance.<sup>891</sup> Many speakers expressed their support for the sanctions regime,<sup>892</sup> and, in particular, the representative of the United Kingdom said that sanctions were a key tool to convince the Islamic Republic of Iran to engage seriously in response to the offers on the table.<sup>893</sup>

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<sup>884</sup> [S/PV.6563](#), p. 3.

<sup>885</sup> *Ibid.*, pp. 7-8 (Germany).

<sup>886</sup> *Ibid.*, p. 7 (France).

<sup>887</sup> *Ibid.*, p. 5 (China); pp. 8-9 (Portugal); and pp. 10-11 (Brazil).

<sup>888</sup> [S/PV.6607](#), p. 3 (United States); p. 5 (France); p. 6 (Germany); p. 11 (Gabon); and p. 12 (United Kingdom).

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<sup>889</sup> *Ibid.*, p. 3.

<sup>890</sup> [S/PV.6697](#), p. 3.

<sup>891</sup> *Ibid.*, p. 6.

<sup>892</sup> *Ibid.*, p. 3 (United States); p. 8 (France); p. 10 (Germany); and p. 13 (Russian Federation).

<sup>893</sup> *Ibid.*, p. 9.

## Meetings: non-proliferation

| <i>Meeting and date</i>      | <i>Sub-item</i>   | <i>Other documents</i>  | <i>Rule 37 invitations</i>        | <i>Speakers</i>  | <i>Decision and vote (for-against-abstaining)</i> |
|------------------------------|---|---|-----------------------------------|--|---|
| 6280<br>4 March 2010         | Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) |   |                                   | Chairman of the Committee established pursuant to resolution 1737 (2006) (Japan), 5 Council members (China, France, Russian Federation, United Kingdom, United States) |   |
| 6334 (closed)<br>8 June 2010 |   |   | 44 Member States                  | All Council members and all invitees   |   |
| 6335<br>9 June 2010          |   | Draft resolution submitted by France, Germany, United Kingdom, United States (S/2010/283) | Germany, Islamic Republic of Iran | 14 Council members, <sup>a</sup> Islamic Republic of Iran  | Resolution 1929 (2010) 12-2-1 <sup>b</sup>        |
| 6344<br>28 June 2010         | Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) |   |                                   | Chairman of the Committee established pursuant to resolution 1737 (2006) (Japan), 5 Council members (China, France, Russian Federation, United Kingdom, United States) |   |
| 6384<br>15 September 2010    | Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) |   |                                   | Chairman of the Committee established pursuant to resolution 1737 (2006) (Japan), 5 Council members (China, France, Russian Federation, United Kingdom, United States) |   |
| 6442<br>10 December 2010     | Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) |   |                                   | Chairman of the Committee established pursuant to resolution 1737 (2006) (Japan), 5 Council members (China, France, Russian Federation, United Kingdom, United States) |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i>   | <i>Rule 37<br/>invitations</i> | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-----------------------------|--|--|--------------------------------|---|---|
| 6502<br>22 March 2011       | Briefing by the<br>Chairman of the<br>Security Council<br>Committee<br>established<br>pursuant to<br>resolution 1737<br>(2006) |  |                                | Chairman of the<br>Committee established<br>pursuant to resolution<br>1737 (2006)<br>(Colombia),<br>14 Council members <sup>c</sup> |   |
| 6552<br>9 June 2011         |  | Draft resolution<br>submitted by<br>France, Germany,<br>United Kingdom,<br>United States<br>(S/2011/348) |                                | 7 Council members<br>(China, France,<br>Germany, Lebanon,<br>Russian Federation,<br>United Kingdom,<br>United States)               | Resolution 1984<br>(2011) 14-0-1 <sup>d</sup>         |
| 6563<br>23 June 2011        | Briefing by the<br>Chairman of the<br>Security Council<br>Committee<br>established<br>pursuant to<br>resolution 1737<br>(2006) |  |                                | Chairman of the<br>Committee established<br>pursuant to resolution<br>1737 (2006)<br>(Colombia), all<br>Council members             |   |
| 6607<br>7 September<br>2011 | Briefing by the<br>Chairman of the<br>Security Council<br>Committee<br>established<br>pursuant to<br>resolution 1737<br>(2006) |  |                                | Chairman of the<br>Committee established<br>pursuant to resolution<br>1737 (2006)<br>(Colombia), all<br>Council members             |   |
| 6697<br>21 December<br>2011 | Briefing by the<br>Chairman of the<br>Security Council<br>Committee<br>established<br>pursuant to<br>resolution 1737<br>(2006) |  |                                | Chairman of the<br>Committee established<br>pursuant to resolution<br>1737 (2006)<br>(Colombia), all<br>Council members             |   |

<sup>a</sup> Austria, Bosnia and Herzegovina, Brazil, China, France, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom and United States.

<sup>b</sup> *For*: Austria, Bosnia and Herzegovina, China, France, Gabon, Japan, Mexico, Nigeria, Russian Federation, Uganda, United Kingdom, United States; *against*: Brazil, Turkey; *abstaining*: Lebanon.

<sup>c</sup> Brazil, China, Colombia, France, Gabon, Germany, India, Lebanon, Nigeria, Portugal, Russian Federation, South Africa, United Kingdom and United States.

<sup>d</sup> *For*: Bosnia and Herzegovina, Brazil, China, Colombia, France, Gabon, Germany, India, Nigeria, Portugal, Russian Federation, South Africa, United Kingdom, United States; *abstaining*: Lebanon.

## C. Non-proliferation/Democratic People's Republic of Korea

### Overview

In 2010 and 2011, the Security Council held two meetings and adopted two resolutions in connection with the item entitled “Non-proliferation/Democratic People's Republic of Korea”. In the resolutions, the Council, acting under Article 41 of Chapter VII of the Charter, extended the mandate of the Panel of Experts on the Democratic People's Republic of Korea,<sup>894</sup>

appointed by the Secretary-General to assist the Committee established pursuant to resolution 1718 (2006), for a period of one year each time.<sup>895</sup>

<sup>895</sup> Resolutions 1928 (2010) and 1985 (2011).

<sup>894</sup> For more information on the sanctions measures, see part VII, sect. III, “Measures not involving the use of armed force in accordance with Article 41 of the Charter”. For information on the mandate of the Committee established pursuant to resolution 1718 (2006) and the mandate of the Panel of Experts on the Democratic People's Republic of Korea, see part IX, sect. I, “Determination of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39 of the Charter”.

### Meetings: non-proliferation/Democratic People's Republic of Korea

| <i>Meeting and date</i> | <i>Other documents</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|---|
| 6333<br>7 June 2010     | Draft resolution submitted by Japan and United States (S/2010/285) | Resolution 1928 (2010)<br>15-0-0                  |
| 6553<br>10 June 2011    | Draft resolution submitted by the United States (S/2011/354)       | Resolution 1985 (2011)<br>15-0-0                  |

## 39. Post-conflict peacebuilding

### Overview

During the period under review, the Security Council held seven meetings in connection with the item entitled “Post-conflict peacebuilding”, adopting one resolution<sup>896</sup> and three presidential statements. The meetings can be grouped into three broad categories: (a) debates on post-conflict peacebuilding; (b) reports

of the Secretary-General on thematic issues concerning post-conflict peacebuilding; and (c) annual report of the Peacebuilding Commission.

#### 16 April 2010 and 21 January 2011: debates on post-conflict peacebuilding

On 16 April 2010, the Council held an open debate in connection with the item entitled “Post-conflict peacebuilding”. In his opening statement, the President (Japan) highlighted three points relating to cooperation between a post-conflict country and the international community in creating sustainable peace: (a) implementation of a framework for assisting post-conflict countries in an integrated manner; (b) the impact of the assistance and involvement of the

<sup>896</sup> Resolution 1947 (2010), by which the Council, inter alia, welcomed the report entitled “Review of the United Nations peacebuilding architecture” (S/2010/393, annex) and requested all relevant United Nations actors to take forward, within their mandates and as appropriate, the recommendations of the report, with the aim of further improving the effectiveness of the Peacebuilding Commission.

international community on the ownership efforts of post-conflict countries; and (c) making the best possible use of available short-term funds, securing medium- and long-term resources and securing and strengthening the necessary expertise to serve the diverse requirements of peacebuilding activities.<sup>897</sup> In his statement, the Secretary-General highlighted the importance of delivering concrete peace dividends for the population, strengthening State institutions in post-conflict countries and taking a comprehensive approach that addresses security, political, economic and social dimensions and engages national, bilateral, regional and international actors.<sup>898</sup> The representative of the World Bank stressed the importance of taking into account the country context, of strengthening partnerships, not only with post-conflict countries, but also among international actors, and of seeking appropriate and mutual accountability.<sup>899</sup> The Chair of the Peacebuilding Commission suggested that the Council should consider ways to maximize the use of the advisory role of the Commission, and stated that the Commission's advice on early peacebuilding activities carried out by peacekeepers could help the Council to clarify and monitor progress in the implementation of the mandates of peacekeeping missions.<sup>900</sup>

The representatives of Afghanistan, Sierra Leone and Timor-Leste provided their perspectives as post-conflict countries, addressing, *inter alia*, the importance of disarmament and reintegration,<sup>901</sup> security sector reform<sup>902</sup> and developing a justice system and the rule of law.<sup>903</sup>

In the debate that followed, speakers recognized that post-conflict peacebuilding required a collective and multidimensional effort, and agreed upon the need to further strengthen cooperation and coordination between the Peacebuilding Commission and other international actors in this area. Speakers also stressed the importance of respecting and supporting national ownership of peacebuilding efforts.

At the conclusion of the meeting, the Council adopted a presidential statement in which it, *inter alia*,

recognized that sustainable peacebuilding required an integrated approach, and reaffirmed the importance of national ownership and the development of national capacity.<sup>904</sup>

On 21 January 2011, with the assistance of a concept paper circulated by Bosnia and Herzegovina on the importance of institution-building as part of a comprehensive approach to post-conflict peacebuilding,<sup>905</sup> the Council held an open debate. In his statement, the Secretary-General recognized the critical role of institutions in sustaining peace and reducing the risk of relapse into violence. He stressed the need to reinforce national ownership and leadership, not only of national Governments and State institutions, but also of local governments and bodies, communities, the private sector, women's groups and civil society. He added that the international community needed to avoid approaching institution-building by seeking one-size-fits-all solutions or approaching it as a technical exercise; rather it should be viewed and pursued within the broader context of a country's political processes, development and social change.<sup>906</sup> The Chair of the Peacebuilding Commission stressed that supporting national ownership and developing capacity for building, transforming and managing viable institutions at the earliest stage should remain at the heart of collective efforts. He suggested that the role of the Commission could further evolve by encouraging the identification of crucial institutions and mechanisms needed to make post-conflict societies more resilient and capable of addressing tensions and challenges through non-violent means.<sup>907</sup> Belgium, speaking on behalf of the chairs of the country-specific configurations of the Commission,<sup>908</sup> requested closer cooperation between the Council and the country configurations.<sup>909</sup>

Speakers agreed that institution-building constituted an important element of post-conflict peacebuilding. The Russian Federation, echoed by Colombia and Portugal, stressed the principle of national responsibility for defining peacebuilding

<sup>897</sup> S/PV.6299, pp. 3-4.

<sup>898</sup> *Ibid.*, p. 4.

<sup>899</sup> *Ibid.*, pp. 14-16.

<sup>900</sup> *Ibid.*, p. 33.

<sup>901</sup> *Ibid.*, pp. 6-7 (Afghanistan).

<sup>902</sup> *Ibid.*, p. 9 (Sierra Leone).

<sup>903</sup> *Ibid.*, pp. 12-13 (Timor-Leste).

<sup>904</sup> S/PRST/2010/7.

<sup>905</sup> S/2011/16, annex.

<sup>906</sup> S/PV.6472, pp. 2-3.

<sup>907</sup> *Ibid.*, p. 7.

<sup>908</sup> Belgium (Central African Republic), Brazil (Guinea-Bissau), Canada (Sierra Leone), Jordan (Liberia) and Switzerland (Burundi).

<sup>909</sup> S/PV.6472, p. 27.



priorities and the approaches to implementation.<sup>910</sup> Other speakers emphasized the importance of securing timely, sustainable and predictable financing to sustain institution-building efforts.<sup>911</sup>

At the conclusion of the meeting, the Council adopted a presidential statement in which it, *inter alia*, stressed the importance of institution-building as a critical component of peacebuilding, emphasized that the United Nations and the international community needed to be more effective and coordinated in assessing needs and planning for effective institution-building, and stressed the Council's willingness to make greater use of the advisory role of the Peacebuilding Commission.<sup>912</sup>

### **13 October 2010 to 31 October 2011: reports of the Secretary-General on thematic issues concerning post-conflict peacebuilding**

On 13 October 2010, the Council held a debate to consider the progress report of the Secretary-General on peacebuilding in the immediate aftermath of conflict<sup>913</sup> and his report on women's participation in peacebuilding.<sup>914</sup> In his statement, the Secretary-General reported that since the publication of his initial report on peacebuilding in the immediate aftermath of conflict,<sup>915</sup> progress had been made in several post-conflict countries and real gains had been made in carrying out the specific recommendations put forward, which were aimed at the delivery of more rapid and effective United Nations peacebuilding efforts. However, four areas still required attention: (a) deploying special representatives with properly trained support teams to crisis situations; (b) securing predictable financing; (c) building greater cooperation and joint approaches as the foundation for more effective partnerships; and (d) enhancing the role of women in peacebuilding.<sup>916</sup> The Chair of the Peacebuilding Commission reported that the body had considered the two reports now before the Council, and several points had emerged from the discussion,

including the importance of strengthening national ownership and capacity, clarifying the roles and responsibilities of different actors in the United Nations system, securing more predictable financing and developing a more gender-responsive peacebuilding agenda.<sup>917</sup>

Speakers welcomed the progress made since the publication of the initial report. In addition, while noting several successes in such countries as Burundi, the Central African Republic and Sierra Leone, speakers emphasized that further efforts were necessary in several areas, including strengthening national capacity and ownership, enhancing the role of the Peacebuilding Commission in coordinating various United Nations efforts and ensuring the further participation of women in all elements of peacebuilding. At the conclusion of the meeting, the Council adopted a presidential statement in which it, *inter alia*, welcomed and encouraged more coordinated, coherent and integrated peacebuilding efforts, and stressed the importance of women's equal participation and full involvement in peacebuilding.<sup>918</sup>

On 12 May 2011, the Council met to consider the independent report of the Senior Advisory Group on civilian capacity in the aftermath of conflict.<sup>919</sup> In his briefing to the Council, the Chair of the Senior Advisory Group for the Review of International Civilian Capacities recommended several ways to strengthen national ownership and capacities, broaden global civilian partnerships, including between conflict-affected and other developing countries, and make expertise and support more appropriate, timely and effective. In relation to expertise and support, he noted that clearly defined roles and responsibilities would help to strengthen responsibility and accountability, and also fill capacity gaps. Finally, he underscored that nimbleness was important, by allowing the representatives of the Secretary-General in the field more flexibility and authority to adapt their mandate implementation plans. For example, missions could be enabled to undertake certain programmatic activities in the initial stage, as in the case of the community violence reduction programme carried out by the United Nations Stabilization Mission in Haiti.<sup>920</sup> The Under-Secretary-General for Field

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<sup>910</sup> *Ibid.*, p. 12 (Russian Federation); p. 13 (Colombia); and p. 21 (Portugal).

<sup>911</sup> *Ibid.*, p. 12 (South Africa); p. 16 (Nigeria); and p. 24 (Bosnia and Herzegovina).

<sup>912</sup> [S/PRST/2011/2](#).

<sup>913</sup> [S/2010/386](#).

<sup>914</sup> [S/2010/466](#).

<sup>915</sup> [S/2009/304](#).

<sup>916</sup> [S/PV.6396](#), pp. 2-4.

<sup>917</sup> *Ibid.*, pp. 4-5.

<sup>918</sup> [S/PRST/2010/20](#).

<sup>919</sup> [S/2011/85](#).

<sup>920</sup> [S/PV.6533](#), pp. 2-4.

Support reiterated the importance of civilian capacity and expertise in all of the missions authorized by the Council and outlined the efforts being made towards a holistic, system-wide approach in the implementation of the recommendations made in the report.<sup>921</sup> The Chair of the Peacebuilding Commission emphasized that the priority-setting exercise for capacity needs in post-conflict countries needed to be owned nationally, with better identification and classification of existing national and local capacities.<sup>922</sup> Council members generally welcomed the findings of the report and agreed upon the importance of several of the issues contained therein, such as national ownership and partnerships, but views differed on other aspects of the report. In connection with the proposal to enhance the nimbleness of field operations, several Council members stressed that further details were needed regarding the proposals that touched upon the question of financing.<sup>923</sup> Other Council members stated that while the development and deployment of civilian capacity were important, effort was needed to clarify roles and responsibilities with regard to who should lead such initiatives.<sup>924</sup>

On 31 October 2011, the Council heard briefings by the Assistant Secretary-General for Peacebuilding Support and the Chair of the Guinea configuration of the Peacebuilding Commission. The Assistant Secretary-General reported that substantial progress had been made in the two years since the first report on peacebuilding in the immediate aftermath of conflict, in such areas as selecting more cohesive leadership teams to lead immediate post-conflict peacebuilding efforts and improving civilian expertise. Efforts were continuing in such areas as clarification of roles and responsibilities within the United Nations system for core peacebuilding functions and in developing partnerships with institutions such as the World Bank. Progress had also been made on the issue of women's participation in peacebuilding, with more systematic recourse to gender expertise in the areas of conflict resolution and mediation. She also identified areas in which accelerated change was needed to further enhance the role of women in post-conflict

peacebuilding.<sup>925</sup> The Chair of the Guinea configuration of the Peacebuilding Commission reported that since the 2010 review of the United Nations peacebuilding architecture, the Commission had adopted an action-oriented road map designed to reinforce its impact in the field. Examples of its initiatives included joint meetings of the country-specific configurations for Guinea, Guinea-Bissau, Liberia and Sierra Leone with the United Nations Office on Drugs and Crime, focusing on organized crime and drugs in Africa. The Commission was also developing a body of experience with regard to United Nations engagement, encompassing a variety of field presences, from resident coordinator-led field presences and integrated peacebuilding offices to peacekeeping operations.<sup>926</sup> Council members generally welcomed the progress made on the peacebuilding agenda since the previous progress report. Several Council members reiterated the importance of national ownership.<sup>927</sup> Other Council members stressed that the Council needed to issue clear mandates for peacekeeping missions, which would allow for the groundwork of the peacebuilding phase to be laid.<sup>928</sup> On the question of women's participation in peacebuilding, some Council members called for further integration of such efforts.<sup>929</sup>

### **23 March 2011: Peacebuilding Commission: progress and challenges**

On 23 March 2011, the Council considered the report of the Peacebuilding Commission on its fourth session.<sup>930</sup> The former Chair of the Peacebuilding Commission (Germany) presented the report to the Council, stating that progress had been made in addressing the recommendations from the 2010 review, in particular in connection with the creation of a new country-specific configuration for Liberia. During the period covered by the report, the Commission had also focused on building and strengthening partnerships, in particular with the international financial institutions, as well as with the other principal organs of the United Nations, such as the Economic and Social Council.

<sup>921</sup> *Ibid.*, p. 6.

<sup>922</sup> *Ibid.*, p. 7.

<sup>923</sup> *Ibid.*, p. 12 (United Kingdom); and p. 14 (Russian Federation).

<sup>924</sup> *Ibid.*, p. 12 (United Kingdom); and p. 19 (Bosnia and Herzegovina).

<sup>925</sup> *S/PV.6643*, pp. 2-4.

<sup>926</sup> *Ibid.*, pp. 4-7.

<sup>927</sup> *Ibid.*, p. 11 (Colombia); p. 12 (Portugal); p. 15 (India); p. 16 (France); p. 19 (United Kingdom); and p. 21 (Nigeria).

<sup>928</sup> *Ibid.*, p. 7 (Bosnia and Herzegovina); p. 12 (Portugal); and p. 17 (France).

<sup>929</sup> *Ibid.*, p. 19 (United Kingdom); and p. 21 (Nigeria).

<sup>930</sup> *S/2011/41*.

While the Commission had been able to link its work to that of peacekeeping, development and political actors in the field, it faced a challenge in ensuring that it received a higher level of political commitment from Member States and the senior leadership of the United Nations.<sup>931</sup> The current Chair of the Peacebuilding Commission stated that the frequency of Council meetings on post-conflict peacebuilding and the scope of the discussion testified to the growing sense of commitment by the Council to take into consideration the challenges facing countries emerging from conflict. He suggested that the Commission could help the Council to deepen that commitment by providing the following advisory functions: (a) an early peacebuilding

perspective; (b) an inclusive and flexible platform to forge partnerships with key actors; and (c) support for the post-conflict countries on its agenda and the monitoring of the progression from stabilization to consolidation of peace.<sup>932</sup> Council members recognized the increasingly important role of the Commission in the post-conflict peacebuilding process and commended its efforts in establishing country configurations for Liberia and Guinea. Council members also identified several challenges facing the Commission, including ways it could coordinate more effectively between the various actors.

<sup>931</sup> S/PV.6503, pp. 2-3.

<sup>932</sup> Ibid., p. 4.

### Meetings: post-conflict peacebuilding

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                                      | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|------------------------|----------------------------|--|--|---|
| 6299<br>16 April 2010   | Letter dated 1 April 2010 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General (S/2010/167) |                        | 29 countries <sup>a</sup>  | Chair of the Peacebuilding Commission, Managing Director of the World Bank, Acting Head of the Delegation of the European Union to the United Nations, Permanent Observer of the African Union to the United Nations | Secretary-General, all Council members, all invitees | S/PRST/2010/7                                     |
| 6396<br>13 October 2010 | Progress report of the Secretary-General on peacebuilding in the immediate aftermath of conflict (S/2010/386)                              |                        | 16 countries <sup>b</sup>  | Chair of the Peacebuilding Commission, Head of the Delegation of the European Union  | Secretary-General, all Council members, all invitees | S/PRST/2010/20                                    |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>    | <i>Sub-item</i>   | <i>Other documents</i>        | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|----------------------------|---|-------------------------------|----------------------------|---|--------------------------------------|---|
|                            | Report of the Secretary-General on women's participation in peacebuilding (S/2010/466)  |                               |                            |   |                                      |   |
| 6414<br>29 October<br>2010 | Progress report of the Secretary-General on peacebuilding in the immediate aftermath of conflict (S/2010/386)   | Draft resolution (S/2010/557) |                            | Director and Deputy Head of the Peacebuilding Support Office  |                                      | Resolution 1947 (2010) 15-0-0                     |
|                            | Report of the Secretary-General on women's participation in peacebuilding (S/2010/466)  |                               |                            |   |                                      |   |
| 6472<br>21 January<br>2011 | Institution-building<br><br>Letter dated 10 January 2011 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General (S/2011/16) |                               | 27 countries <sup>c</sup>  | Secretary-General, Chair of the Peacebuilding Commission, Deputy Head of the Delegation of the European Union, Chargé d'affaires of the Permanent Observer of the African Union | All Council members and all invitees | S/PRST/2011/2                                     |
| 6503<br>23 March<br>2011   | Report of the Peacebuilding Commission on its fourth session (S/2011/41)  |                               |                            | Chair of the Peacebuilding Commission   | All Council members and all invitees |   |

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i>   | <i>Speakers</i>                      | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|------------------------|----------------------------|--|--------------------------------------|---|
| 6533<br>12 May 2011     | Identical letters dated 18 February 2011 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council (S/2011/85) |                        |                            | Chair of the Senior Advisory Group for the Review of International Civilian Capacities, Under-Secretary-General for Field Support, Chair of the Peacebuilding Commission | All Council members and all invitees |   |
| 6643<br>31 October 2011 |  |                        |                            | Assistant Secretary-General for Peacebuilding Support, Chair of the Guinea configuration of the Peacebuilding Commission   | All Council members and all invitees |   |

<sup>a</sup> Afghanistan (Minister for Foreign Affairs), Armenia, Australia, Bangladesh, Botswana, Canada, Costa Rica, Croatia, Egypt, El Salvador, Finland (on behalf of the Nordic countries), Ghana, Guatemala, India, Kenya, Nepal, New Zealand, Pakistan, Papua New Guinea, Peru, Republic of Korea, Rwanda, Sierra Leone (Minister of Defence), Solomon Islands, South Africa, Sri Lanka, Thailand, Timor-Leste (Minister of Justice) and Uruguay.

<sup>b</sup> Australia, Bangladesh, Canada, Chile, Croatia, Czech Republic, Egypt, Finland, Ireland, Morocco, Nepal, Pakistan, Peru, Portugal, South Africa and Thailand.

<sup>c</sup> Afghanistan, Argentina, Armenia, Australia, Bangladesh, Belgium (on behalf of the Chairs of the country-specific configurations of the Peacebuilding Commission), Benin, Botswana, Costa Rica, Croatia, Dominican Republic, Egypt, Japan, Mexico, Morocco, Nepal, New Zealand, Pakistan, Peru, Republic of Korea, Serbia, Slovenia, Timor-Leste (Deputy Prime Minister), Turkey, Uganda, Ukraine and United Republic of Tanzania.

## 40. Threats to international peace and security

### Overview

During the period under review, the Security Council heard two briefings by the Executive Director of the United Nations Office on Drugs and Crime (UNODC) and adopted one presidential statement in connection with the item entitled “Threats to international peace and security”. The Council explored a comprehensive, balanced and coordinated response to counter the threats to international peace and security posed by drug trafficking, organized crime and terrorism.

### 24 February 2010 and 24 June 2011: response to transnational threats

On 24 February 2010, the Secretary-General stressed that the response to transnational threats, including drug trafficking and organized crime, should be global and integrated, both within the United Nations system and among Member States.<sup>933</sup> The Executive Director of UNODC pointed out that the newly released report entitled “Crime and instability: case studies of transnational threats”<sup>934</sup> underlined that

<sup>933</sup> S/PV.6277, p. 2.

<sup>934</sup> UNODC (Vienna, 2010).

vulnerability attracted crime and crime, in turn, deepened vulnerability. To address the question of how a multilateral system created to deal with tensions between nations could fight non-State, transnational criminal groups, he suggested a two-pronged approach: States must strengthen their own capacity but also, national efforts must become part of a multilateral framework. He noted that the legal framework and judicial institutions needed to ensure the rule of law and better intelligence-sharing among Member States were crucial in tackling organized crime.<sup>935</sup> Council members expressed deep concern over the threat of transnational organized crime to international peace and security. They noted that such criminals took advantage of the opportunities presented by globalization and advances in technology.<sup>936</sup> The representatives of Turkey and Lebanon noted that transnational threats undermined peacekeeping, peacemaking and peacebuilding efforts.<sup>937</sup> The representative of China stated that international cooperation must adhere to the principles of respect for sovereignty and equal mutual benefit, and stressed that the Council should focus on drug trafficking and related transnational organized crime faced by countries in conflict or in post-conflict situations so as to help address the problem of armed conflict.<sup>938</sup>

The Council then adopted a presidential statement in which it, *inter alia*, noted with concern the serious threats posed in some cases by drug trafficking

and transnational organized crime to international security in different regions of the world, called upon States to continue to condemn in the strongest terms all terrorist acts, and invited the Secretary-General to consider those threats as a factor in conflict prevention strategies, conflict analysis, and integrated missions assessment and planning. Furthermore, it encouraged States to strengthen international, regional and subregional cooperation to counter drug trafficking, transnational organized crime, terrorism and corruption and to investigate and prosecute, as appropriate, persons and entities responsible for these crimes, consistent with international law.<sup>939</sup>

On 24 June 2011, the Executive Director of UNODC reported that a United Nations system task force on transnational organized crime and drug trafficking had started its work. He underscored four areas of response to the threat: strengthening international collaboration, building regional capacity, reinforcing the criminal justice system and adopting a comprehensive and cross-disciplinary strategy.<sup>940</sup> While some speakers stressed a coordinated approach to address the threat,<sup>941</sup> other speakers called for a comprehensive and balanced drug control strategy, including curbing both supply of and demand for drugs, and providing alternative livelihoods through sustainable economic development.<sup>942</sup>

<sup>935</sup> S/PV.6277, pp. 3-4.

<sup>936</sup> *Ibid.*, p. 6 (Turkey); p. 17 (United States); and p. 19 (Austria).

<sup>937</sup> *Ibid.*, p. 6 (Turkey); and p. 11 (Lebanon).

<sup>938</sup> *Ibid.*, p. 10.

<sup>939</sup> S/PRST/2010/4.

<sup>940</sup> S/PV.6565, pp. 2-3.

<sup>941</sup> *Ibid.*, p. 4 (India); p. 6 (Brazil); p. 8 (United Kingdom); p. 9 (Nigeria); and p. 15 (France).

<sup>942</sup> *Ibid.*, p. 11 (South Africa); p. 13 (China); p. 14 (Lebanon); and p. 17 (Colombia).

### Meetings: threats to international peace and security

| <i>Meeting and date</i>     | <i>Sub-item</i>                             | <i>Other documents</i>  | <i>Rule 39 and other invitations</i> | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|-----------------------------|---|---|--------------------------------------|---|---|
| 6277<br>24 February<br>2010 | Briefing by the Executive Director of UNODC | Letter from the representative of France to the Secretary-General, transmitting a concept paper (S/2010/94) | Executive Director of UNODC          | Secretary-General, all Council members, Executive Director of UNODC | S/PRST/2010/4                                     |
| 6565<br>24 June<br>2011     | Briefing by the Executive Director of UNODC |   | Executive Director of UNODC          | All Council members, Executive Director of UNODC                    |   |

## 41. Maintenance of international peace and security

### Overview

In 2010 and 2011, the Security Council held nine meetings, including one at the level of Heads of State or Government<sup>943</sup> and, in connection with the item entitled “Maintenance of international peace and security”, adopted one resolution and six presidential statements. Sub-items considered during the period included: (a) intercultural dialogue for peace and security; (b) optimizing the use of preventive diplomacy tools: prospects and challenges in Africa; (c) ensuring the Security Council’s effective role in maintaining international peace and security; (d) the interdependence between security and development; (e) impact of the HIV/AIDS epidemic on international peace and security; (f) impact of climate change; (g) conflict prevention; (h) moving forward with security sector reform: prospects and challenges in Africa; and (i) new challenges to international peace and security and conflict prevention.

### 26 May 2010: intercultural dialogue for peace and security

On 26 May 2010, the Council held in a high-level debate on the theme of intercultural dialogue for peace and security in relation to the maintenance of international peace and security. Recalling that the General Assembly had proclaimed 2010 the International Year for the Rapprochement of Cultures, the Secretary-General stated that the challenge for the Council was to follow up on its discussion by incorporating intercultural dialogue into its efforts to maintain international peace and security. All Council members agreed that intercultural dialogue was an important instrument of preventive diplomacy, conflict management and resolution and peacebuilding.<sup>944</sup>

### 16 July 2010: optimizing the use of preventive diplomacy tools: prospects and challenges in Africa

On 16 July 2010, the Council held an open debate on optimizing the use of preventive diplomacy tools: prospects and challenges in Africa. The Deputy Secretary-General said that preventive diplomacy must evolve to deal with increasingly complex threats and

called for, inter alia, more multifaceted, integrated prevention strategies and strengthened partnerships.<sup>945</sup> She was supported by the Director for the World Development Report on Conflict, Security and Development of the World Bank, who offered an economic analysis of the current approaches to conflict management, comparing the costs of civil war to the far lower costs of mediation.<sup>946</sup> Speakers unanimously agreed that in terms of cost effectiveness, preventive diplomacy tools — including conflict prevention, mediation, good offices, fact-finding missions, negotiation, special envoys, informal consultations, peacebuilding and targeted development activities — could be more efficient and useful, as well as less risky than military and peacekeeping activities, in delivering desired peace dividends. Despite universal concurrence, however, many speakers lamented the paradoxical reluctance to provide adequate and predictable resources, and called for greater financial support for conflict prevention initiatives, such as the Mediation and Support Unit of the Department of Political Affairs. Many speakers reiterated support for the role of women in conflict prevention and peacebuilding, calling for increased participation, representation and full involvement of women in preventive diplomacy efforts and related decision-making processes in line with the Council’s resolutions.<sup>947</sup> In connection with the role of the Council, many speakers agreed that although primary responsibility for conflict prevention was with sovereign nation States, the Council should encourage and support the efforts of the Secretary-General, the African Union and subregional organizations, through early warning systems, mediation efforts, the sharing of information and other multilateral mechanisms, to respond effectively to potential and emerging threats.

At the end of the meeting, the Council adopted a presidential statement, in which it recognized the importance of a comprehensive strategy comprising operational and structural measures for the prevention of armed conflict, and encouraged the development of measures to address the root causes of conflicts in order to ensure sustainable peace. The Council recalled the previous statements by its President concerning the various factors and causes that played a role in

<sup>943</sup> 6389th meeting.

<sup>944</sup> See [S/PV.6322](#).

<sup>945</sup> [S/PV.6360](#), pp. 5-7.

<sup>946</sup> *Ibid.*, pp. 7-8.

<sup>947</sup> See resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#).

inciting, worsening or prolonging conflicts in Africa, acknowledged the need for closer and more operational cooperation between the United Nations and regional and subregional organizations in Africa, and reiterated its support for the work of the Peacebuilding Commission.<sup>948</sup>

### **23 September 2010: ensuring the Security Council's effective role in maintaining international peace and security**

On 23 September 2010, at a meeting attended by nine Heads of State or Government as well as six Foreign Ministers,<sup>949</sup> the Council considered how the international security environment was evolving, and what implications those changes posed for the United Nations and the Council itself.

Speakers discussed the continuing conflicts in different regions of the world, as well as newer threats such as transnational organized crime, drug and human trafficking, terrorism, proliferation of weapons of mass destruction and small arms and light weapons, piracy, and sexual violence. In view of the complex nature of the new threats, speakers called on the Council to devise more cohesive, comprehensive and integrated responses, recognizing the interdependence between development, respect for international law, human rights and security. Many speakers called for strengthened strategic partnerships with and support to regional and subregional organizations, as well as greater emphasis on conflict prevention through early warning, diplomacy and mediation.

Many speakers, recalling the Secretary-General's New Horizon initiative aimed at making peacekeeping more robust,<sup>950</sup> argued that peacekeeping and peacebuilding must go hand in hand, with clear, credible and achievable mandates and with backing and expertise provided by the Peacebuilding Commission at the outset. Others reiterated support for the inclusion of women in all aspects of prevention and resolution of

conflicts, greater emphasis on the protection of civilians and reform of Council mechanisms to allow it to respond more swiftly and efficiently.

At the end of the meeting, the Council adopted a presidential statement, in which it acknowledged the evolving challenges and threats to international peace and security, and reaffirmed that a more comprehensive and concerted approach was required. It underlined the necessity to address the root causes of conflicts, taking into account that development, peace and security and human rights were interlinked and mutually reinforcing. The Council also reiterated its commitment to strengthening partnerships with regional and subregional organizations, as well as with all other relevant players, both at the strategic level and on the ground.<sup>951</sup>

### **11 February 2011: interdependence between security and development**

On 11 February 2011, the Council held a high-level debate focusing on the interdependence between security and development, in the context of the Council's role in maintaining international peace and security.<sup>952</sup> Council members heard briefings by the Secretary-General and representatives of the World Bank and the Peacebuilding Commission, who highlighted the need to strengthen national authorities and institutions to provide citizens with security, justice and jobs and avoid repeated cycles of violence and instability. Recognizing the dynamic links between security, development and peace, many speakers added to the briefers' calls for integrated, comprehensive and coordinated approaches to peace and security, including through good governance, social justice, enhanced youth employment, respect for human rights and the rule of law, freedom of expression, democracy, and free and fair elections.

Several speakers cautioned the Council against acting beyond its core competencies, as it had no authority over United Nations development agencies, funds or programmes, and economic and social issues fell within the competence of the General Assembly

<sup>948</sup> [S/PRST/2010/14](#).

<sup>949</sup> 6389th meeting.

<sup>950</sup> In 2009, the New Horizon initiative was jointly launched by the Department of Peacekeeping Operations and the Department of Field Support. For more information, see the report of the Department of Peacekeeping Operations and Department of Field Support, "The New Horizon initiative: progress report No. 1". Available from [www.un.org/en/peacekeeping/documents/newhorizon\\_update01.pdf](http://www.un.org/en/peacekeeping/documents/newhorizon_update01.pdf).

<sup>951</sup> [S/PRST/2010/18](#).

<sup>952</sup> 6479th meeting.



and the Economic and Social Council.<sup>953</sup> The representative of Senegal stated that he believed that the work of the Council, beyond defining an integrated comprehensive response, lay in promoting synergies and close interaction between the Council and other United Nations organs, funds and programmes so that prevention, peacekeeping and peacebuilding activities could lead to lasting peace.<sup>954</sup>

During the course of the debate, the Council adopted a presidential statement, in which it affirmed that national ownership and national responsibility were key to establishing sustainable peace, underlined that integrated action on the ground by security and development actors needed to be coordinated with the national authorities, and encouraged Member States to promote coherence in the work of the United Nations in conflict and post-conflict situations.<sup>955</sup>

#### **7 June 2011: impact of the HIV/AIDS epidemic on international peace and security**

On 7 June 2011, the Council held a high-level debate on the impact of the HIV/AIDS epidemic on international peace and security, and by unanimously adopting resolution [1983 \(2011\)](#) at the outset, reaffirmed its commitment to address the epidemic as a threat to international peace and security. The Council emphasized the important roles of the General Assembly and the Economic and Social Council in addressing HIV and AIDS, and the continuing need for coordinated efforts of all relevant United Nations entities, in line with their mandates, in the global efforts against the epidemic. The Council underlined the need to intensify HIV prevention activities within the United Nations missions, and requested the Secretary-General to ensure the implementation of HIV and AIDS awareness and prevention programmes for United Nations missions. The Secretary-General called on Member States to link efforts to combat HIV and AIDS with campaigns against sexual violence and for the rights of women.<sup>956</sup> The Executive Director of the United Nations Joint Programme on HIV/AIDS briefed the Council on the progress that had been made in the

decade since the adoption of resolution [1308 \(2000\)](#), but stressed that efforts must be scaled up to address the challenge of increased risk of HIV transmission in post-conflict and transition periods.<sup>957</sup>

#### **20 July 2011: impact of climate change**

On 20 July 2011, the Council held a high-level meeting to consider the impact of climate change in relation to the maintenance of international peace and security. In his briefing, the Secretary-General stressed that climate change was real and accelerating in a dangerous manner; it not only exacerbated threats to international peace and security, it was a threat to international peace and security.<sup>958</sup> The Council was also briefed by the Executive Director of the United Nations Environment Programme,<sup>959</sup> and by the President of Nauru, speaking on behalf of the Pacific small island developing States, who underlined that the very survival of many countries was threatened by climate change.<sup>960</sup>

Throughout the debate, representatives expressed opposing views on whether the Council should include climate change in its agenda, or if it should be left to other United Nations bodies traditionally charged with sustainable development matters, most notably the United Nations Framework Convention on Climate Change, the General Assembly and the Economic and Social Council. Several speakers applauded the Council's emerging role as a necessary complement to those bodies, arguing that the Council must keep pace with the emerging threats of the twenty-first century and work towards improved early warning systems, greater collaboration and assistance for local and national capacities. The representative of Germany argued that environmental degradation due to climate change often acted as a driver of conflict, and that it was the duty of the Council to act with foresight and do its best to prevent crises before they became acute.<sup>961</sup> Other speakers were concerned that the Council could be encroaching on the functions and powers of other United Nations bodies, distorting the

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<sup>953</sup> [S/PV.6479 \(Resumption 1\)](#), p. 11 (Cuba); pp. 16-17 (Egypt, on behalf of the Non-Aligned Movement); pp. 37-38 (Bolivarian Republic of Venezuela); pp. 38-39 (Uruguay); and p. 42 (Nicaragua).

<sup>954</sup> *Ibid.*, p. 32.

<sup>955</sup> [S/PRST/2011/4](#).

<sup>956</sup> [S/PV.6547](#), pp. 3-5.

<sup>957</sup> *Ibid.*, pp. 5-6.

<sup>958</sup> [S/PV.6587](#), pp. 2-3.

<sup>959</sup> *Ibid.*, pp. 3-6.

<sup>960</sup> *Ibid.*, pp. 22-24.

<sup>961</sup> *Ibid.*, p. 21.

principles and purposes of the Charter and abusing the authority conferred on the Council.<sup>962</sup>

In a presidential statement adopted during the debate, the Council reaffirmed that the United Nations Framework Convention on Climate Change was the key instrument for addressing climate change. It also noted, nonetheless, that conflict analysis and contextual information on, inter alia, possible security implications of climate change was important when such issues were drivers of conflict, represented a challenge to the implementation of Council mandates or endangered the process of consolidation of peace. In this regard, the Council requested the Secretary-General to ensure that his reporting to the Council contained such contextual information.<sup>963</sup>

### **22 September 2011: conflict prevention**

On 22 September 2011, the Council held a high-level debate on conflict prevention in the maintenance of international peace and security. During the debate, speakers called for enhanced early warning mechanisms, increased investment in conflict prevention, strengthened regional partnerships, more focus on peace mediation and a greater role for women in peacebuilding.<sup>964</sup>

At the conclusion of the meeting, the Council adopted a presidential statement, in which it recalled that the prevention of conflict remained a primary responsibility of States, and that a comprehensive conflict prevention strategy should include, inter alia, early warning and preventive deployment, and should promote poverty eradication, national reconciliation, good governance, democracy, gender equality, the rule of law and respect for and protection of human rights. The Council expressed its determination to enhance the effectiveness of the United Nations in preventing the eruption of armed conflicts, their escalation or spread when they occurred, and their resurgence once they ended. It encouraged the peaceful settlement of disputes through regional arrangements, and expressed its intention to continue to strengthen its partnerships

<sup>962</sup> Ibid., p. 9 (China); p. 13 (Russian Federation); p. 19 (India); p. 26 (Egypt, on behalf of the Non-Aligned Movement); S/PV.6587 (Resumption 1), pp. 19-20 (Islamic Republic of Iran); p. 26 (Plurinational State of Bolivia); and p. 35 (Bolivarian Republic of Venezuela).

<sup>963</sup> S/PRST/2011/15.

<sup>964</sup> See S/PV.6621.

with all other relevant players, both at the strategic level and on the ground.<sup>965</sup>

### **12 October 2011: moving forward with security sector reform: prospects and challenges in Africa**

On 12 October 2011, the Council held a high-level debate on security sector reform in Africa in relation to the maintenance of international peace and security.<sup>966</sup> In his briefing, the Under-Secretary-General for Peacekeeping Operations said that the demand for security sector reform had increased exponentially over the past few years, and that it now formed an integral part of the mandate of many new United Nations missions and operations, several of which were in Africa. Speakers acknowledged the important work done by the United Nations since the Secretary-General's report on security sector reform in 2008,<sup>967</sup> to evolve a rich discourse on security sector reform and to build support structures at Headquarters and in the field. However, many agreed that the Council should take a more long-term, comprehensive approach to security sector reform, making sure to complement the efforts to promote reconciliation, rehabilitation of the economy, promotion of the rule of law and respect for human rights. Speakers also called for enhanced coordination with, and support to, regional and subregional organizations, and also for greater inclusion of women in mediation. Many speakers, recognizing the sovereign right of Member States to provide security for their people, also underlined the importance of national ownership of security sector reform, pointing out that the role of the Council and the international community was to enhance the ability of States to fulfil that responsibility.

At the conclusion of the meeting, the Council adopted a presidential statement, in which it, inter alia, recognized that the bulk of the international community's assistance in the area of security sector reform took place in Africa, and that a number of African countries were becoming important providers of such assistance. The Council welcomed intra-African collaboration, and emphasized the need for enhanced cooperation with regional and subregional organizations. It recognized that security sector reform

<sup>965</sup> S/PRST/2011/18.

<sup>966</sup> See S/PV.6630.

<sup>967</sup> S/2008/39.

was a long-term process, which should be nationally owned and rooted in the particular needs and conditions of the country in question. The Council encouraged reforming States to strive to allocate national resources to security sector reform efforts to ensure the long-term sustainability and viability of such reform.<sup>968</sup>

**23 November 2011: new challenges to international peace and security and conflict prevention**

On 23 November 2011, the Council held a high-level debate on new challenges to international peace and security and conflict prevention. The Secretary-General stated that transnational organized crime, pandemics and climate change were three defining challenges of the times and, although not necessarily new, they had become increasingly transnational and acute and had ever greater implications for human, State, regional and international security.<sup>969</sup> The Council also heard briefings by the Executive Director

of the United Nations Office on Drugs and Crime, the United Nations High Commissioner for Refugees and the Director General of the World Health Organization, who together highlighted the interlinkages of the three challenges. During the ensuing debate, speakers presented divergent views on how the Council should address those challenges. Some speakers agreed with the Secretary-General, expressing the view that no State or regional organization alone could cope with the issues, which were of a global and transnational nature. Others, however, noted that United Nations entities and international organizations other than the Council had core competencies to address such issues, and that burdening the Council with an increasing number of global challenges would distract it from its core mandate.<sup>970</sup> The representatives of Nigeria and Gabon proposed the establishment of an ad hoc working group to identify emerging challenges to international peace and security and to assist the Council in its work.<sup>971</sup>

<sup>968</sup> S/PRST/2011/19.

<sup>969</sup> S/PV.6668, pp. 2-3.

<sup>970</sup> Ibid., p. 10 (Brazil); and pp. 23-24 (India).

<sup>971</sup> Ibid., p. 14 (Nigeria); and p. 20 (Gabon).

**Meetings: maintenance of international peace and security**

| <i>Meeting and date</i> | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i>                                     | <i>Decision and vote (for-against-abstaining)</i> |
|-------------------------|--|------------------------|----------------------------|--------------------------------------|---|---|
| 6322<br>26 May 2010     | Intercultural dialogue for peace and security<br><br>Letter dated 19 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General (S/2010/248) |                        |                            |                                      | Secretary-General, all Council members <sup>a</sup> |   |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>   | <i>Sub-item</i>   | <i>Other documents</i> | <i>Rule 37<br/>invitations</i> | <i>Rule 39 and other<br/>invitations</i>  | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|---------------------------|---|------------------------|--------------------------------|---|---|---|
| 6360<br>16 July 2010      | Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa<br><br>Letter dated 9 July 2010 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General ( <a href="#">S/2010/371</a> )               |                        | 18 Member States <sup>b</sup>  | Special Representative and Director for the World Development Report on Conflict, Security and Development of the World Bank, Acting Head of the Delegation of the European Union to the United Nations       | Deputy Secretary-General, all Council members, all invitees   | <a href="#">S/PRST/2010/14</a>                        |
| 6389<br>23 September 2010 | Ensuring the Security Council's effective role in maintaining international peace and security<br><br>Letter dated 1 September 2010 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General ( <a href="#">S/2010/461</a> ) |                        |                                |   | Secretary-General, all Council members <sup>c</sup>   | <a href="#">S/PRST/2010/18</a>                        |
| 6479<br>11 February 2011  | The interdependence between security and development<br><br>Letter dated 2 February 2011 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General ( <a href="#">S/2011/50</a> )   |                        | 45 Member States <sup>d</sup>  | Chair of the Peacebuilding Commission, Special Representative and Director for the 2011 World Development Report of the World Bank, Acting Head of the Delegation of the European Union, Chargé d'affaires of | Secretary-General, all Council members, <sup>e</sup> 44 invitees under rule 37, <sup>f</sup> all invitees under rule 39 | <a href="#">S/PRST/2011/4</a>                         |

Repertoire of the Practice of the Security Council, 2010-2011

| <i>Meeting and date</i>   | <i>Sub-item</i>  | <i>Other documents</i>  | <i>Rule 37 invitations</i>    | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>   | <i>Decision and vote (for-against-abstaining)</i> |
|---------------------------|--|---|-------------------------------|---|---|---|
|                           |  |   |                               | the Office of the Permanent Observer of the African Union to the United Nations                                     |   |   |
| 6547<br>7 June 2011       | Impact of HIV/AIDS epidemic on international peace and security<br><br>Letter dated 6 June 2011 from the Permanent Representative of Gabon to the United Nations addressed to the Secretary-General (S/2011/340)   | Draft resolution submitted by Bosnia and Herzegovina, France, Gabon, Germany, Nigeria, Portugal, United Kingdom, United States (S/2011/341) |                               | Executive Director of the Joint United Nations Programme on HIV/AIDS  | Secretary-General, all Council members, <sup>8</sup> Executive Director of the Joint United Nations Programme on HIV/AIDS | Resolution 1983 (2011)<br>15-0-0                  |
| 6587<br>20 July 2011      | Impact of climate change<br><br>Letter dated 1 July 2011 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (S/2011/408)  |   | 47 Member States <sup>h</sup> | Executive Director of the United Nations Environment Programme, Acting Head of the Delegation of the European Union | Secretary-General, all Council members, all invitees  | S/PRST/2011/15                                    |
| 6621<br>22 September 2011 | Conflict Prevention<br><br>Report of the Secretary-General on preventive diplomacy (S/2011/552)<br><br>Letter dated 12 September 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General (S/2011/570) |   |                               |   | Secretary-General, all Council members <sup>i</sup>   | S/PRST/2011/18                                    |

**Part I. Consideration of questions under the responsibility of  
the Security Council for the maintenance of  
international peace and security**

| <i>Meeting and date</i>     | <i>Sub-item</i>  | <i>Other documents</i> | <i>Rule 37<br/>invitations</i>   | <i>Rule 39 and other<br/>invitations</i>   | <i>Speakers</i>   | <i>Decision and vote<br/>(for-against-abstaining)</i> |
|-----------------------------|--|------------------------|----------------------------------|--|---|---|
| 6630<br>12 October<br>2011  | Moving forward<br>with security sector<br>reform: prospects<br>and challenges in<br>Africa<br><br>Letter dated<br>7 October 2011<br>from the Permanent<br>Representative of<br>Nigeria to the<br>United Nations<br>addressed to the<br>Secretary-General<br>(S/2011/627) |                        | 11 Member<br>States <sup>i</sup> | Under-<br>Secretary-<br>General for<br>Peacekeeping<br>Operations,<br>Permanent<br>Observer of the<br>African Union,<br>representative<br>of the<br>Delegation of<br>the European<br>Union               | All Council<br>members, <sup>k</sup><br>Under-<br>Secretary<br>General for<br>Peacekeeping<br>Operations,<br>Permanent<br>Observer of<br>the African<br>Union | S/PRST/2011/19  |
| 6668<br>23 November<br>2011 | New challenges to<br>international peace<br>and security and<br>conflict prevention<br><br>Letter dated<br>8 November 2011<br>from the Permanent<br>Representative of<br>Portugal to the<br>United Nations<br>addressed to the<br>Secretary-General<br>(S/2011/698)      |                        |                                  | Executive<br>Director of the<br>United Nations<br>Office on<br>Drugs and<br>Crime, United<br>Nations High<br>Commissioner<br>for Refugees,<br>Director<br>General of the<br>World Health<br>Organization | Secretary-<br>General,<br>all Council<br>members, <sup>l</sup><br>all invitees  |   |

<sup>a</sup> The United Kingdom was represented by the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs.

<sup>b</sup> Algeria, Australia, Benin, Botswana, Burkina Faso, Canada, Egypt (on behalf of the African Group), Gambia, Germany, Ghana, Kenya, Morocco, Pakistan, Republic of Korea, Senegal, Sierra Leone, South Africa (Minister of International Relations and Cooperation) and United Republic of Tanzania.

<sup>c</sup> Nine Council members were represented at the level of Heads of State or Government: Austria (President), Bosnia and Herzegovina (Chairman of the Presidency), China (Premier of the State Council), Gabon (President), Japan (Prime Minister), Lebanon (President), Nigeria (President), Turkey (President) and Uganda (President); and six Council members were represented at the ministerial level: Brazil (Minister for External Relations), France (Minister for Foreign Affairs), Mexico (Minister for Foreign Affairs), Russian Federation (Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs) and United States (Secretary of State).

<sup>d</sup> Argentina, Armenia, Australia, Azerbaijan, Belgium (speaking on behalf of the Chairs of the country-specific configurations of the Peacebuilding Commission), Cuba, Dominican Republic, Egypt (on behalf of the Non-Aligned Movement), El Salvador, Fiji (on behalf of the Pacific small island developing States), Finland (on behalf of the Nordic countries), Georgia, Guatemala, Honduras, Iran (Islamic Republic of), Japan, Kazakhstan, Kenya, Luxembourg, Malaysia, Mexico, Morocco, Nicaragua, Pakistan, Papua New Guinea, Peru, Philippines, Republic of Korea, Senegal, Slovenia (Minister for Foreign Affairs), Solomon Islands, Sri Lanka, Sudan, Switzerland, Thailand (on behalf of the Human Security Network), Turkey, Uganda, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

<sup>e</sup> Seven Council members were represented at the ministerial level: Bosnia and Herzegovina (Minister for Foreign Affairs), Brazil (Minister for External Relations), Colombia (Minister for Foreign Affairs), Gabon (Vice Minister for Foreign Affairs), Germany (Federal Minister for Foreign Affairs and Deputy Chancellor), India (Minister of External Affairs) and Portugal (Minister for Foreign Affairs).

- <sup>f</sup> Although invited under rule 37, the representative of Papua New Guinea did not make a statement. However, the representative of Fiji made a statement on behalf of the Pacific small island developing States, including Palau, Papua New Guinea, the Marshall Islands, Micronesia, Nauru, Samoa, Solomon Islands, Tuvalu, Tonga and Vanuatu.
- <sup>g</sup> Three Council members were represented at the presidential level: Gabon (President of the Gabon), Nigeria (President) and South Africa (Deputy President); and one Council member was represented at the ministerial level: France (Minister for Foreign Affairs).
- <sup>h</sup> Argentina (on behalf of the Group of 77 and China), Australia (Parliamentary Secretary for Pacific Island Affairs of Australia), Bangladesh, Barbados (on behalf of the States members of the Caribbean Community), Belgium, Bolivia (Plurinational State of), Canada, Chile, Costa Rica, Cuba, Denmark, Ecuador, Egypt (on behalf of the Non-Aligned Movement), El Salvador, Fiji, Finland, Ghana, Honduras, Hungary, Iceland, Ireland, Iran (Islamic Republic of), Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Kuwait (on behalf of the Group of Arab States), Luxembourg, Mexico, Nauru (President, on behalf of the Pacific small island developing States), New Zealand, Palau, Papua New Guinea, Pakistan, Peru, Philippines, Poland, Republic of Korea, Singapore, Slovenia, Spain, Sudan, Turkey, United Republic of Tanzania and Venezuela (Bolivarian Republic of).
- <sup>i</sup> Six Council members were represented at the level of Heads of State or Government: Colombia (President), Gabon (President), Lebanon (President of Lebanon and President of the Security Council), Nigeria (President), Portugal (Prime Minister) and South Africa (President). Seven Council members were represented at the ministerial level: Bosnia and Herzegovina (Minister for Foreign Affairs), Brazil (Minister for External Relations), China (Minister for Foreign Affairs), France (Minister of State for Foreign and European Affairs), Germany (Minister for Foreign Affairs), India (Minister for External Affairs) and United Kingdom (Secretary of State for Foreign and Commonwealth Affairs).
- <sup>j</sup> Australia, Canada, Egypt (on behalf of the Non-Aligned Movement), Finland (on behalf of the Nordic countries), Italy, Luxembourg, Morocco, Pakistan, Slovakia, Slovenia and Sudan.
- <sup>k</sup> Two Council members were represented at the ministerial level: Nigeria (Minister for Foreign Affairs) and India (Minister of State for External Affairs).
- <sup>l</sup> Four Council members were represented at the ministerial level: Bosnia and Herzegovina (Minister for Foreign Affairs), Portugal (Minister of State and Foreign Affairs and President of the Security Council), Brazil (Vice-Minister for Political Affairs of the Ministry of External Relations) and Colombia (Deputy Minister for Multilateral Affairs).

## 42. Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

### Overview

During the period under review, the Security Council held three meetings and adopted one presidential statement in connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security. The Council focused on strengthening relations between the United Nations and regional and subregional organizations, particularly the European Union, in the areas of conflict prevention, peacemaking, peacekeeping and peacebuilding.

### 13 January 2010: strengthening relations between the United Nations and regional organizations

On 13 January 2010, the Council held an open debate, taking stock of the current practice of cooperation between the United Nations and regional and subregional organizations and exploring ways to enhance such cooperation. With a view to improving cooperation between the various organizations, the

Secretary-General of the League of Arab States (LAS) called for agreed working methods or a code of conduct to govern relations between the United Nations and regional and subregional organizations and stated that a cooperation and coordination mechanism should be established among the various multilateral bodies.<sup>972</sup> The Deputy Secretary-General of the North Atlantic Treaty Organization (NATO) proposed having a pool of liaison officers from various organizations posted at United Nations Headquarters to enable better cross-coordination. Staff exchanges, particularly of senior staff, either in the field or at Headquarters, would be one of many practical ways to encourage more structured and effective cooperation.<sup>973</sup> The representative of the Association of Southeast Asian Nations (ASEAN) underlined the need to foster a stronger partnership between the United Nations and regional organizations in responding to the challenges arising from both traditional and non-traditional

<sup>972</sup> S/PV.6257, p. 6.

<sup>973</sup> Ibid., pp. 13-14.

security issues.<sup>974</sup> The representative of Austria noted the need to ensure a clear division of labour and distribution of roles and tasks between the United Nations and regional organizations, while the representative of Bosnia and Herzegovina suggested a flexible but systemic approach in which coordination mechanisms ensured the optimal use of time and resources.<sup>975</sup> Noting that such cooperation had yet to reach its full potential, the representative of Mexico said that the regional and subregional organizations had diverse mandates and capacities, and cautioned against a single template for cooperation and coordination. However, more rational and effective use could be made of the comparative advantage of each organization. He called for the development of common principles that would lead to the better use of those relationships.<sup>976</sup>

Following the debate, the Council adopted a presidential statement, in which it expressed its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of early warning, prevention, peacemaking, peacekeeping and peacebuilding. The Council acknowledged the important contribution of regional and subregional organizations to the peaceful settlement of local disputes and preventive diplomacy, as they were well positioned to understand the root causes of many conflicts and other security challenges. The Council also recognized the role that regional and subregional organizations could play in post-conflict peacebuilding, recovery, reconstruction and development processes as well as the need for close cooperation with regional and subregional organizations, as appropriate, for the coherent and effective implementation of its resolutions, including those on thematic issues applicable to a wide range of conflict situations.<sup>977</sup>

#### **4 May 2010 and 8 February 2011: briefings on the role of the European Union in maintaining international peace and security**

On 4 May 2010, the High Representative for Foreign Affairs and Security Policy of the European

Union briefed the Council, stating that a core objective of European Union foreign policy was the development of an effective multilateral system with a strong United Nations at the centre. She informed the Council that work was advancing on the creation of the European External Action Service, which would lead to more integrated policy-making and delivery by bringing together all the instruments of the European Union's global engagement.<sup>978</sup> Council members welcomed the fruitful cooperation with the European Union, commended its broad and multifaceted contributions to peace and security, particularly in the Balkans and in Africa, and expressed their hope that cooperation would grow further.<sup>979</sup> Several speakers emphasized that the Treaty of Lisbon provided tools for further improving the role of the European Union as an international partner.<sup>980</sup>

On 8 February 2011, the High Representative for Foreign Affairs and Security Policy of the European Union briefed the Council on the European Union's efforts to promote peace and security in North Africa, the Middle East, South Sudan, Côte d'Ivoire and Haiti. She stated that security, development, democracy, good governance and respect for human rights were all interlinked, and emphasized the need to address the wider root causes of conflict and develop appropriate tools to address them.<sup>981</sup> Speakers commended the partnership of the European Union with the United Nations and the contribution that it had made in the maintenance of international peace and security.<sup>982</sup>

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<sup>978</sup> [S/PV.6306](#), pp. 2-4.

<sup>979</sup> *Ibid.*, pp. 5-6 (Austria); pp. 6-7 (France); pp. 7-8 (United Kingdom); pp. 8-9 (Turkey); p. 9 (Russian Federation); p. 10 (Japan); pp. 10-11 (China); p. 11 (Brazil); pp. 11-12 (Uganda); p. 13 (Bosnia and Herzegovina); pp. 13-14 (Mexico); p. 14 (Nigeria); and p. 15 (Gabon).

<sup>980</sup> *Ibid.*, pp. 4-6 (Austria); p. 7 (France); p. 7 (United Kingdom); p. 8 (Turkey); p. 11 (China); p. 13 (Bosnia and Herzegovina); and p. 15 (Gabon).

<sup>981</sup> [S/PV.6477](#), pp. 2-4.

<sup>982</sup> *Ibid.*, pp. 4-5 (France); pp. 5-6 (Bosnia and Herzegovina); pp. 6-7 (Portugal); pp. 8-9 (Russian Federation); pp. 9-10 (Germany); p. 10 (China); p. 10 (South Africa); pp. 11-12 (United States); pp. 12-13 (Nigeria); p. 14 (Lebanon); p. 15 (India); p. 16 (Gabon); and p. 18 (Brazil).

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<sup>974</sup> *Ibid.*, p. 8.

<sup>975</sup> *Ibid.*, p. 27 (Austria); and p. 38 (Bosnia and Herzegovina).

<sup>976</sup> *Ibid.*, pp. 24-25.

<sup>977</sup> [S/PRST/2010/1](#).



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**Meetings: cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security**

| <i>Meeting and date</i>                 | <i>Sub-item</i>  | <i>Rule 39 and other invitations</i>  | <i>Speakers</i>  | <i>Decision</i>               |
|---|--|---|--|-------------------------------|
| <a href="#">6257</a><br>13 January 2010 | Letter dated 4 January 2010 from the representative of China to the United Nations addressed to the Secretary-General ( <a href="#">S/2010/9</a> ) | 11 invitees <sup>a</sup>  | Secretary-General, all Council members, all invitees   | <a href="#">S/PRST/2010/1</a> |
| <a href="#">6306</a><br>4 May 2010      | European Union   | High Representative for Foreign Affairs and Security Policy of the European Union | All Council members, High Representative for Foreign Affairs and Security Policy of the European Union |                               |
| <a href="#">6477</a><br>8 February 2011 | European Union   | High Representative for Foreign Affairs and Security Policy of the European Union | Council members, High Representative for Foreign Affairs and Security Policy of the European Union     |                               |

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<sup>a</sup> Secretary-General of the League of Arab States, Commissioner for Peace and Security of the African Union Commission, representative of Viet Nam (on behalf of the Association of Southeast Asian Nations), Secretary-General of the Collective Security Treaty Organization, Acting Head of the Delegation of the European Union to the United Nations, Deputy Secretary-General of the North Atlantic Treaty Organization, Secretary for Political Affairs of the Organization of American States, Secretary-General of the Organization of the Islamic Conference, Head of the External Cooperation Department of the Organization for Security and Cooperation in Europe, Australia (on behalf of the Pacific Islands Forum) and Secretary-General of the Shanghai Cooperation Organization.

## **Part II**

### **Provisional rules of procedure and related procedural developments**

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## Introductory note

Part II covers the practice of the Security Council in relation to its provisional rules of procedure and relevant Articles of the Charter of the United Nations. Since the provisional rules of procedure are routinely applied by the Council at its formal meetings, the focus of part II is on special applications of the rules in the proceedings of the Council, rather than on the standard applications of the rules.

The sections of the present part are in the order of the relevant chapters of the provisional rules of procedure: section I, meetings (Article 28 of the Charter and rules 1 to 5) and records (rules 48 to 57); section II, agenda (rules 6 to 12); section III, representation and credentials (rules 13 to 17); section IV, presidency (rules 18 to 20); section V, Secretariat (rules 21 to 26); section VI, conduct of business (rules 27, 29, 30 and 33); section VII, participation (rules 37 and 39); Section VIII, decision-making and voting (Article 27 of the Charter and rules 31, 32, 34 to 36, 38 and 40); section IX, languages (rules 41 to 47); and section X, provisional status of the rules of procedure (Article 30 of the Charter).

The remaining rules are covered in other parts of the present Supplement, as follows: rule 28, concerning subsidiary organs of the Council, in parts IX and X; and rule 61, concerning relations with other United Nations organs, in part IV.<sup>1</sup>

During the period under review, the Council held 445 meetings, of which 50 were private meetings, and adopted 125 resolutions and 52 statements by the President. In 2010, one meeting, concerning the role of the Council in the maintenance of international peace and security, was held at the level of Heads of State or Government.<sup>2</sup> The Council continued its practice of adopting most of its resolutions unanimously, and 116 of 125 resolutions were adopted in this manner. Two draft resolutions were not adopted owing to the negative vote of a permanent member. Two open debates were held in connection with the working methods of the Council, under the item entitled “Implementation of the note by the President of the Security Council”. The note by the President dated 19 July 2006 was superseded by an updated note,<sup>3</sup> which also incorporated two other notes by the President concerning the working methods of the Council adopted since 2006,<sup>4</sup> and focused on increased interaction with the Peacebuilding Commission and troop-contributing countries.

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<sup>1</sup> There were no instances of the application of rules 58 to 60, concerning the admission of new Members, during the period under review, and therefore the present Supplement contains no material relating to those rules.

<sup>2</sup> 6389th meeting, held on 23 September 2010, under the item entitled “Maintenance of international peace and security”.

<sup>3</sup> The note by the President of the Council adopted on 19 July 2006 ([S/2006/507](#)) was superseded by a note adopted on 26 July 2010 ([S/2010/507](#)). The wording of the item entitled “Implementation of the note by the President of the Security Council ([S/2006/507](#))” was accordingly changed to read “Implementation of the note by the President of the Security Council ([S/2010/507](#))”.

<sup>4</sup> [S/2007/749](#) and [S/2008/847](#).

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## I. Meetings and records

### Note

Section I covers the practice of the Security Council concerning meetings, publicity and records, in relation to Article 28 of the Charter of the United Nations and rules 1 to 5 and 48 to 57 of the provisional rules of procedure of the Council.

### Article 28

1. *The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.*

2. *The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.*

3. *The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.*

### Rule 1

*Meetings of the Security Council shall, with the exception of the periodic meetings referred to in rule 4, be held at the call of the President at any time he deems necessary, but the interval between meetings shall not exceed fourteen days.*

### Rule 2

*The President shall call a meeting of the Security Council at the request of any member of the Security Council.*

### Rule 3

*The President shall call a meeting of the Security Council if a dispute or situation is brought to the attention of the Security Council under Article 35 or under Article 11 (3) of the Charter, or if the General Assembly makes recommendations or refers any question to the Security Council under Article 11 (2), or if the Secretary-General brings to the attention of the Security Council any matter under Article 99.*

### Rule 4

*Periodic meetings of the Security Council called for in Article 28 (2) of the Charter shall be held twice a year, at such times as the Security Council may decide.*

### Rule 5

*Meetings of the Security Council shall normally be held at the seat of the United Nations.*

*Any member of the Security Council or the Secretary-General may propose that the Security Council should meet at another place. Should the Security Council accept any such proposal, it shall decide upon the place and the period during which the Council shall meet at such place.*

### Rule 48

*Unless it decides otherwise, the Security Council shall meet in public. Any recommendation to the General Assembly regarding the appointment of the Secretary-General shall be discussed and decided at a private meeting.*

### Rule 49

*Subject to the provisions of rule 51, the verbatim record of each meeting of the Security Council shall be made available to the representatives on the Security Council and to the representatives of any other States which have participated in the meeting not later than 10 a.m. of the first working day following the meeting.*

### Rule 50

*The representatives of the States which have participated in the meeting shall, within two working days after the time indicated in rule 49, inform the Secretary-General of any corrections they wish to have made in the verbatim record.*

### Rule 51

*The Security Council may decide that for a private meeting the record shall be made in a single copy alone. This record shall be kept by the Secretary-General. The representatives of the States which have participated in the meeting shall, within a period of*

ten days, inform the Secretary-General of any corrections they wish to have made in this record.

*Rule 52*

*Corrections that have been requested shall be considered approved unless the President is of the opinion that they are sufficiently important to be submitted to the representatives on the Security Council. In the latter case, the representatives on the Security Council shall submit within two working days any comments they may wish to make. In the absence of objections in this period of time, the record shall be corrected as requested.*

*Rule 53*

*The verbatim record referred to in rule 49 or the record referred to in rule 51, in which no corrections have been requested in the period of time required by rules 50 and 51, respectively, or which has been corrected in accordance with the provisions of rule 52, shall be considered as approved. It shall be signed by the President and shall become the official record of the Security Council.*

*Rule 54*

*The official record of public meetings of the Security Council, as well as the documents annexed thereto, shall be published in the official languages as soon as possible.*

*Rule 55*

*At the close of each private meeting the Security Council shall issue a communiqué through the Secretary-General.*

*Rule 56*

*The representatives of the Members of the United Nations which have taken part in a private meeting shall at all times have the right to consult the record of that meeting in the office of the Secretary-General. The Security Council may at any time grant access to this*

*record to authorized representatives of other Members of the United Nations.*

*Rule 57*

*The Secretary-General shall, once each year, submit to the Security Council a list of the records and documents which up to that time have been considered confidential. The Security Council shall decide which of these shall be made available to other Members of the United Nations, which shall be made public, and which shall continue to remain confidential.*

Section I comprises four sub-sections, as follows: A, Meetings, concerning the convening of meetings pursuant to rules 1 to 5, and the format of meetings under rule 48; B, Informal consultations of the whole; C, Other informal meetings; and D, Records, which are maintained in accordance with rules 49 to 57.

During the period under review, the Council held a total of 445 meetings,<sup>5</sup> including one summit meeting,<sup>6</sup> and 321 informal consultations of the whole. Members of the Council also continued to hold informal dialogues<sup>7</sup> and Arria-formula meetings, following previous practice. There was an increase in both the number of meetings and the number of informal consultations of the whole over the previous period, 2008-2009. The question of the format of meetings was raised at the two open debates concerning the working methods of the Council (case 1).

Figure I shows the total number of meetings and informal consultations of the whole and the total number of items considered during the five-year period 2007-2011.

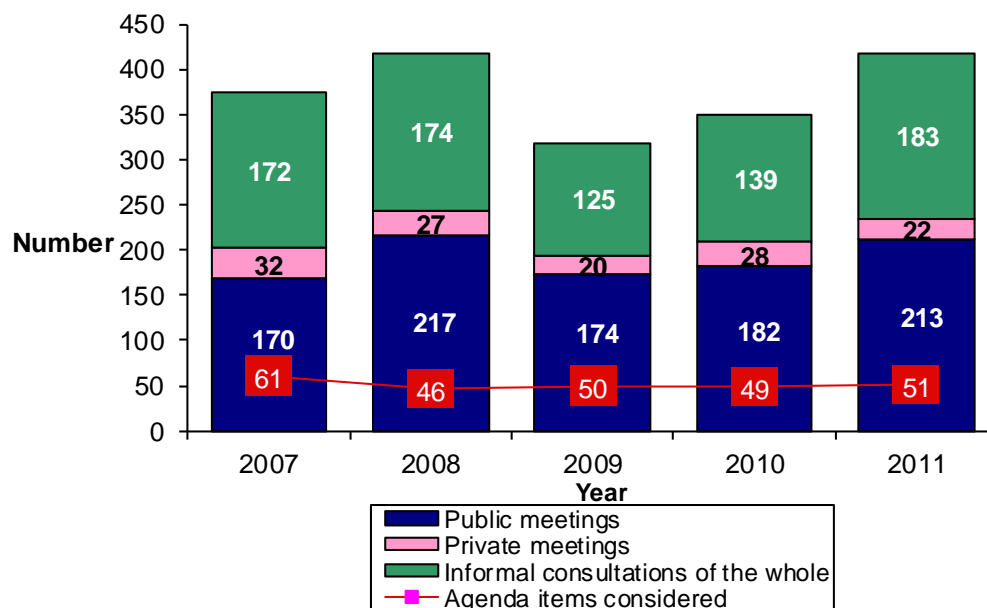
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<sup>5</sup> A resumption of a meeting is not considered to be a separate meeting.

<sup>6</sup> 6389th meeting, held on 23 September 2010, under the item entitled "Maintenance of international peace and security".

<sup>7</sup> See [S/2010/507](#), para. 59. During the period, the terms "informal interactive dialogue" and "informal interactive discussion" were used interchangeably by the Council to refer to this meeting format.

Figure I  
**Number of meetings, informal consultations of the whole and items considered, 2007-2011**



## A. Meetings

### 1. Application of rules relating to meetings

During the period under review, there were no instances of the application of rules 4 and 5, concerning periodic meetings and meetings away from United Nations Headquarters, respectively. There was no discussion concerning the interpretation of rules 1 to 5.

#### Interval between meetings (rule 1)

During the period under review, there was no interval between meetings of the Council exceeding 14 days, as provided for in rule 1. On three occasions the interval between the meetings of the Council was 13 days: between the 6254th meeting on 23 December 2009 and the 6255th meeting on 6 January 2010;

between the 6394th meeting on 29 September 2010 and the 6395th meeting on 13 October 2010; and between the 6464th meeting on 22 December 2010 and the 6465th meeting on 5 January 2011. The Council continued its practice of convening, on occasion, more than one meeting a day.

#### Meetings requested in accordance with rule 2 or rule 3

During the reporting period, there were five communications from Member States, requesting the Council to convene a meeting, which explicitly cited rule 2 or rule 3 as the basis of the request (see table 1).<sup>8</sup>

<sup>8</sup> For information on referral by States of a dispute or situation to the Security Council, see part VI, sect. I.A.



Table 1  
 Letters from Member States citing rule 2 or rule 3 in requesting a meeting, 2010-2011

| <i>Letter addressed to the President of the Council</i>  | <i>Explicit reference to rule</i> | <i>Summary</i>   | <i>Meeting convened on basis of request</i>                                 | <i>Item</i>   |
|--|-----------------------------------|--|---|---|
| Letter dated 31 May 2010 from the representative of Turkey ( <a href="#">S/2010/266</a> )                          | Rule 2                            | In accordance with rule 2, request for an emergency meeting on 31 May 2010, to discuss the military intervention by Israel, in international waters, of a multinational convoy of ships carrying humanitarian assistance to the people of Gaza     | <a href="#">6325</a><br>31 May 2010   | The situation in the Middle East, including the Palestinian question  |
| Letter dated 31 May 2010 from the representative of Lebanon ( <a href="#">S/2010/267</a> )                         | Rule 2                            | In accordance with rule 2, request for an immediate meeting on 31 May 2010, to discuss the military attacks by Israel against the multinational convoy of ships carrying humanitarian supplies to Gaza   |   |   |
| Letter dated 18 December 2010 from the representative of the Russian Federation ( <a href="#">S/2010/646</a> )     | Rule 2                            | In accordance with rule 2, request for an emergency meeting on 18 December 2010 to consider the escalating tensions in the Korean peninsula  | <a href="#">6456</a> (closed)<br>19 December 2010                           | Letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ( <a href="#">S/2010/646</a> ) |
| Letter dated 21 February 2011 from the representative of the Libyan Arab Jamahiriya ( <a href="#">S/2011/102</a> ) | Rule 3                            | In accordance with rule 3, request for an urgent meeting to discuss the grave situation in Libya and to take the appropriate actions   | <a href="#">6486</a> (closed)<br>22 February 2011                           | Peace and security in Africa  |
| Letter dated 14 September 2011 from the representative of the Russian Federation ( <a href="#">S/2011/575</a> )    | Rule 2                            | In accordance with rule 2, request for an emergency public meeting, with the participation of a representative of the Government of Serbia, on 15 September 2011, to consider the situation in Kosovo in view of a possible escalation of tensions | <a href="#">6616</a> and <a href="#">6617</a> (closed)<br>15 September 2011 | Security Council resolutions <a href="#">1160</a> (1998), <a href="#">1199</a> (1998), <a href="#">1203</a> (1998), <a href="#">1239</a> (1999) and <a href="#">1244</a> (1999)                   |

## 2. Format of meetings

### Public meetings

During the period under review, the Council continued to convene public, or open, meetings as provided for in rule 48, mainly for the purposes of (a) receiving briefings on country-specific or regional situations, or on thematic issues; (b) holding debates on matters of which it was seized; and (c) adopting decisions. There were a total of 395 public meetings during the period: 182 in 2010, and 213 in 2011 (see figure I).

By the note by the President dated 26 July 2010, the Council, in order to increase the transparency of its work, reaffirmed its commitment to increase recourse

to open meetings, particularly at an early stage in its consideration of a matter.<sup>9</sup>

During the period, the Council held nine high-level meetings (see table 2).<sup>10</sup> One of those meetings was held at the level of Heads of State and Government on 23 September 2010, under the item entitled “Maintenance of international peace and security”.<sup>11</sup>

<sup>9</sup> S/2010/507, para. 28.

<sup>10</sup> For this study, any meeting at which five or more Council members were represented at the ministerial or higher level is considered a high-level meeting.

<sup>11</sup> 6389th meeting.

Table 2  
High-level meetings, 2010-2011

| <i>Meeting and date</i>   | <i>Item</i>  | <i>Heads of State or Government</i>   | <i>Ministers</i>   |
|---------------------------|--|---|--|
| 6389<br>23 September 2010 | Maintenance of international peace and security                      | <b>Council members (7)</b><br>Austria (Federal President), Bosnia and Herzegovina (Chairman of the Presidency), China (Premier of the State Council), Gabon (President), Japan (Prime Minister), Lebanon (President), Nigeria (President), Turkey (President), Uganda (President) | <b>Council members (6)</b><br>Brazil (Minister for External Relations), France (Minister for Foreign Affairs), Mexico (Minister for Foreign Affairs), Russian Federation (Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State)  |
| 6390<br>27 September 2010 | Threats to international peace and security caused by terrorist acts |   | <b>Council members (8)</b><br>Austria (Minister for Foreign Affairs), Brazil (Minister for External Relations), Gabon (Minister for Foreign Affairs), Nigeria (Minister for Foreign Affairs), Turkey (Minister for Foreign Affairs), Uganda (Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State) |

| <i>Meeting and date</i>  | <i>Item</i>                   | <i>Heads of State or Government</i>   | <i>Ministers</i>  |
|--------------------------|-------------------------------|---|---|
| 6411<br>26 October 2010  | Women and peace and security  |   | <p><b>Council members (5)</b><br/>Austria (Minister for Foreign Affairs), Japan (Parliamentary Vice-Minister for Foreign Affairs), Uganda (First Deputy Prime Minister and Minister for East African Community Affairs), United States (Secretary of State)</p> <p><b>Non-members (11)</b><br/>Canada (Minister of International Cooperation), Finland (Minister of the Interior), Gambia (Minister of Tourism and Culture), Ireland (Minister of State for Equality, Human Rights and Integration), Italy (Minister of Equal Opportunities), Liberia (Minister of Gender and Development), Norway (Minister of Defence), South Africa (Deputy Minister for Social Development), Sweden (State Secretary for Foreign Affairs)</p> |
| 6450<br>15 December 2010 | The situation concerning Iraq | <p><b>Council members (2)</b><br/>Uganda (Vice-President), United States (Vice-President)</p> | <p><b>Council members (7)</b><br/>Austria (Vice-Minister for Foreign Affairs), Bosnia and Herzegovina (Minister for Foreign Affairs), Brazil (Deputy Minister for Political Affairs), Gabon (Minister for Foreign Affairs), Japan (Parliamentary Vice-Minister for Foreign Affairs), Turkey (Minister for Foreign Affairs), United Kingdom (Parliamentary Under-Secretary of State)</p> <p><b>Non-members (1)</b><br/>Iraq (Minister for Foreign Affairs)</p>   |

| <i>Meeting and date</i>  | <i>Item</i>                                     | <i>Heads of State or Government</i> | <i>Ministers</i>   |
|--------------------------|---|-------------------------------------|--|
| 6479<br>11 February 2011 | Maintenance of international peace and security |                                     | <p><b>Council members (7)</b><br/>Bosnia and Herzegovina (Minister for Foreign Affairs), Brazil (Minister for External Relations), Colombia (Minister for Foreign Affairs), Gabon (Deputy Minister for Foreign Affairs), Germany (Vice-Chancellor and Minister for Foreign Affairs), India (Minister for External Affairs), Portugal (Minister for Foreign Affairs)</p> <p><b>Non-members (2)</b><br/>Costa Rica (Minister for Foreign Affairs), Slovenia (Minister for Foreign Affairs)</p> |
| 6581<br>12 July 2011     | Children and armed conflict                     |                                     | <p><b>Council members (6)</b><br/>Bosnia and Herzegovina (Minister for Foreign Affairs), Colombia (Minister for Foreign Affairs), Germany (Vice-Chancellor and Minister for Foreign Affairs), Portugal (Secretary of State for Foreign Affairs and Cooperation), South Africa (Minister of Justice)</p>  |
| 6582<br>13 July 2011     | Admission of new Members                        |                                     | <p><b>Council members (7)</b><br/>Bosnia and Herzegovina (Minister for Foreign Affairs), Brazil (Minister for External Relations), Germany (Vice-Chancellor and Minister for Foreign Affairs), Portugal (Secretary of State for Foreign Affairs and Cooperation), Russian Federation (Deputy Minister for Foreign Affairs), South Africa (Minister of Justice), United Kingdom (Parliamentary Under-Secretary of State)</p>  |

| <i>Meeting and date</i>   | <i>Item</i>                                     | <i>Heads of State or Government</i>  | <i>Ministers</i>   |
|---------------------------|---|--|--|
| 6583<br>13 July 2011      | Report of the Secretary-General on the Sudan    | <b>Non-Member States (1)</b><br>South Sudan (Vice-President) <sup>a</sup>  | <b>Council members (6)</b><br>Germany (Vice-Chancellor and Minister for Foreign Affairs), Brazil (Minister for External Relations), Portugal (Secretary of State for Foreign Affairs), Russian Federation (Deputy Minister for Foreign Affairs), South Africa (Minister of Justice), United Kingdom (Parliamentary Under-Secretary of State)   |
| 6621<br>22 September 2011 | Maintenance of international peace and security | <b>Council members (5)</b><br>Colombia (President), Gabon (President), Lebanon (President), Nigeria (President), Portugal (Prime Minister), South Africa (President) | <b>Council members (8)</b><br>Bosnia and Herzegovina (Minister for Foreign Affairs), Brazil (Minister for External Relations), China (Minister for Foreign Affairs), France (Minister for Foreign Affairs), Germany (Vice-Chancellor and Minister for Foreign Affairs), India (Minister for External Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Member of President Obama's Cabinet) |

<sup>a</sup> The Vice-President of South Sudan was invited under rule 39. The Republic of South Sudan became a Member of the United Nations on 14 July 2011.

### Private/closed meetings

By the note by the President dated 26 July 2010, the Council decided that the functions of private meetings were to conduct discussion and/or take actions, for example, a recommendation regarding the appointment of the Secretary-General, without the attendance of the public or the press.<sup>12</sup>

During the period under review, the Council continued to meet in private, in accordance with

<sup>12</sup> S/2010/507, para. 36 (b).

rule 48 (see figure II and table 3). There were a total of 50 private meetings, of which 33 were meetings with troop-contributing countries,<sup>13</sup> while 13 concerned country-specific situations. One private meeting was held to consider the recommendation of the Council to the General Assembly regarding the appointment of the Secretary-General.

<sup>13</sup> By resolution 1353 (2001), the Council decided upon three possible formats for consultations with troop-contributing countries. The Council to date has chosen to hold such consultations as private meetings.

Figure II  
Private meetings, by subject, 2010-2011

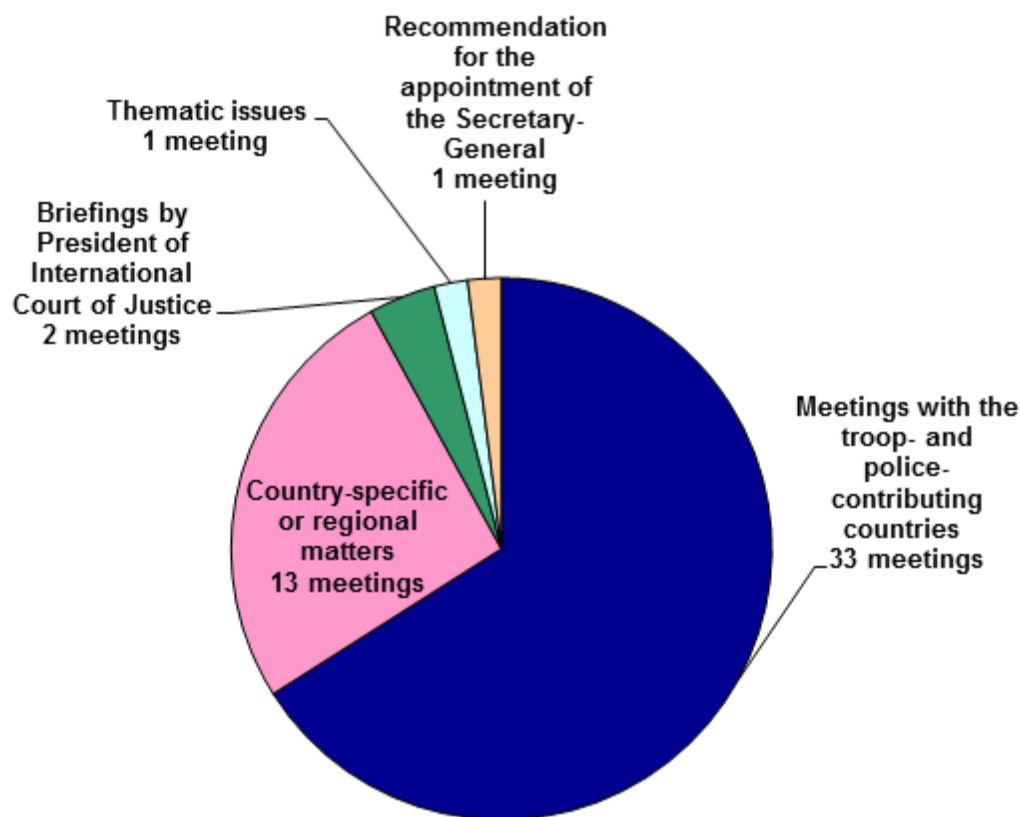


Table 3  
Private meetings, 2010-2011

| Item  | Meeting and date   |
|---|--|
| <b>Meetings with troop- and police-contributing countries (33 meetings)</b>   |  |
| Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B <sup>a</sup> | 6258, 14 January 2010; 6275, 22 February 2010; 6282, 10 March 2010; 6294, 7 April 2010; 6295 and 6296, 9 April 2010; 6307, 5 May 2010; 6328, 3 June 2010; 6331 and 6332, 4 June 2010; 6343, 21 June 2010; 6361, 19 July 2010; 6373, 18 August 2010; 6376, 3 September 2010; 6380, 9 September 2010; 6420, 11 November 2010; 6433, 3 December 2010; 6435, 6 December 2010; 6436, 7 December 2010; 6443, 10 December 2010; 6475, 3 February 2011; 6514, 14 April 2011; 6516, 18 April 2011; 6543, 3 June 2011; 6550, 8 June 2011; 6558, 17 June 2011; 6578, 11 July 2011; 6585, 18 July 2011; 6600, 16 August 2011; 6608, 7 September 2011; 6615, 14 September 2011; 6676, 7 December 2011; 6680, 13 December 2011 |

| <i>Item</i>  | <i>Meeting and date</i>  |
|--|--|
| <b>Country-specific or regional matters (13 meetings)</b>  |  |
| Letter dated 18 December 2010 from the Russian Federation to the President of the Security Council ( <a href="#">S/2010/646</a> )  | <a href="#">6456</a> , 19 December 2010  |
| Letter dated 6 February 2011 from Cambodia to the President of the Security Council ( <a href="#">S/2011/58</a> )  | <a href="#">6480</a> , 14 February 2011  |
| The situation in Libya <sup>b</sup>  | <a href="#">6486</a> , 22 February 2011  |
| Reports of the Secretary-General on the Sudan  | <a href="#">6337</a> , 11 June 2010; <a href="#">6441</a> , 9 December 2010; <a href="#">6499</a> , 21 March 2011; <a href="#">6549</a> , 8 June 2011; <a href="#">6689</a> , 15 December 2011 |
| Security Council resolutions <a href="#">1160 (1998)</a> , <a href="#">1199 (1998)</a> , <a href="#">1203 (1998)</a> , <a href="#">1239 (1999)</a> and <a href="#">1244 (1999)</a> | <a href="#">6617</a> , 15 September 2011   |
| The situation concerning Iraq  | <a href="#">6357</a> , 12 July 2010; <a href="#">6419</a> , 10 November 2010   |
| The situation in Somalia   | <a href="#">6408</a> , 21 October 2010   |
| The situation in the Great Lakes region  | <a href="#">6588</a> , 21 July 2011  |
| <b>Briefing by the President of the International Court of Justice (two meetings)</b>  |  |
| Briefing by the President of the International Court of Justice  | <a href="#">6412</a> , 27 October 2010; <a href="#">6637</a> , 25 October 2011   |
| <b>Thematic issues (one meeting)</b>   |  |
| Non-proliferation  | <a href="#">6334</a> , 8 June 2010   |
| <b>Recommendation for the appointment of the Secretary-General (one meeting)</b>   |  |
| Recommendation for the appointment of the Secretary-General of the United Nations  | <a href="#">6556</a> , 17 June 2011  |

<sup>a</sup> As from the 6275th meeting, held on 22 February 2010, the wording of the item “Meeting of the Security Council with the troop-contributing countries pursuant to resolution [1353 \(2001\)](#), annex II, sections A and B” was revised to read “Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution [1353 \(2001\)](#), annex II, sections A and B”.

<sup>b</sup> Pursuant to the note by the President of the Security Council dated 16 March 2011 ([S/2011/141](#)), as from that date, the consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya under the item entitled “Peace and security in Africa” at its 6486th, 6490th and 6491st meetings was subsumed under the item entitled “The situation in Libya”.

## **B. Informal consultations of the whole**

Informal consultations of the whole are not meetings of the Council but gatherings of its members for the purpose of holding discussions, or to receive

briefings from the Secretariat and representatives of the Secretary-General in private.

During the period under review, members of the Council continued to convene informal consultations of the whole, meeting 139 times in 2010 and 182 times in 2011. Pursuant to the previous practice, no official

records of informal consultations were made, and non-members were not invited.

## C. Other informal meetings

### Informal dialogues and Arria-formula meetings

By the note by the President dated 26 July 2010, the Council stated that its members intended to utilize Arria-formula meetings as a flexible and informal forum for enhancing their deliberations, and would invite any Member State, relevant organization or individual to participate.<sup>14</sup> Both informal dialogues and Arria-formula meetings are convened at the initiative of a member, or members, of the Council, but they are not considered to be meetings of the Council and no official records are made. In practice, informal dialogues have been convened in which all Council members participated, while Arria-formula meetings have been convened in which either all, or several, Council members participated.<sup>15</sup>

During the period under review, the Council continued to utilize informal dialogues and Arria-formula meetings.<sup>16</sup> Informal dialogues and Arria-formula meetings were discussed during the two debates on the working methods of the Council,<sup>17</sup> which are described in a case study below (case 1).

### Other meetings

During the period under review, the Council held several informal meetings of an ad hoc nature. Following the practice established in 2007, annual meetings were held with the Peace and Security

Council of the African Union.<sup>18</sup> In preparation for a meeting under the item entitled “Threats to international peace and security caused by terrorist acts”, an informal meeting was held in Ankara on 17 June 2010, at which members of the Security Council were present, with a view to taking stock of the response of the international community to terrorism and discussing the way forward.<sup>19</sup>

### Case 1

#### Implementation of the note by the President of the Security Council

At the 6300th meeting, held on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>20</sup> various aspects of Council meetings were discussed.

Several speakers explicitly cited rule 48.<sup>21</sup> Other speakers more generally called upon the Council to hold more open meetings, rather than closed meetings or informal consultations of the whole, in order to increase interaction with Member States, and thus improve the transparency and legitimacy of its work.<sup>22</sup> The representative of Jordan, in the context of strengthening cooperation between the Council and troop-contributing countries, said that the commitment of the wider membership to United Nations peacekeeping could be further strengthened by holding open, public meetings of the Council, and in that regard encouraged the Council to continue, deepen and

<sup>14</sup> S/2010/507, para. 65.

<sup>15</sup> For more information on the convening of Arria-formula meetings, see the statement by the Chair of the Informal Working Group on Documentation and Other Procedural Questions at the 5601st meeting, on 20 December 2006 (S/PV.5601, p. 13).

<sup>16</sup> While there are no official records of informal dialogues and Arria-formula meetings, *The Security Council Working Methods Handbook*, published by the Department of Public Information in 2011, lists informal dialogues convened in the past. A list of informal dialogues known to have taken place during the period under review is provided in table 4, but the inclusion of the list does not constitute any endorsement or acknowledgement by the Council.

<sup>17</sup> 6300th meeting, held on 22 April 2010, and 6672nd meeting, held on 30 November 2011.

<sup>18</sup> The meetings were held on 9 July 2010 (New York) and on 21 May 2011 (Addis Ababa).

<sup>19</sup> See S/2010/462, p. 3.

<sup>20</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council (S/2006/507)”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council (S/2010/507)”.

<sup>21</sup> S/PV.6300, p. 9 (Lebanon); p. 14 (Bosnia and Herzegovina); p. 15 (Brazil); and p. 33 (Portugal); S/PV.6300 (Resumption 1), p. 27 (Pakistan).

<sup>22</sup> S/PV.6300, p. 5 (Mexico); p. 6 (China); p. 17 (Gabon); p. 20 (Liechtenstein); p. 28 (Sierra Leone); and p. 31 (Jordan); S/PV.6300 (Resumption 1), p. 3 (Canada); p. 4 (New Zealand); p. 6 (Australia); p. 9 (Cuba); p. 10 (India); p. 19 (Kenya); p. 23 (Malaysia); p. 26 (Qatar, Pakistan); and p. 28 (Republic of Korea).



expand the practice of holding thematic debates and open meetings related to peacekeeping.<sup>23</sup>

The question of designating meetings as either open/public or closed/private, or deciding to meet in informal consultations of the whole, was raised by several speakers.<sup>24</sup> The representative of Mexico said that it was important to question the relevance of holding informal consultations to hear statements and briefings that could be given in open meetings, although informal consultations provided additional information for the internal work of the Council.<sup>25</sup> The representative of Qatar said that on a number of occasions the Council had held closed meetings to consider items that did not require confidentiality, such as the periodic meetings with the President of the International Court of Justice.<sup>26</sup> The representative of Canada said that, when there was a need to hold informal consultations, the members of the Council should provide systematic briefings to other interested Member States.<sup>27</sup>

The use of informal dialogues by the Council was broadly welcomed. Several speakers called for increasing their frequency.<sup>28</sup> The representative of the United Kingdom said that informal dialogues had widened the scope for interaction with non-members, and had enabled the Council to discuss sensitive issues in a flexible format.<sup>29</sup> The representative of New Zealand said that informal dialogues should become a standard Council tool for sustained interaction with non-members whose cooperation was sought by the Council, and would provide opportunities for prevention of conflict and better use of the role of the Council as set out in Chapter VI of the Charter. While recognizing that such issues did often require private discussion, he emphasized that the Council should also

remember the need to maintain a balance of transparency.<sup>30</sup>

Speakers generally recognized the utility of Arria-formula meetings for the Council to interact with non-State actors, and several encouraged their more frequent use.<sup>31</sup> The representative of Slovakia said that more regular use of Arria-formula meetings, together with better use of private meetings, would help to achieve further progress in enhancing interaction between the Council and other Member States.<sup>32</sup> The representative of Mexico said that the increased number of Arria-formula meetings successfully demonstrated the new flexibility of the Council in executing its responsibilities.<sup>33</sup>

Several speakers called for open meetings to be conducted in a more efficient or open manner. The representative of Lebanon said that, if open meetings were to proceed in a more effective manner, it would be useful if statements were shorter and “repetitive formalities less frequent”.<sup>34</sup> The representative of the Republic of Korea said that the substantive nature of open meetings could be further improved, as they were frequently adjourned following the introductory adoption of the agenda and the core discussions proceeded largely in closed consultations.<sup>35</sup>

At the 6672nd meeting, held on 30 November 2011 under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, speakers similarly raised the question of open meetings, broadly welcoming the recent increase in their numbers.<sup>36</sup> Other speakers called upon the Council to expand other formats such as informal

<sup>23</sup> S/PV.6300, p. 31.

<sup>24</sup> Ibid., p. 3 (Turkey); p. 5 (Mexico); and p. 29 (Slovakia); S/PV.6300 (Resumption 1), p. 4 (New Zealand); and p. 18 (Colombia).

<sup>25</sup> S/PV.6300, p. 5.

<sup>26</sup> S/PV.6300 (Resumption 1), p. 26.

<sup>27</sup> Ibid., p. 3.

<sup>28</sup> S/PV.6300, p. 3 (Turkey); p. 6 (China); p. 7 (Austria); p. 8 (United Kingdom); p. 9 (Lebanon); p. 11 (Nigeria); p. 14 (Bosnia and Herzegovina); p. 18 (Japan); p. 21 (Liechtenstein); p. 23 (Luxembourg); p. 25 (Finland); p. 30 (Italy); and p. 35 (Slovenia); S/PV.6300 (Resumption 1), p. 4 (New Zealand); p. 11 (Uruguay); p. 17 (Germany); and p. 23 (Malaysia).

<sup>29</sup> S/PV.6300, p. 9.

<sup>30</sup> S/PV.6300 (Resumption 1), p. 5.

<sup>31</sup> S/PV.6300, p. 3 (Turkey); p. 6 (Mexico); p. 9 (Lebanon); p. 23 (Luxembourg); p. 29 (Slovakia); p. 30 (Italy); p. 33 (Portugal); and p. 35 (Slovenia); S/PV.6300 (Resumption 1), p. 21 (Czech Republic); and p. 26 (Qatar).

<sup>32</sup> S/PV.6300, p. 29.

<sup>33</sup> Ibid., p. 6.

<sup>34</sup> Ibid., p. 9.

<sup>35</sup> S/PV.6300 (Resumption 1), p. 28.

<sup>36</sup> S/PV.6672, p. 3 (Bosnia and Herzegovina); p. 4 (France); p. 10 (Lebanon); p. 11 (South Africa); p. 14 (United Kingdom); p. 16 (Brazil); and p. 18 (Guatemala); S/PV.6672 (Resumption 1), p. 2 (Mexico); p. 3 (Slovenia); p. 8 (Morocco); p. 17 (New Zealand); and p. 19 (Portugal).

dialogues and Arria-formula meetings.<sup>37</sup> The representative of Costa Rica said that the Council had made significant progress in enhancing its transparency since the adoption of the note by the President, but noted that the improvements had not been duly formalized and thus risked reversal. For example, while the number of open meetings had increased, they

were often preceded by informal closed meetings.<sup>38</sup> Some speakers also reiterated their call for increased transparency through limiting the number of closed meetings and consultations.<sup>39</sup> Several speakers, however, emphasized that the Council had a legitimate need to meet in private as required.<sup>40</sup>

<sup>37</sup> S/PV.6672, p. 3 (Bosnia and Herzegovina); p. 10 (Germany); p. 14 (United Kingdom); p. 17 (United States); p. 20 (Switzerland); and p. 24 (Egypt); S/PV.6672 (Resumption 1), p. 3 (Slovenia); p. 5 (Australia); p. 6 (Costa Rica, Luxembourg); p. 7 (Finland); p. 10 (Spain); p. 16 (Belgium); and p. 19 (Portugal).

<sup>38</sup> S/PV.6672 (Resumption 1), pp. 5-6.

<sup>39</sup> S/PV.6672, p. 10 (Lebanon); p. 13 (India); and p. 16 (Brazil); S/PV.6672 (Resumption 1), p. 19 (Portugal).

<sup>40</sup> S/PV.6672, p. 4 (Russian Federation); and p. 15 (United Kingdom).

Table 4  
Informal dialogues, 2010-2011

| <i>Date</i>      | <i>Subject</i>   | <i>Participants, including non-members of the Council</i>  |
|------------------|--|--|
| 22 March 2010    | United Nations Mission in the Central African Republic and Chad (MINURCAT)   | Under-Secretary-General for Peacekeeping Operations, Central African Republic, Chad  |
| 5 May 2010       | MINURCAT   | Special Representative of the Secretary-General for the Central African Republic and Head of MINURCAT, Central African Republic, Chad  |
| 20 May 2010      | MINURCAT   | Chad   |
| 14 June 2010     | Republic of Korea/Democratic People's Republic of Korea ("Cheonan incident") | Democratic People's Republic of Korea, Republic of Korea   |
| 9 August 2010    | Central African Republic   | Chair of the Central African Republic configuration of the Peacebuilding Commission, Central African Republic  |
| 21 October 2010  | MINURCAT   | Chad   |
| 10 December 2010 | Liberia  | Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia, Chair of the Liberia configuration of the Peacebuilding Commission, Liberia |
| 2 February 2011  | Burundi  | Representative of the Secretary-General for Burundi and Head of the United Nations Office in Burundi, Chair of the Burundi configuration of the Peacebuilding Commission, Burundi          |
| 18 March 2011    | Kenya  | Commissioner for Social Affairs of the African Union, Kenya  |

| <i>Date</i>  | <i>Subject</i> | <i>Participants, including non-members of the Council</i>   |
|--------------|----------------|---|
| 15 June 2011 | Libya          | Mauritania, Uganda  |
| 22 June 2011 | Darfur         | Joint African Union-United Nations Chief Mediator for Darfur, Qatar   |
| 19 July 2011 | Eritrea        | Intergovernmental Authority on Development Facilitator for Somalia, Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Uganda |

*Source: The Security Council Working Methods Handbook* (United Nations publication, Sales No. 11.VII.1).

## D. Records

During the period under review, verbatim records were issued following each public meeting of the Council, in accordance with rule 49, and communiqués were issued following private meetings, in accordance

with rule 55. On no occasion were questions raised at Council meetings regarding the application of rules 49 to 57 in connection with the preparation, access and issuance of verbatim records, communiqués or other documents.

## II. Agenda

### Note

Section II deals with the practice of the Security Council concerning the agenda, in relation to rules 6 to 12 of the provisional rules of procedure.

Rule 6 of the provisional rules of procedure relates to the circulation of communications by the Secretary-General concerning any matter for the consideration of the Council. Rules 7, 8 and 12 cover the preparation and communication of the provisional agenda. Rule 9 covers the adoption of the agenda. Rules 10 and 11 cover matters of which the Council is seized.

#### *Rule 6*

*The Secretary-General shall immediately bring to the attention of all representatives on the Security Council all communications from States, organs of the United Nations, or the Secretary-General concerning any matter for the consideration of the Security Council in accordance with the provisions of the Charter.*

#### *Rule 7*

*The provisional agenda for each meeting of the Security Council shall be drawn up by the Secretary-General and approved by the President of the Security Council.*

*Only items which have been brought to the attention of the representatives on the Security Council in accordance with rule 6, items covered by rule 10, or matters which the Security Council had previously decided to defer, may be included in the provisional agenda.*

#### *Rule 8*

*The provisional agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.*

#### *Rule 9*

*The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda.*

#### *Rule 10*

*Any item on the agenda of a meeting of the Security Council, consideration of which has not been completed at that meeting, shall, unless the Security Council otherwise decides, automatically be included in the agenda of the next meeting.*

*Rule 11*

*The Secretary-General shall communicate each week to the representatives on the Security Council a summary statement of matters of which the Security Council is seized and of the stage reached in their consideration.*

*Rule 12*

*The provisional agenda for each periodic meeting shall be circulated to the members of the Security Council at least twenty-one days before the opening of the meeting. Any subsequent change in or addition to the provisional agenda shall be brought to the notice of the members at least five days before the meeting. The Security Council may, however, in urgent circumstances, make additions to the Agenda at any time during a periodic meeting.*

*The provisions of rule 7, paragraph 1, and of rule 9, shall apply also to periodic meetings.*

During the period under review, the Secretary-General continued the practice of distributing communications from States, organs of the United Nations, or from himself concerning any matter for the consideration of the Council in accordance with the provisions of the Charter as documents in the S/series, pursuant to rule 6. The Secretary-General also continued to draw up a provisional agenda for each meeting of the Council, and communicated the provisional agenda to the representatives of Council members, in accordance with rules 7 and 8. On no occasion during the period was the question of the

circulation of communications, or the preparation of the provisional agenda, discussed. Rule 12 was not applied during the period under review, as no periodic meeting was held.

Section II comprises three sub-sections, as follows: A, Adoption of the agenda (rule 9); B, Matters of which the Security Council is seized (rules 10 and 11); and C, Discussions concerning the agenda.

During the period, the question of the agenda was raised at one of the open debates concerning the working methods of the Council (case 2).

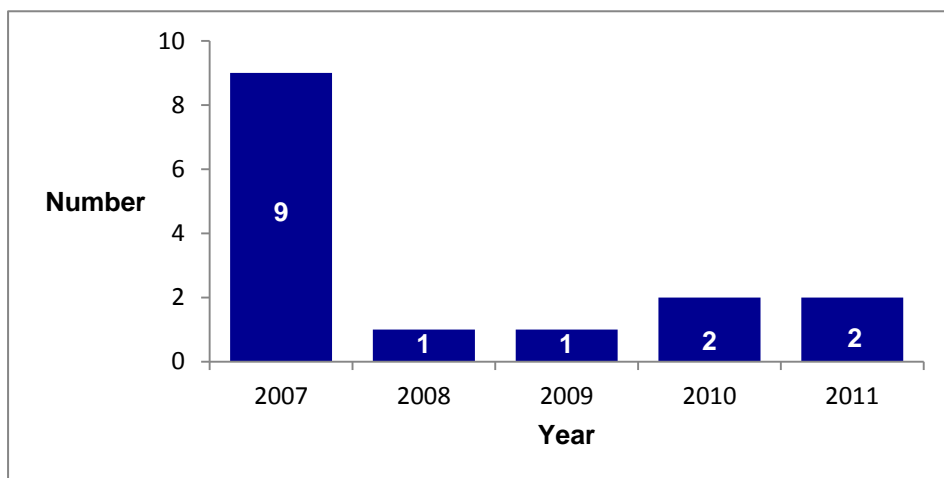
**A. Adoption of the agenda (rule 9)**

In accordance with rule 9, the first item on the provisional agenda for each meeting of the Council is the adoption of the agenda. During the period under review, there were no instances of a procedural motion being raised concerning the adoption of the agenda. There were also no motions raised, or discussions held, on the substance of items included in the provisional agenda. The Council continued its established practice of including a new item in the summary statement of matters of which the Council was seized following its adoption at a formal meeting.

**Newly introduced items**

During the period under review, the Council added four new items to its agenda, two items each in 2010 and 2011 (see figure III). Prior to 2008, the Council added on average a dozen new items per year.

Figure III  
Number of items newly introduced, 2007-2011



Pursuant to the note by the President dated 16 March 2011, the Council decided that, as from that date, its earlier consideration of issues pertaining to the Libyan Arab Jamahiriya under the item entitled

“Peace and security in Africa” would be subsumed under the item entitled “The situation in Libya”.<sup>41</sup>

Table 5 lists the agenda items introduced during the period.

<sup>41</sup> S/2011/141. The 6498th meeting, on 17 March 2011, was the first meeting held under the new item.

Table 5  
Items newly introduced, 2010-2011

| <i>Item</i>  | <i>Meeting and date of first inclusion in the agenda</i> | <i>First entry in the summary statement</i> |
|--|--|---|
| Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters | 6355<br>9 July 2010                                      | S/2010/10/Add.27                            |
| Letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2010/646)                      | 6456 (closed)<br>19 December 2010                        | S/2010/10/Add.51                            |
| Letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council (S/2011/58)                                      | 6480 (closed)<br>14 February 2011                        | S/2011/10/Add.7                             |
| The situation in Libya <sup>a</sup>  | 6486 (closed)<br>22 February 2011                        | S/2011/10/Add.11                            |

<sup>a</sup> Pursuant to the note by the President of the Security Council dated 16 March 2011 (S/2011/141), as from that date, the consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya under the item entitled “Peace and security in Africa” at its 6486th, 6490th and 6491st meetings was subsumed under the item entitled “The situation in Libya”.

#### Consideration of country-specific situations under existing items of a thematic nature

During the period under review, the Council continued the practice of considering new country-specific situations under existing items of a thematic nature. The Council considered the situation in Libya<sup>42</sup>

and relations between Djibouti and Eritrea<sup>43</sup> under the item entitled “Peace and security in Africa”. Similarly, the Council considered the events in Guinea under the item entitled “Peace consolidation in West Africa”.<sup>44</sup>

<sup>42</sup> The situation in Libya was considered under the item entitled “Peace and security in Africa” at the 6486th, 6490th and 6491st meetings, after which it was subsumed under the item entitled “The situation in Libya”.

<sup>43</sup> 6316th, 6362nd and 6674th meetings. The 5908th meeting, on 12 June 2008, was the first meeting at which relations between Djibouti and Eritrea were considered under the item entitled “Peace and security in Africa”.

<sup>44</sup> 6272nd meeting.

**B. Matters of which the Security Council is seized (rules 10 and 11)**

country-specific and regional situations, 22 with general and thematic issues and 4 with other matters. For the breakdown of items by year, see table 6.

**Overview**

During the period under review, the Council considered a total of 53 items, of which 27 dealt with

Table 6  
**Items considered at meetings, 2010-2011<sup>a</sup>**

| <i>Item</i>   | <i>Year</i> |             |
|---|-------------|-------------|
|   | <i>2010</i> | <i>2011</i> |
| <b>Country-specific and regional situations</b>                       |             |             |
| <b>Africa</b>   |             |             |
| Central African region  | •           | •           |
| Reports of the Secretary-General on the Sudan                         | •           | •           |
| The situation concerning the Democratic Republic of the Congo         | •           | •           |
| The situation concerning Western Sahara                               | •           | •           |
| The situation in Burundi  | •           | •           |
| The situation in Chad, the Central African Republic and the subregion | •           |             |
| The situation in Côte d'Ivoire  | •           | •           |
| The situation in Guinea-Bissau  | •           | •           |
| The situation in Liberia  | •           | •           |
| The situation in Libya  |             | •           |
| The situation in Sierra Leone   | •           | •           |
| The situation in Somalia  | •           | •           |
| The situation in the Central African Republic                         | •           | •           |
| The situation in the Great Lakes region                               |             | •           |
| <b>Americas</b>   |             |             |
| The question concerning Haiti   | •           | •           |

## Repertoire of the Practice of the Security Council, 2010-2011

| Item   | Year     |          |
|--|----------|----------|
|  | 2010     | 2011     |
| <b>Asia</b>  |          |          |
| Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council ( <a href="#">S/2006/920</a> )   | •        | •        |
| Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council ( <a href="#">S/2010/281</a> ) and other relevant letters | •        |          |
| Letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ( <a href="#">S/2010/646</a> )                      | •        |          |
| Letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council ( <a href="#">S/2011/58</a> )                                      |          | •        |
| The situation in Afghanistan   | •        | •        |
| The situation in Timor-Leste   | •        | •        |
| <b>Europe</b>  |          |          |
| Security Council resolutions <a href="#">1160 (1998)</a> , <a href="#">1199 (1998)</a> , <a href="#">1203 (1998)</a> , <a href="#">1239 (1999)</a> and <a href="#">1244 (1999)</a>                                     | •        | •        |
| The situation in Bosnia and Herzegovina  | •        | •        |
| The situation in Cyprus  | •        | •        |
| <b>Middle East</b>   |          |          |
| The situation concerning Iraq  | •        | •        |
| The situation in the Middle East   | •        | •        |
| The situation in the Middle East, including the Palestinian question   | •        | •        |
| <b>Total, country-specific and regional situations</b>   | 24 items | 24 items |
| <b>Thematic issues</b>   |          |          |
| Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe <sup>b</sup>   | •        | •        |
| Briefing by the President of the International Court of Justice  | •        | •        |
| Briefings by Chairmen of subsidiary bodies of the Security Council   | •        | •        |
| Children and armed conflict  | •        | •        |
| Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security  | •        | •        |

| <i>Item</i>   | <i>Year</i> |             |
|---|-------------|-------------|
|   | <i>2010</i> | <i>2011</i> |
| International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 | ●           | ●           |
| International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991   | ●           | ●           |
| Maintenance of international peace and security   | ●           | ●           |
| Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B  | ●           | ●           |
| Non-proliferation   | ●           | ●           |
| Non-proliferation of weapons of mass destruction  |             | ●           |
| Non-proliferation/Democratic People's Republic of Korea   | ●           | ●           |
| Peace and security in Africa  | ●           | ●           |
| Peace consolidation in West Africa  | ●           | ●           |
| Post-conflict peacebuilding   | ●           | ●           |
| Protection of civilians in armed conflict   | ●           | ●           |
| Security Council mission  | ●           | ●           |
| The promotion and strengthening of the rule of law in the maintenance of international peace and security   | ●           |             |
| Threats to international peace and security   | ●           | ●           |
| Threats to international peace and security caused by terrorist acts  | ●           | ●           |
| United Nations peacekeeping operations  | ●           | ●           |
| Women and peace and security  | ●           | ●           |
| <b>Total, thematic issues</b>   | 21 items    | 21 items    |
| <b>Other matters</b>  |             |             |
| Admission of new Members  |             | ●           |
| Consideration of the draft report of the Security Council to the General Assembly   | ●           | ●           |



| Item  | Year     |          |
|---|----------|----------|
|   | 2010     | 2011     |
| Implementation of the note by the President of the Security Council <sup>c</sup>  | •        | •        |
| Recommendation for the appointment of the Secretary-General of the United Nations |          | •        |
| <b>Total, other matters</b>   | 2 items  | 4 items  |
| <b>Total number of items discussed per year</b>                                   | 47 items | 49 items |

<sup>a</sup> Following established practice, items relating to the election of members of the International Court of Justice were not included in the list of matters of which the Council was seized. The following items are accordingly not included in table 6: “Date of election to fill a vacancy in the International Court of Justice” (6285th meeting, on 18 March 2010, and 6327th meeting, on 2 June 2010); “Election of a member of the International Court of Justice” (6346th meeting, on 29 June 2010, and 6381st meeting, on 9 September 2010); “Election of five members of the International Court of Justice” (6651st, 6652nd, 6653rd, 6654th and 6655th meetings, on 10 November 2011, 6665th, 6666th and 6667th meetings, on 22 November 2011, and 6682nd meeting, on 13 December 2011).

<sup>b</sup> This item was considered at the 6268th meeting, on 5 February 2010, and the 6481st meeting, on 15 February 2011. At the latter meeting, the item was entitled “Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe”.

<sup>c</sup> The note by the President of the Security Council dated 19 July 2006 (S/2006/507) was superseded on 26 July 2010 by an updated note (S/2010/507).

#### Consolidation of procedures for the management of the agenda

By the note by the President dated 26 July 2010,<sup>45</sup> the Council consolidated the procedures for managing the summary statement of matters of which the Council is seized which had been set out in three previous notes by the President.<sup>46</sup> Among them were the criteria for the inclusion and deletion of items and the format of the summary statement.

During the period, in accordance with rule 11 and the aforementioned note by the President, the Secretary-General continued to communicate each week to the representatives on the Council a summary statement of matters of which the Council was seized and of the stage reached in their consideration. The

practice of including an item in the summary statement upon its adoption at a formal meeting of the Council remained unchanged. The Council continued the practice of reviewing the summary statement at the beginning of the year in order to identify for deletion items which had not been considered in the preceding three years.

In 2010, 2 of the 29 items identified for deletion at the beginning of the year were deleted,<sup>47</sup> while the remaining items were retained for one additional year at the request of Member States.<sup>48</sup> In 2011, all 28 items that had been identified for deletion were retained through the same procedure (see table 7).<sup>49</sup>

<sup>45</sup> S/2010/507, paras. 51-58.

<sup>46</sup> See S/2006/507, S/2007/749 and S/2008/847. For more information on the changes to the format of the summary statement outlined in those notes, see Supplement 2008-2009 to the *Repertoire*, part II, sect. II.

<sup>47</sup> The following items were deleted: “Letters dated 26 July 2005 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/2005/485 and S/2005/489)”; “Letter dated 4 July 2006 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/2006/481).”

<sup>48</sup> See S/2011/10/Add.9.

<sup>49</sup> See S/2012/10/Add.9.

Table 7  
Items proposed for deletion from the summary statement, 2010-2011

| <i>Item</i>   | <i>Date of first and last consideration</i> | <i>Proposed for deletion in 2010</i> | <i>Status in March 2010</i> | <i>Proposed for deletion in 2011</i> | <i>Status in March 2011</i> |
|---|---|--------------------------------------|-----------------------------|--------------------------------------|-----------------------------|
| The Palestine question  | 9 December 1947;<br>25 November 1966        | ●                                    | Retained                    | ●                                    | Retained                    |
| The India-Pakistan question   | 6 January 1948;<br>5 November 1965          | ●                                    | Retained                    | ●                                    | Retained                    |
| The Hyderabad question  | 16 September 1948;<br>24 May 1949           | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General   | 21 February 1958;<br>21 February 1958       | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council  | 18 July 1960;<br>5 January 1961             | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council   | 4 January 1961;<br>5 January 1961           | ●                                    | Retained                    | ●                                    | Retained                    |
| The situation in the India/Pakistan subcontinent  | 4 December 1971;<br>27 December 1971        | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council | 9 December 1971;<br>9 December 1971         | ●                                    | Retained                    | ●                                    | Retained                    |
| Complaint by Cuba   | 17 September 1973;<br>18 September 1973     | ●                                    | Retained                    | ●                                    | Retained                    |
| Arrangements for the proposed Peace Conference on the Middle East   | 15 December 1973;<br>15 December 1973       | ●                                    | Retained                    | ●                                    | Retained                    |
| The Middle East problem, including the Palestinian question   | 12 January 1976;<br>11 October 1985         | ●                                    | Retained                    | ●                                    | Retained                    |
| The situation in the occupied Arab territories  | 4 May 1976;<br>13 July 1998                 | ●                                    | Retained                    | ●                                    | Retained                    |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Item</i>   | <i>Date of first and last consideration</i> | <i>Proposed for deletion in 2010</i> | <i>Status in March 2010</i> | <i>Proposed for deletion in 2011</i> | <i>Status in March 2011</i> |
|---|---|--------------------------------------|-----------------------------|--------------------------------------|-----------------------------|
| The question of the exercise by the Palestinian people of its inalienable rights  | 9 June 1976;<br>30 April 1980               | ●                                    | Retained                    | ●                                    | Retained                    |
| The situation between Iran and Iraq   | 26 September 1980;<br>31 January 1991       | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council   | 2 October 1985;<br>4 October 1985           | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 4 February 1986 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council                         | 4 February 1986;<br>6 February 1986         | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council; | 15 April 1986;<br>24 April 1986             | ●                                    | Retained                    | ●                                    | Retained                    |
| Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of Burkina Faso to the United Nations addressed to the President of the Security Council;               |   |                                      |                             |                                      |                             |
| Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council;   |   |                                      |                             |                                      |                             |
| Letter dated 15 April 1986 from the Permanent Representative of Oman to the United Nations addressed to the President of the Security Council   |   |                                      |                             |                                      |                             |
| Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council  | 21 April 1988;<br>25 April 1988             | ●                                    | Retained                    | ●                                    | Retained                    |

**Part II. Provisional rules of procedure and  
related procedural developments**

| <i>Item</i>   | <i>Date of first and last<br/>consideration</i> | <i>Proposed for<br/>deletion in 2010</i> | <i>Status in<br/>March 2010</i> | <i>Proposed for<br/>deletion in 2011</i> | <i>Status in<br/>March 2011</i> |
|---|---|--|---------------------------------|--|---------------------------------|
| Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council   | 9 February 1990;<br>9 February 1990             | ●  | Retained                        | ●  | Retained                        |
| The situation between Iraq and Kuwait   | 2 August 1990;<br>11 April 2005                 | ●  | Retained                        | ●  | Retained                        |
| Complaint by Ukraine regarding the decree of the Supreme Soviet of the Russian Federation concerning Sevastopol   | 20 July 1993;<br>20 July 1993                   | ●  | Retained                        | ●  | Retained                        |
| Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones   | 9 February 2000;<br>26 August 2003              | ●  | Retained                        | ●  | Retained                        |
| General issues relating to sanctions  | 17 April 2000;<br>21 December 2006              | ●  | Retained                        | ●  | Retained                        |
| Kimberley Process Certification Scheme  | 28 January 2003;<br>28 January 2003             | ●  | Retained                        | ●  | Retained                        |
| Letter dated 5 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council ( <a href="#">S/2003/939</a> );  | 5 October 2003;<br>5 October 2003               | ●  | Retained                        | ●  | Retained                        |
| Letter dated 5 October 2003 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council ( <a href="#">S/2003/943</a> )  |   |  |                                 |  |                                 |
| Letters dated 26 July 2005 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council ( <a href="#">S/2005/485</a> and <a href="#">S/2005/489</a> ) | 27 July 2005;<br>27 July 2005                   | ●  | Deleted                         | –  | –                               |
| Briefing by the Chairman of the African Union   | 31 May 2006;<br>31 May 2006                     | ●  | Retained                        | ●  | Retained                        |
| Strengthening international law: rule of law and maintenance of international peace and security  | 22 June 2006;<br>22 June 2006                   | ●  | Retained                        | ●  | Retained                        |

| <i>Item</i>   | <i>Date of first and last consideration</i> | <i>Proposed for deletion in 2010</i> | <i>Status in March 2010</i> | <i>Proposed for deletion in 2011</i> | <i>Status in March 2011</i> |
|---|---|--------------------------------------|-----------------------------|--------------------------------------|-----------------------------|
| Letter dated 4 July 2006 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/2006/481) <sup>a</sup>  | 15 July 2006;<br>6 October 2006             | •                                    | Deleted                     |                                      |                             |
| Letter dated 5 April 2007 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/2007/186) | 17 April 2007;<br>17 April 2007             | –                                    | –                           | •                                    | Retained                    |

<sup>a</sup> This item was subsumed under the item entitled “Non-proliferation/Democratic People’s Republic of Korea”.

### C. Discussions concerning the agenda

During the period under review, on one occasion the Council considered the management of the agenda, in particular the question of the revision of the agenda (case 2).

At the 6672nd meeting, on 30 November 2011, under the item “Implementation of the note by the President of the Security Council (S/2010/507)”, the representative of India said that the Council should amend its procedures so that items did not remain on its agenda permanently. Noting that certain items had not been discussed for decades, he said that further attention should require that some valid reasons be proffered by those seeking retention of those items on the agenda.<sup>50</sup>

#### Case 2

#### Implementation of the note by the President of the Security Council

At the 6300th meeting, on 22 April 2010, under the item “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>51</sup> Member

States discussed the practices of the Council concerning its agenda.<sup>52</sup> The representative of China noted an excessive increase in thematic items, some of which were beyond the sphere of competence of the Council. He expressed support for an annual review by the Informal Working Group on Documentation and Other Procedural Questions of items on the agenda of the Council, in order to keep the agenda current, save resources and increase efficiency.<sup>53</sup> The representative of Cuba also noted the growing tendency of the Council to consider matters not within its competence, and urged the Council to carry out, as soon as possible, a revision of its agenda to bring it in line with its mandate.<sup>54</sup> The representative of Portugal said that it was necessary to identify practical ways of increasing the influence of the general membership in determining the agenda of the Council.<sup>55</sup> Several Member States suggested that thematic issues be incorporated into discussions of country-specific situations.<sup>56</sup> The representative of Switzerland suggested that thematic issues such as human rights, the protection of civilians, and women and peace and security should be further

<sup>50</sup> S/PV.6672, p. 13.

<sup>51</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council (S/2006/507)”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council (S/2010/507)”.

<sup>52</sup> S/PV.6300, pp. 6-7 (China); p. 17 (Uganda); p. 21 (Egypt, on behalf of the Non-Aligned Movement); p. 24 (Luxembourg, Finland); p. 33 (Portugal); p. 35 (Slovenia); and p. 38 (Switzerland); S/PV.6300 (Resumption 1), p. 9 (Cuba); p. 16 (Ukraine); and p. 24 (Ecuador).

<sup>53</sup> S/PV.6300, pp. 6-7.

<sup>54</sup> S/PV.6300 (Resumption 1), p. 9.

<sup>55</sup> S/PV.6300, p. 33.

<sup>56</sup> Ibid., p. 24 (Luxembourg, Finland); p. 35 (Slovenia); and p. 38 (Switzerland).

integrated in the discussions of country-specific situations and systematically included in the terms of reference of Council missions.<sup>57</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, several Member States expressed similar concern over the increase in the number of thematic items.<sup>58</sup> The representative of Lebanon supported an ongoing review process of the Council’s agenda by the Informal Working Group on Documentation and Other Procedural Questions, and added that all Council documents should be issued in the six official languages of the United

<sup>57</sup> S/PV.6300, p. 38.

<sup>58</sup> S/PV.6672, p. 3 (Russian Federation); pp. 6-7 (Gabon); p. 11 (Lebanon); p. 13 (India); and p. 18 (Guatemala).

Nations in a timely manner in order to increase transparency.<sup>59</sup>

Some speakers welcomed the increase in the number of thematic items on the agenda of the Council.<sup>60</sup> The representative of Finland, speaking on behalf of the Nordic countries,<sup>61</sup> said that the Council should now systematically link country-specific situations and horizontal themes, and follow up on requests for thematic information when handling reports on country-specific situations.<sup>62</sup>

<sup>59</sup> S/PV.6672, p. 11.

<sup>60</sup> S/PV.6672 (Resumption 1), p. 4 (Australia); and p. 9 (Morocco).

<sup>61</sup> Denmark, Finland, Iceland, Norway and Sweden.

<sup>62</sup> S/PV.6672 (Resumption 1), p. 8.

### III. Representation and credentials

#### Note

Section III covers the practice of the Council concerning representation and credentials of its members, in relation to rules 13 to 17 of the provisional rules of procedure.

#### Rule 13

*Each member of the Security Council shall be represented at the meetings of the Security Council by an accredited representative. The credentials of a representative on the Security Council shall be communicated to the Secretary-General not less than twenty-four hours before he takes his seat on the Security Council. The credentials shall be issued either by the Head of the State or of the Government concerned or by its Minister of Foreign Affairs. The Head of Government or Minister of Foreign Affairs of each member of the Security Council shall be entitled to sit on the Security Council without submitting credentials.*

#### Rule 14

*Any Member of the United Nations not a member of the Security Council and any State not a Member of the United Nations, if invited to participate in a meeting or meetings of the Security Council, shall submit credentials for the representative appointed by*

*it for this purpose. The credentials of such a representative shall be communicated to the Secretary-General not less than twenty-four hours before the first meeting which he is invited to attend.*

#### Rule 15

*The credentials of representatives on the Security Council and of any representative appointed in accordance with rule 14 shall be examined by the Secretary-General who shall submit a report to the Security Council for approval.*

#### Rule 16

*Pending the approval of the credentials of a representative on the Security Council in accordance with rule 15, such representative shall be seated provisionally with the same rights as other representatives.*

#### Rule 17

*Any representative on the Security Council, to whose credentials objection has been made within the Security Council, shall continue to sit with the same rights as other representatives until the Security Council has decided the matter.*

During the period under review, in accordance with rule 13, the credentials of representatives of members of the Council were communicated to the Secretary-General, who submitted his report to the Council pursuant to rule 15. Such a report was transmitted to the Council when representatives of the newly elected non-permanent members of the Council were designated prior to the beginning of each term,<sup>63</sup> and when there were changes in the representation of

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<sup>63</sup> For the reports of the Secretary-General concerning the credentials of the representatives and deputy and alternate representatives of the members of the Council elected for the periods 2010-2011 and 2011-2012, see [S/2009/669](#) and [S/2010/669](#), respectively.

members of the Council.<sup>64</sup> There were no discussions and no special cases arose during the period under review regarding the interpretation and application of rules 13 to 17.

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<sup>64</sup> See [S/2010/30](#), [S/2010/64](#), [S/2010/126](#), [S/2010/223](#), [S/2010/224](#), [S/2010/231](#), [S/2010/241](#), [S/2010/242](#), [S/2010/276](#), [S/2010/313](#), [S/2010/354](#), [S/2010/374](#), [S/2010/380](#), [S/2010/383](#), [S/2010/423](#), [S/2010/428](#), [S/2010/435](#), [S/2010/449](#), [S/2010/450](#), [S/2010/480](#), [S/2010/481](#), [S/2010/517](#), [S/2010/551](#), [S/2010/647](#), [S/2010/670](#), [S/2010/671](#), [S/2011/8](#), [S/2011/19](#), [S/2011/26](#), [S/2011/63](#), [S/2011/67](#), [S/2011/138](#), [S/2011/205](#), [S/2011/206](#), [S/2011/330](#), [S/2011/398](#), [S/2011/399](#), [S/2011/415](#), [S/2011/437](#), [S/2011/438](#), [S/2011/441](#), [S/2011/442](#), [S/2011/467](#), [S/2011/486](#), [S/2011/489](#), [S/2011/491](#), [S/2011/599](#), [S/2011/600](#), [S/2011/601](#), [S/2011/615](#), [S/2011/616](#), [S/2011/618](#), [S/2011/683](#), [S/2011/684](#), [S/2011/685](#), [S/2011/686](#), [S/2011/687](#), [S/2011/722](#), [S/2011/749](#) and [S/2011/818](#).

## IV. Presidency

### Note

Section IV covers the practice of the Council concerning the monthly rotation of the presidency, the role of the President, and the temporary cession of the chair by the President during the consideration of a particular question with which the member he or she represents is directly connected, under rules 18 to 20 of the provisional rules of procedure. During the period under review, there were no instances of the application of rule 20.

#### Rule 18

*The presidency of the Security Council shall be held in turn by the members of the Security Council in the English alphabetical order of their names. Each President shall hold office for one calendar month.*

#### Rule 19

*The President shall preside over the meetings of the Security Council and, under the authority of the Security Council, shall represent it in its capacity as an organ of the United Nations.*

#### Rule 20

*Whenever the President of the Security Council deems that for the proper fulfilment of the*

*responsibilities of the presidency he should not preside over the Council during the consideration of a particular question with which the member he represents is directly connected, he shall indicate his decision to the Council. The presidential chair shall then devolve, for the purpose of the consideration of that question, on the representative of the member next in English alphabetical order, it being understood that the provisions of this rule shall apply to the representatives on the Security Council called upon successively to preside. This rule shall not affect the representative capacity of the President as stated in rule 19, or his duties under rule 7.*

### Role of the President of the Security Council (rules 18 and 19)

During the period under review, the presidency of the Council was held in turn by the members of the Council in the English alphabetical order, on a monthly basis, in accordance with rule 18. The President of the Council, in addition to presiding over meetings of the Council, including informal meetings, continued to perform several functions under the authority of the Council, in accordance with rule 19. These included (a) briefing non-members on the monthly programme of work of the Council at the beginning of the month; (b) representing and delivering statements on behalf of

the Council, including the presentation of the annual report of the Council to the General Assembly;<sup>65</sup> and (c) delivering statements or remarks to the press, following the conclusion of informal consultations of the whole, whenever Council members reached agreement on a text. Representatives of Council members, in their national capacities, continued to submit monthly assessments of the work of the Council after the completion of their respective presidencies.<sup>66</sup>

Following previous practice, Council members that held the presidency during the month of July prepared the introduction to the annual report of the Council to the General Assembly. In addition, the presidencies for the months of July 2010 and July 2011 continued the practice, started in 2008, of convening informal meetings with Member States to exchange views on the annual report.<sup>67</sup> At the 6641st meeting, on 27 October 2011, under the item entitled “Consideration of the draft report of the Security Council to the General Assembly”, the representative of Germany, presenting the annual report of the Council in his capacity as the President for the month of July 2011, said that the informal meeting held to exchange views with the wider United Nations membership on the draft report had been extremely useful, both for the input received and for fostering the working relationship between the Council and non-members of the Council. In this regard, he expressed hope for the continuation of the practice in the future.<sup>68</sup>

The question of the roles and responsibilities of the President, including communication with Member States and the media, interaction with other organs of the United Nations, and the preparation of monthly assessments and annual reports, was raised at the two

open debates concerning the working methods of the Council (case 3).

### Case 3 Implementation of the note by the President of the Security Council

At the 6300th meeting, held on 22 April 2010 under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>69</sup> several speakers called for the President to take on a greater role in communicating with Member States and other parties.<sup>70</sup> The representative of Turkey said that the President should be given a more systematic role in conveying the gist of closed consultations to non-members and the media. While the practice of making oral remarks after consultations was useful, he suggested that micromanaging the exercise should be avoided, and the President be allowed more leeway in informing the interested parties about the deliberations of the Council.<sup>71</sup> The representative of Kenya said that briefings by the President to the General Assembly should be regular, substantive and conducted promptly after each informal consultation of the whole.<sup>72</sup> The representative of Jordan encouraged the President to brief the members of the Special Committee on Peacekeeping Operations during its sessions and, when appropriate, on the major developments and initiatives regarding peacekeeping in the Council. He also suggested that the President could arrange regular meetings with regional groups such as the Non-Aligned Movement, the European Union and any other interested groups that contributed to peacekeeping.<sup>73</sup>

<sup>65</sup> For example, at the 48th plenary meeting of the sixty-fifth session of the General Assembly, on 11 November 2010, the President of the Council for the month of November (United Kingdom) introduced to the Assembly the annual report of the Council covering the period from 1 August 2009 to 31 July 2010 (A/65/2). For other meetings that the President attended, see part IV, sect. I (“Relations with the General Assembly”) and II (“Relations with the Economic and Social Council”).

<sup>66</sup> A list of the monthly assessments relating to the period under review is provided in part I of the annual reports of the Council to the General Assembly (A/65/2, A/66/2 and A/67/2).

<sup>67</sup> See S/PV.6413, p. 2 and S/PV.6641, p. 2.

<sup>68</sup> S/PV.6641, p. 2.

<sup>69</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council (S/2006/507)”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council (S/2010/507)”.

<sup>70</sup> S/PV.6300, p. 4 (Turkey); p. 6 (Mexico); p. 11 (Nigeria); p. 16 (Gabon); p. 17 (Uganda); p. 18 (Japan); p. 28 (Sierra Leone); p. 30 (Italy); p. 31 (Jordan); p. 33 (Portugal); p. 36 (Slovenia); and p. 37 (Switzerland); S/PV.6300 (Resumption 1), p. 6 (Australia); p. 10 (India); pp. 12-13 (Malta); p. 18 (Colombia); p. 19 (Kenya); p. 21 (Czech Republic); p. 24 (Ecuador); p. 25 (Qatar); and p. 27 (Pakistan).

<sup>71</sup> S/PV.6300, p. 4.

<sup>72</sup> S/PV.6300 (Resumption 1), p. 19.

<sup>73</sup> S/PV.6300, pp. 31-32.



Several other speakers called for the strengthening of the interaction between the President and the heads of other United Nations organs, in particular the General Assembly and the Economic and Social Council.<sup>74</sup>

At the 6672nd meeting, held on 30 November 2011 under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, the question of “wrap-up sessions”, whereby the President would brief Member States on the developments in the Council at the conclusion of each presidency, was raised by several speakers.<sup>75</sup> The representative of Finland said that interactive wrap-up sessions at the end of each presidency would enhance information-sharing and openness.<sup>76</sup>

Some speakers called upon the President to assume a greater role in speaking with the media.<sup>77</sup> The representative of Lebanon said that informing the media as to the basic thrust of closed consultations

enabled other Member States to follow the activities of the Council.<sup>78</sup>

Several speakers called for the monthly assessment by the President as well as the annual report of the Council to be more analytical and informative.<sup>79</sup> The representative of Egypt, speaking on behalf of the Non-Aligned Movement, suggested that monthly assessments should include cases in which the Council had failed to act, including the reasons for resorting to veto and the views expressed by its members during the deliberations on the items under its consideration. He also emphasized that both monthly assessments and annual report should elaborate on the circumstances under which the Council adopted different outcomes, such as resolutions, statements by the President, press statements and elements to the media, so that the General Assembly would be aware not only of the decisions adopted but also of the rationale, reasons and backgrounds of those decisions, as well as of the effectiveness and impact of those decisions on the situation on the ground.<sup>80</sup>

<sup>74</sup> Ibid., p. 3 (Turkey); and p. 17 (Uganda); S/PV.6300 (Resumption 1), pp. 12-13 (Malta); and p. 25 (Qatar).

<sup>75</sup> S/PV.6672, p. 24 (Egypt, on behalf of the Non-Aligned Movement); and S/PV.6672 (Resumption 1), p. 19 (Portugal).

<sup>76</sup> S/PV.6672 (Resumption 1), p. 7.

<sup>77</sup> S/PV.6672, p. 8 (Nigeria); and S/PV.6672 (Resumption 1), p. 19 (Portugal).

<sup>78</sup> S/PV.6672, p. 11.

<sup>79</sup> Ibid., p. 11 (Lebanon); and p. 21 (Japan); S/PV.6672 (Resumption 1), p. 19 (Portugal).

<sup>80</sup> S/PV.6672, p. 24.

## V. Secretariat

### Note

Section V covers the practice of the Security Council concerning 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.

#### Rule 21

*The Secretary-General shall act in that capacity in all meetings of the Security Council. The Secretary-General may authorize a deputy to act in his place at meetings of the Security Council.*

#### Rule 22

*The Secretary-General, or his deputy acting on his behalf, may make either oral or written statements*

*to the Security Council concerning any question under consideration by it.*

#### Rule 23

*The Secretary-General may be appointed by the Security Council, in accordance with rule 28, as rapporteur for a specified question.*

#### Rule 24

*The Secretary-General shall provide the staff required by the Security Council. This staff shall form a part of the Secretariat.*

#### Rule 25

*The Secretary-General shall give to representatives on the Security Council notice of meetings of the Security Council and of its commissions and committees.*

### Rule 26

*The Secretary-General shall be responsible for the preparation of documents required by the Security Council and shall, except in urgent circumstances, distribute them at least forty-eight hours in advance of the meeting at which they are to be considered.*

### Administrative functions of the Secretariat (rules 21-26)

During the period under review, following previous practice, the Secretary-General and senior officials of the Secretariat attended Council meetings and provided briefings to the Council as requested. The Secretariat also assisted in the organization of Council meetings, the preparation and dissemination of documents, and other activities.

At the 6603rd meeting, on 26 August 2011, under the item entitled “United Nations peacekeeping operations”, the Council adopted a statement by the President in which it requested, inter alia, that the Secretariat circulate to troop- and police-contributing countries by the fifteenth day of each month notice of and invitations for the meetings of the Council with troop- and police-contributing countries anticipated during the following month on individual peacekeeping mission mandates.<sup>81</sup>

Various aspects of the functions of the Secretariat, including those concerning documentation, were considered at the two open debates concerning the working methods of the Council (case 4).

#### Case 4 Implementation of the note by the President of the Security Council

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>82</sup> the representative of the United Kingdom called for more

frequent briefings by the Secretariat, on an ad hoc basis, on situations of emerging concern. He said that the Secretary-General and his senior officials should be invited to brief the Council as a matter of routine when they returned from visits to countries on the agenda of the Council or other countries of concern.<sup>83</sup> The representative of Slovenia also called for an increase in the number of briefings by United Nations officials.<sup>84</sup>

The question of documentation was raised by several speakers.<sup>85</sup> The representative of China called for further improvement in the timeliness and quality of Council documents, noting that the surge in the quantity of documents adopted by the Council in recent years demonstrated the increase in its workload, but served as a reminder that greater attention should be paid to the quality of documents and their practical implementation.<sup>86</sup> The representative of Gabon said that sometimes there was a delay in the issuance of documents in the six official languages of the United Nations, documents being published just a few days before Council meetings. He also expressed his regret about the failure to implement paragraphs 8 and 9 of the annex to the note by the President,<sup>87</sup> in which the Secretariat was invited to circulate briefing texts and to provide Council members with printed fact sheets prior to consultations.<sup>88</sup> The representative of Costa Rica said that, in accordance with paragraph 11 of the note by the President, the reports of the Secretary-General should be circulated in all official languages at least four working days before a meeting of the Council. He further said that, should there be significant changes in the situation in the field, those could be communicated via an addendum to the reports, and that the need to update the reports should not be an excuse for circulating them late.<sup>89</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, the question of the translation of Council documents was again raised by several speakers. The representative of

<sup>81</sup> S/PRST/2011/17.

<sup>82</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council (S/2006/507)”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council (S/2010/507)”.

<sup>83</sup> S/PV.6300, p. 9.

<sup>84</sup> Ibid., p. 35.

<sup>85</sup> S/PV.6300, p. 7 (China); and p. 16 (Gabon); S/PV.6300 (Resumption 1), p. 17 (Germany); and p. 28 (Republic of Korea).

<sup>86</sup> Ibid., p. 7.

<sup>87</sup> S/2006/507.

<sup>88</sup> S/PV.6300, p. 16.

<sup>89</sup> S/PV.6300 (Resumption 1), p. 7.

the Sudan said that Council documents, especially the reports of the Secretary-General on peacekeeping operations, should be circulated in advance of their consideration by the Council, in all official languages of the United Nations. He noted that very often a version of the report was distributed to members of the Council

only, but was not circulated to all Member States until the day of the meeting, or occasionally even after the meeting.<sup>90</sup>

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<sup>90</sup> S/PV.6672 (Resumption 1), p. 11.

## VI. Conduct of business

### Note

Section VI covers the practice of the Council concerning the conduct of business at its meetings, pursuant to rules 27, 29, 30 and 33 of its provisional rules of procedure.

#### Rule 27

*The President shall call upon representatives in the order in which they signify their desire to speak.*

#### Rule 29

*The President may accord precedence to any rapporteur appointed by the Security Council.*

*The Chairman of a commission or committee, or the rapporteur appointed by the commission or committee to present its report, may be accorded precedence for the purpose of explaining the report.*

#### Rule 30

*If a representative raises a point of order, the President shall immediately state his ruling. If it is challenged, the President shall submit his ruling to the Security Council for immediate decision and it shall stand unless overruled.*

#### Rule 33

*The following motions shall have precedence in the order named over all principal motions and draft resolutions relative to the subject before the meeting:*

- 1. To suspend the meeting;*
- 2. To adjourn the meeting;*
- 3. To adjourn the meeting to a certain day or hour;*

*4. To refer any matter to a committee, to the Secretary-General or to a rapporteur;*

*5. To postpone discussion of the question to a certain day or indefinitely; or*

*6. To introduce an amendment.*

*Any motion for the suspension or for the simple adjournment of the meeting shall be decided without debate.*

During the period under review, while there was no special application of the provisional rules of procedure concerning conduct of business, the Council continued to implement measures aimed at improving the efficiency, effectiveness and transparency of its meetings. For example, in accordance with paragraph 27 of the note by the President dated 19 July 2006,<sup>91</sup> the President frequently requested speakers to limit their statements, usually to five minutes, to circulate the full text of their statements in the Council chamber and to deliver a condensed version when speaking in the Chamber.<sup>92</sup> At the 6411th meeting, on 26 October 2010, under the item entitled “Women and peace and security”, following a request by the President to all speakers to limit their statements to no more than five minutes, the representative of the Civil Society Advisory Group to the United Nations on Women, Peace and Security distributed the full statement and limited her speech to a few paragraphs of the statement.<sup>93</sup> At other meetings, speakers delivered a brief version of their statement without being requested to do so by the President. For example, at the 6310th meeting, on 11 May 2010, and the 6536th meeting, on 16 May 2011, under the item entitled “Briefings by Chairman of subsidiary bodies of the Security Council”, several speakers distributed the full

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<sup>91</sup> S/2006/507.

<sup>92</sup> See, for example, the statement made by the President at the 6265th meeting, on 27 January 2010 (S/PV.6265, p. 7).

<sup>93</sup> S/PV.6411, pp. 10-11.

statement to the members of the Council, and delivered a summarized version.<sup>94</sup>

During the period under review, when non-members of the Council were invited to participate in a meeting, Council members spoke before Member States invited under rule 37 of the provisional rules of procedure, except on some occasions when parties directly involved in the matter under consideration took the floor before Council members.<sup>95</sup> For example, at the 6497th meeting, on 17 March 2011, under the item entitled “The situation in Afghanistan”, the Special Representative of the Secretary-General, invited under rule 39, took the floor but requested that the Council allow the representative of Afghanistan, invited under rule 37, to speak before him, Council members and other invitees under rule 37.<sup>96</sup>

<sup>94</sup> S/PV.6310, p. 2 (Chair of the Security Council Committee established pursuant to resolution 1540 (2004)) and S/PV.6536, p. 2 (statement by the representative of India on behalf of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004)).

<sup>95</sup> For example, at the 6405th meeting, on 19 October 2010, on the situation in Timor-Leste, following the briefing by the Special Representative of the Secretary-General for Timor-Leste, the representative of Timor-Leste spoke before Council members and other Member States invited under rule 37 (S/PV.6405, pp. 5-8). At the 6636th meeting, on 24 October 2011, concerning the situation in the Middle East, including the Palestinian question, following the briefing by the Under-Secretary-General for Political Affairs, the representative of Israel spoke before Council members and other Member States invited under rule 37 (S/PV.6636, pp. 8-11).

<sup>96</sup> S/PV.6497, p. 2.

## Discussions relating to the order of speaking

During the period under review, the question of the order of speaking was raised at an open debate concerning the working methods of the Council (case 5).

### Case 5 Implementation of the note by the President of the Security Council

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>97</sup> several speakers raised the question of the order of speaking, in particular with regard to non-members of the Council vis-à-vis Council members. The representative of Portugal said that the Council should value the participation of the wider membership and allow non-members to speak first at open thematic debates, with Council members taking the floor at the end.<sup>98</sup> The representative of Australia expressed support for the proposal by Portugal, and encouraged Council members to listen more attentively when non-members spoke.<sup>99</sup> The representative of Slovenia said that, in debates on situation-specific issues, parties directly affected or particularly interested should be allowed to speak prior to Council members to present their views.<sup>100</sup>

<sup>97</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507).

<sup>98</sup> S/PV.6300, p. 33.

<sup>99</sup> S/PV.6300 (Resumption 1), p. 6.

<sup>100</sup> S/PV.6300, p. 35.

## VII. Participation

### Note

Section VII covers the practice of the Council concerning the extension of invitations to non-members of the Council to participate in meetings of the Council. Articles 31 and 32 of the Charter of the United Nations, and rules 37 and 39 of the provisional rules of procedure describe circumstances in which invitations can be extended to non-members of the Council to participate, without vote, when the Council so decides.

### Article 31

*Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.*

### Article 32

*Any Member of the United Nations which is not a member of the Security Council or any state which is*

*not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.*

*Rule 37*

*Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.*

*Rule 39*

*The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.*

During the period under review, following its previous practice, the Council invited non-members to participate in its meetings. The invitations were extended either under the “relevant provisions” of the Charter without an explicit reference to a rule, or under rule 37 or rule 39 of the provisional rules of procedure of the Council. Specifically, Member States continued to be invited under rule 37, while representatives of the Secretariat, subsidiary organs of the Security Council, other United Nations organs, specialized agencies, funds and programmes, regional and other intergovernmental organizations, or other invitees, including representatives of non-governmental organizations, were invited under rule 39.

Section VII comprises four sub-sections, as follows: A, Invitations extended under rule 37 (Member States); B, Invitations extended under rule 39 (members of the Secretariat or other persons); C, Invitations not expressly extended under rule 37 or rule 39; and D, Discussions relating to participation.

## **A. Invitations extended under rule 37**

In accordance with the relevant Articles and rules, all States, whether or not Members of the United Nations, may participate in Council meetings when (a) the interests of a Member State are “specially affected” (Article 31 and rule 37); (b) a Member State or a non-Member State is a party to a dispute under consideration by the Council (Article 32); and (c) a Member State brings a matter to the attention of the Council in accordance with Article 35 (1) (rule 37).<sup>101</sup>

During the period under review, there were no changes to the procedure for extending invitations to Member States to participate in the proceedings of the Council. Member States requested invitations in letters addressed to the President of the Council, which were not circulated as documents of the Council. At the beginning of or during a Council meeting, the President informed the Council of the receipt of such letters and proposed that, with the consent of the Council, invitations be extended “under the relevant provisions of the Charter and rule 37 of the provisional rules of procedure of the Council”, without referring explicitly to any specific Article.

Following previous practice, Member States invited under rule 37 spoke occasionally in other capacities, for example on behalf of a regional or international organization, or a group of States.<sup>102</sup>

### **Renewal of invitations under rule 37**

During the period under review, invitations to Member States were usually renewed automatically when a meeting of the Council was resumed. Unless otherwise indicated, invitations to Member States under rule 37 extended at the first of several

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<sup>101</sup> For information on referral by States of a dispute or situation to the Security Council, see part VI, sect. I.A.

<sup>102</sup> For example, at the 6531st meeting, on 10 May 2011, the representative of Switzerland, invited under rule 37, spoke on behalf of the Human Security Network (S/PV.6531, p. 28). At the 6648th meeting, on 3 November 2011, the representative of Angola spoke on behalf of the Community of Portuguese-speaking Countries (S/PV.6648, p. 9).

consecutive meetings held on the same item were automatically renewed at each of the meetings.<sup>103</sup>

**Requests for invitations denied or not acted upon**

On no occasion during the period under review was a request from a Member State to participate in a Council meeting put to a vote or denied at a public meeting. There was also no instance of a Member State communicating to the Council that its request to participate had not been acted upon.

**B. Invitations extended under rule 39**

In accordance with rule 39 of the provisional rules of procedure, members of the Secretariat or other

persons may be invited to supply the Council with information or to give other assistance in examining matters within its competence.

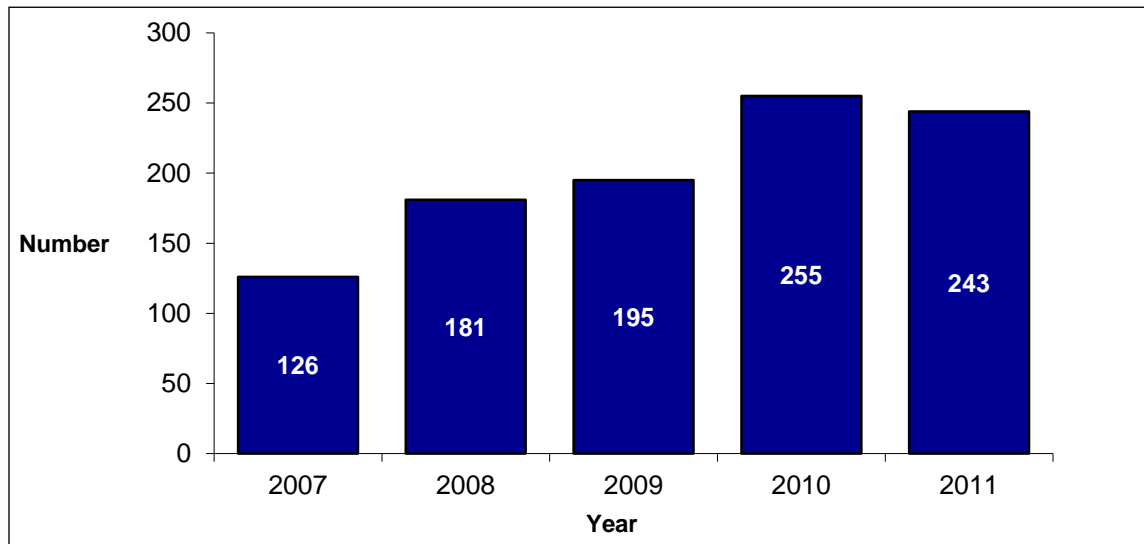
Following previous practice, an invitation under rule 39 was extended to a representative of a Member State on an exceptional basis, if his or her participation was in a role other than that of representative of a State, for example, as chairperson of the Peacebuilding Commission or one of its country-specific configurations, or as the representative of an organization.<sup>104</sup>

During the period under review, a total of 498 invitations were extended under rule 39, 255 in 2010 and 243 in 2011 (see figure IV).

<sup>103</sup> For example, at the 6357th (closed) meeting, on 12 July 2010, the Head of the Committee of Financial Experts of Iraq, who had been invited under rule 37 at the 6356th meeting, was invited “pursuant to the decision taken at the 6356th meeting” (S/PV.6357). Similarly, at the 6689th (closed) meeting, on 15 December 2011, the representative of the Sudan, who had been invited under rule 37 at the 6688th meeting, was invited “pursuant to the decision taken at the 6688th meeting” (S/PV.6689).

<sup>104</sup> For example, at the 6257th meeting, on 13 January 2010, the representative of Australia was invited under rule 39 to participate on behalf of the Pacific Islands Forum. At the 6345th meeting, on 28 June 2010, the representative of Belgium and Chair of the Central African Republic configuration of the Peacebuilding Commission was invited under rule 39.

Figure IV  
Invitations extended under rule 39, 2007-2011

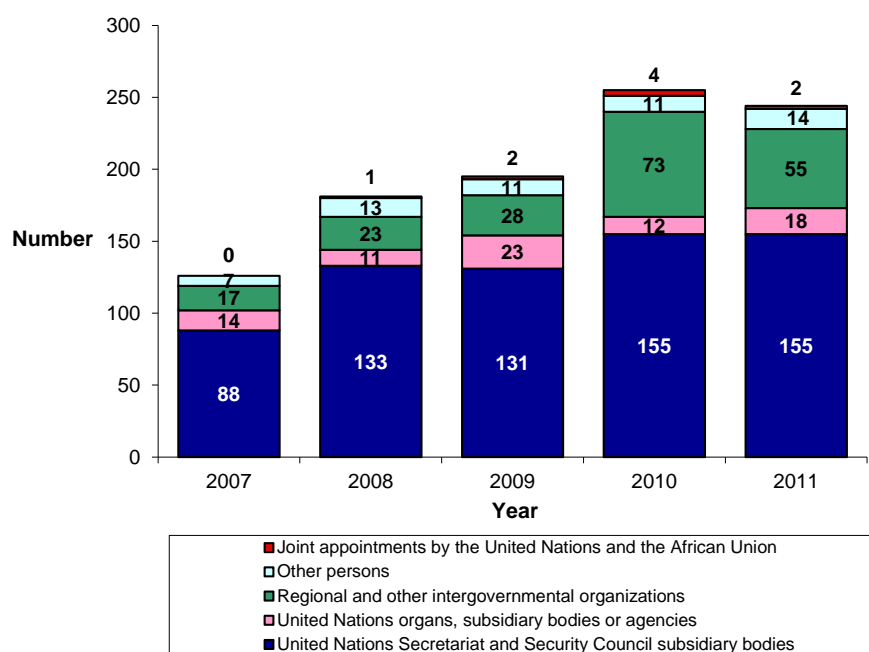


Invitations under rule 39 are extended to five categories of persons or entities, namely (a) the Secretariat and subsidiary bodies of the Council; (b) other organs of the United Nations, subsidiary bodies or agencies; (c) regional and other intergovernmental organizations; (d) other persons; and (e) persons holding joint appointments by the United Nations and the African Union (see figure V).

In 2010, the number of invitations under rule 39 extended to category (a) increased to 155, from 131 in

2009, and invitations extended to category (c) increased to 73, from 28 in 2009; the number of invitations extended to category (b) declined to 12, from 23 in 2009. In 2011, in comparison with the previous year, the number of invitations extended to category (a) remained largely the same, at 154, while the invitations extended to category (c) declined to 55. There were no major changes in the number of invitations under rule 39 extended to other categories during the period.

Figure V  
**Invitees under rule 39, by category, 2007-2011**



**First-time invitations under rule 39**

During the period, 17 invitations were extended under rule 39 to participate for the first time in Council meetings (see table 8). At the 6341st meeting, on 16 June 2010, under the item entitled “Children and armed conflict”, Ms. Manju Gurung, a former child soldier in Nepal, was invited to participate, under rule 39.<sup>105</sup> Previously, child soldiers were not invited expressly under rule 39.<sup>106</sup>

Several representatives of South Sudan were invited under rule 39 to participate for the first time in Council meetings, before South Sudan was admitted by the General Assembly to membership in the United Nations on 14 July 2011.<sup>107</sup>

<sup>107</sup> For example, the Vice-President of South Sudan was invited under rule 39 at the 6583rd meeting, on 13 July 2011.

<sup>105</sup> S/PV.6341, p. 2.

<sup>106</sup> See Supplement 2008-2009 to the *Repertoire*, part II, sect. VII.C.

Table 8  
First-time invitations under rule 39, 2010-2011

| <i>Invitee</i>  | <i>Meeting and date</i>                  | <i>Item</i>  |
|---|--|--|
| <b>Secretariat officials and subsidiary bodies of the Security Council</b>  |  |  |
| Special Adviser to the Secretary-General on Gender Issues and Advancement of Women  | <a href="#">6302</a><br>27 April 2010    | Women and peace and security   |
| Chair of the Secretary-General's Panel on the Referenda in the Sudan  | <a href="#">6452</a><br>16 December 2010 | Reports of the Secretary-General on the Sudan  |
| Special Envoy of the Secretary-General to Libya   | <a href="#">6509</a><br>4 April 2011     | The situation in Libya   |
| Chair of the Senior Advisory Group for the Review of International Civilian Capacities  | <a href="#">6533</a><br>12 May 2011      | Post-conflict peacebuilding  |
| Special Representative of the Secretary-General to the African Union and Head of the United Nations Office to the African Union | <a href="#">6561</a><br>21 June 2011     | Peace and security in Africa   |
| Special Representative of the Secretary-General and Head of the United Nations Mission in South Sudan                           | <a href="#">6656</a><br>11 November 2011 | Reports of the Secretary-General on the Sudan  |
| Special Representative of the Secretary-General and Head of the United Nations Regional Office for Central Africa               | <a href="#">6657</a><br>14 November 2011 | Central African region   |
| Under-Secretary-General for Gender Equality and the Empowerment of Women  | <a href="#">6411</a><br>26 October 2010  | Women and peace and security   |
| <b>Regional and other intergovernmental organizations</b>   |  |  |
| Head of the European Union Rule of Law Mission in Kosovo  | <a href="#">6353</a><br>6 July 2010      | Security Council resolutions <a href="#">1160 (1998)</a> , <a href="#">1199 (1998)</a> , <a href="#">1203 (1998)</a> , <a href="#">1239 (1999)</a> and <a href="#">1244 (1999)</a> |
| <b>Other persons</b>  |  |  |
| Ms. Manju Gurung (former child soldier in Nepal)  | <a href="#">6341</a><br>16 June 2010     | Children and armed conflict  |
| Ms. Thelma Awori ( Civil Society Advisory Group to the United Nations on Women, Peace and Security)                             | <a href="#">6411</a><br>26 October 2010  | Women and peace and security   |
| Mr. Deng Alor Kuol (Minister of Regional Cooperation of the Government of Southern Sudan)                                       | <a href="#">6478</a><br>9 February 2011  | Reports of the Secretary-General on the Sudan  |
| Mr. David Buom Choat (Political, United Nations and Congressional Affairs Officer of the Government of Southern Sudan)          | <a href="#">6522</a><br>27 April 2011    | Reports of the Secretary-General on the Sudan  |



| <i>Invitee</i>   | <i>Meeting and date</i> | <i>Item</i>   |
|--|-------------------------|---|
| Mr. Enver Hoxhaj   | 6534<br>12 May 2011     | Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999) |
| Mr. Ezekiel Lol Gatkuoth (on behalf of the Government of Southern Sudan) | 6542<br>31 May 2011     | Reports of the Secretary-General on the Sudan   |
| Mr. Riek Marcher Teny-Dhurgon (Vice-President of South Sudan)            | 6583<br>13 July 2011    | Reports of the Secretary-General on the Sudan   |
| Ms. Mateya Kelley (International Humanitarian Fact-Finding Commission)   | 6650<br>9 November 2011 | Protection of civilians in armed conflict   |

#### Renewal of invitations extended under rule 39

As in the case of invitations extended under rule 37, renewal of invitations under rule 39 was automatic if the meeting was resumed. Unless otherwise indicated, invitations extended at the first meeting of consecutive meetings on the same item were automatically renewed at each meeting.<sup>108</sup>

<sup>108</sup> For example, at the 6337th (closed) meeting, on 11 June 2010, under the item entitled “Reports of the Secretary-General on the Sudan”, Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court, was invited “pursuant to the decision taken at the 6336th meeting of the Council” (S/PV.6337).

#### Videoconferencing

During the period under review, videoconferencing continued to be utilized at meetings of the Council. Generally, videoconferencing was used for briefings by Special Representatives of the Secretary-General and other mission personnel located in the field. Seven briefings were conducted via videoconferencing in 2010 and 14 in 2011 (see table 9).

Table 9  
Briefings via videoconferencing, 2010-2011

| <i>Meeting and date</i>           | <i>Item</i>  | <i>Briefer</i>  |
|-----------------------------------|--|---|
| 6376 (closed)<br>3 September 2010 | Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B | Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia                         |
| 6415<br>3 November 2010           | The situation in Côte d’Ivoire   | Special Representative of the Secretary-General for Côte d’Ivoire and Head of the United Nations Operation in Côte d’Ivoire (UNOCI)   |
| 6420 (closed)<br>11 November 2010 | Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B | Special Representative of the Secretary-General and Head of the United Nations Mission in the Sudan (UNMIS); Force Commander of UNMIS |
| 6425<br>16 November 2010          | Reports of the Secretary-General on the Sudan  | Chairperson of the African Union High-level Implementation Panel  |

| <i>Meeting and date</i>           | <i>Item</i>  | <i>Briefer</i>  |
|-----------------------------------|--|---|
| 6436 (closed)<br>7 December 2010  | Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B | Principal Deputy Special Representative of the Secretary-General for Côte d'Ivoire  |
| 6437<br>7 December 2010           | The situation in Côte d'Ivoire   | Special Representative of the Secretary-General for Côte d'Ivoire and Head of UNOCI   |
| 6443 (closed)<br>10 December 2010 | Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B | Force Commander of the United Nations Mission in the Central African Republic and Chad (MINURCAT); Head of the police component of MINURCAT           |
| 6468<br>18 January 2011           | Reports of the Secretary-General on the Sudan  | Special Representative of the Secretary-General for the Sudan and Head of UNMIS; Chair of the Secretary-General's Panel on the Referenda in the Sudan |
| 6474<br>26 January 2011           | Reports of the Secretary-General on the Sudan  | Joint African Union-United Nations Special Representative for Darfur  |
| 6478<br>9 February 2011           | Reports of the Secretary-General on the Sudan  | Head of the African Union Liaison Office in the Sudan   |
| 6494<br>10 March 2011             | The situation in Somalia   | Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia (UNPOS)                       |
| 6513<br>13 April 2011             | The situation in Côte d'Ivoire   | Special Representative of the Secretary-General for Côte d'Ivoire and Head of UNOCI   |
| 6559<br>20 June 2011              | Reports of the Secretary-General on the Sudan  | Special Representative of the Secretary-General for the Sudan and Head of UNMIS; Chairperson of the African Union High-level Implementation Panel     |
| 6599<br>10 August 2011            | The situation in Somalia   | Special Representative of the Secretary-General and Head of UNPOS   |
| 6601<br>18 August 2011            | Central African region   | Special Representative of the Secretary-General and Head of the United Nations Regional Office for Central Africa                                     |
| 6656<br>11 November 2011          | Reports of the Secretary-General on the Sudan  | Special Representative of the Secretary-General and Head of the United Nations Mission in South Sudan (UNMISS)  |
| 6660<br>15 November 2011          | Reports of the Secretary-General on the Sudan  | Special Representative of the Secretary-General and Head of UNMISS  |
| 6668<br>23 November 2011          | Maintenance of international peace and security  | Director-General of the World Health Organization   |

| <i>Meeting and date</i>  | <i>Item</i>                  | <i>Briefer</i>  |
|--------------------------|------------------------------|---|
| 6674<br>5 December 2011  | Peace and security in Africa | Permanent Representative of Uganda to the African Union; President of Djibouti; Prime Minister of Ethiopia; Minister for Foreign Affairs of Kenya; President of Somalia |
| 6690<br>19 December 2011 | The situation in Afghanistan | Special Representative of the Secretary-General and Head of the United Nations Assistance Mission in Afghanistan  |
| 6698<br>22 December 2011 | The situation in Libya       | Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya   |

### C. Invitations not expressly extended under rule 37 or rule 39

During the period under review, the Council extended several invitations not expressly under rule 37 or rule 39 (see table 10).

Invitations to representatives of Palestine to participate in meetings of the Council were routinely extended, without reference to any rule and “in accordance with

the provisional rules of procedure and the previous practice in this regard”.

At the 6408th (closed) meeting, on 21 October 2010, under the item entitled “The situation in Somalia”, the Under-Secretary-General for Field Support and the Force Commander of the African Union Mission in Somalia participated without any invitation, under either rule 37 or rule 39.<sup>109</sup>

<sup>109</sup> S/PV.6408.

Table 10

#### Invitations not expressly extended under rule 37 or rule 39, 2010-2011

| <i>Invitee</i>         | <i>Meeting and date</i> | <i>Item</i>  |
|------------------------|-------------------------|--|
| Palestine <sup>a</sup> | 6265<br>27 January 2010 | The situation in the Middle East, including the Palestinian question |
|                        | 6298<br>14 April 2010   | The situation in the Middle East, including the Palestinian question |
|                        | 6325<br>31 May 2010     | The situation in the Middle East, including the Palestinian question |
|                        | 6326<br>1 June 2010     | The situation in the Middle East, including the Palestinian question |
|                        | 6341<br>16 June 2010    | Children and armed conflict  |
|                        | 6363<br>21 July 2010    | The situation in the Middle East, including the Palestinian question |
|                        | 6404<br>18 October 2010 | The situation in the Middle East, including the Palestinian question |

| <i>Invitee</i> | <i>Meeting and date</i>  | <i>Item</i>  |
|----------------|--------------------------|--|
|                | 6411<br>26 October 2010  | Women and peace and security   |
|                | 6470<br>19 January 2011  | The situation in the Middle East, including the Palestinian question |
|                | 6484<br>18 February 2011 | The situation in the Middle East, including the Palestinian question |
|                | 6520<br>21 April 2011    | The situation in the Middle East, including the Palestinian question |
|                | 6590<br>26 July 2011     | The situation in the Middle East, including the Palestinian question |
|                | 6636<br>24 October 2011  | The situation in the Middle East, including the Palestinian question |

<sup>a</sup> The representatives were at the level of President, Minister for Foreign Affairs or Permanent Observer.

## D. Discussions relating to participation

During the period under review, there were no formal discussions concerning invitations to Member States or individuals to participate in meetings. The question of the participation of non-members in meetings of the Council, in particular Member States directly involved or specially affected by situations under consideration by the Council, was raised at the two open debates concerning the working methods of the Council (case 6).

### Case 6

#### Implementation of the note by the President of the Security Council

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>110</sup> the question of the participation of Member States which were directly involved or specially affected by situations under consideration by the Council was raised by several speakers, some explicitly citing

Article 31 of the Charter,<sup>111</sup> while others called for increased participation in more general terms.<sup>112</sup> The representative of Cuba said that the State concerned should be allowed to participate in Council discussions on topics that affected it directly, in accordance with Article 31 of the Charter.<sup>113</sup> The representative of Colombia said that efforts should be made to reduce the number of closed meetings that limited access by Member States, and to guarantee the participation of non-members of the Council in the discussion of matters that affected them directly.<sup>114</sup> The representative of Ecuador, while recognizing the important role of closed consultations, said that priority should be given to incorporating the opinions of other Member States, in respect for the provisions of Articles 31 and 32 of

<sup>110</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council (S/2006/507)”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council (S/2010/507)”.

<sup>111</sup> S/PV.6300, p. 15 (Brazil); p. 22 (Egypt, on behalf of the Non-Aligned Movement); p. 28 (Sierra Leone); and p. 35 (Slovenia); S/PV.6300 (Resumption 1), p. 9 (Cuba); p. 10 (India); pp. 13-14 (Islamic Republic of Iran); p. 20 (Namibia); p. 24 (Ecuador); and p. 27 (Pakistan).

<sup>112</sup> S/PV.6300, p. 3 (Turkey); p. 6 (China); p. 7 (Austria); p. 21 (Liechtenstein); p. 34 (South Africa); and p. 38 (Switzerland); S/PV.6300 (Resumption 1), p. 2 (Philippines); p. 5 (New Zealand); p. 7 (Costa Rica); p. 9 (Cuba); p. 11 (Uruguay); p. 15 (Singapore); p. 22 (Venezuela (Bolivarian Republic of)); and p. 28 (Republic of Korea).

<sup>113</sup> S/PV.6300 (Resumption 1), p. 9.

<sup>114</sup> Ibid., p. 18.

the Charter.<sup>115</sup> The representative of the Islamic Republic of Iran said that the refusal to allow non-members of the Council to participate in discussions on matters affecting them and their interests, the denial of their right to brief the Council on their positions on issues having a direct effect on their national interests, as well as the denial of the right of reply to countries against which allegations were raised during certain formats of the meetings of the Council, were in total disregard of Article 31 of the Charter.<sup>116</sup> The representative of Namibia said that the Council's practice of discussing issues without giving Member States with an interest in those issues an

opportunity to participate in any meaningful way was contrary to the provisions of Article 31 of the Charter.<sup>117</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled "Implementation of the note by the President of the Security Council (S/2010/507)", the representative of India said that Articles 31 and 32 of the Charter must be fully implemented, by consulting with non-members of the Council on a regular basis, especially Member States with a special interest in the substantive matter under consideration by the Council.<sup>118</sup>

<sup>115</sup> Ibid., p. 24.

<sup>116</sup> Ibid., pp. 13-14.

<sup>117</sup> Ibid., p. 20.

<sup>118</sup> S/PV.6672, p. 13.

## VIII. Decision-making and voting

### Note

Section VIII covers the practice of the Council concerning decision-making, including voting, in relation to the provisions of Article 27 of the Charter and rule 40 of the provisional rules of procedure. The section also covers rules 31, 32, 34 to 36 and 38, which govern the various aspects of voting on draft resolutions, amendments and substantive motions.

Article 27, together with rule 40, governs voting in the Council. It provides that decisions on procedural matters shall be made by an affirmative vote of nine members and that decisions on all other matters shall be made by an affirmative vote of nine members including the permanent members. Rules 31, 32, 34 to 36 and 38 deal with the conduct of business with regard to voting. Rule 31 concerns the introduction in writing of proposed resolutions, amendments and substantive motions, and rules 32, 34 to 36, and 38 specify the voting procedures such as the order in which draft resolutions and amendments are put to a vote, separate voting on parts of a motion or draft resolution, seconding a motion or draft resolution, the withdrawal of a motion or draft resolution, and sponsorship by non-members of the Council.

#### Article 27

1. *Each member of the Security Council shall have one vote.*

2. *Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.*

3. *Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.*

#### Rule 31

*Proposed resolutions, amendments and substantive motions shall normally be placed before the representatives in writing.*

#### Rule 32

*Principal motions and draft resolutions shall have precedence in the order of their submission.*

*Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects.*

#### Rule 34

*It shall not be necessary for any motion or draft resolution proposed by a representative on the Security Council to be seconded before being put to a vote.*

*Rule 35*

*A motion or draft resolution can at any time be withdrawn so long as no vote has been taken with respect to it.*

*If the motion or draft resolution has been seconded, the representative on the Security Council who has seconded it may require that it be put to the vote as his motion or draft resolution with the same right of precedence as if the original mover had not withdrawn it.*

*Rule 36*

*If two or more amendments to a motion or draft resolution are proposed, the President shall rule on the order in which they are to be voted upon. Ordinarily, the Security Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed until all amendments have been put to the vote, but when an amendment adds to or deletes from the text of a motion or draft resolution, that amendment shall be voted on first.*

*Rule 38*

*Any Member of the United Nations invited in accordance with the preceding rule, or in application of Article 32 of the Charter, to participate in the discussions of the Security Council may submit proposals and draft resolutions. These proposals and draft resolutions may be put to a vote only at the request of a representative on the Security Council.*

*Rule 40*

*Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice.*

Section VIII comprises four sub-sections, as follows: A, Decisions of the Security Council; B, Sponsorship in accordance with rule 38; C, Decision-making by voting; D, Decision-making without a vote; and E, Discussions concerning the decision-making process.

During the period under review, rule 31 was routinely applied at the meetings of the Council. As there was no instance of a motion or amendment requiring voting, submission of competing draft resolutions, request for separate voting on parts of a draft resolution, or withdrawal of a draft resolution, on no occasion were rules 32 and 34 to 36 invoked.

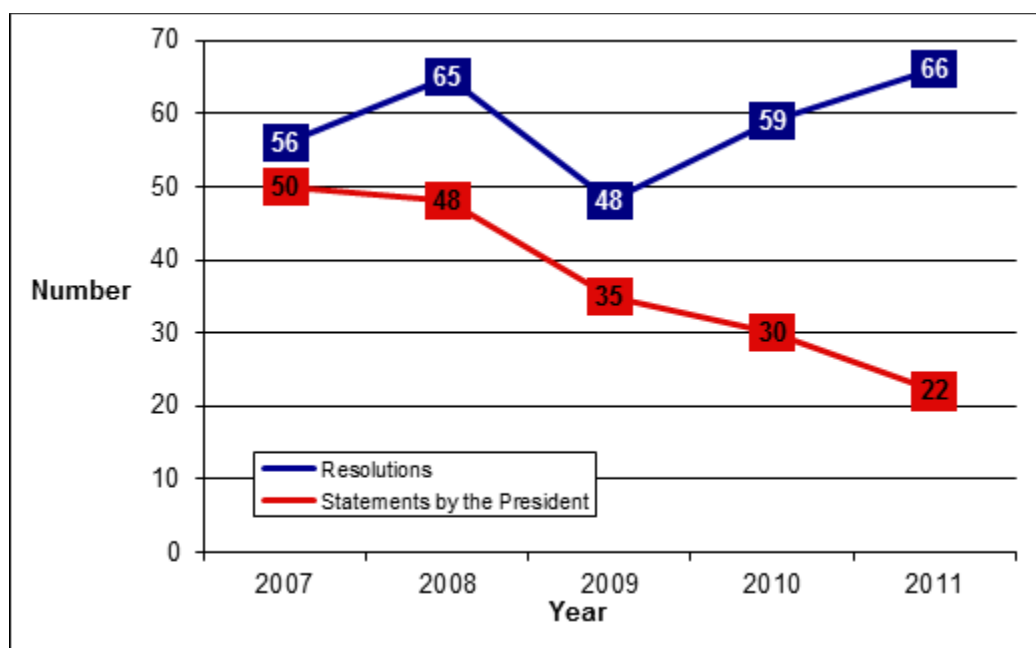
### **A. Decisions of the Security Council**

During the period under review, the Council continued to adopt resolutions and statements by the President, in addition to procedural decisions. Decisions of the Council also took the form of notes or letters by the President, which were issued as documents of the Council.<sup>119</sup>

During the period under review, the Council adopted 125 resolutions and 52 statements by the President. Figure VI shows the total number of resolutions and statements by the President during the five-year period 2007 to 2011.

<sup>119</sup> For the text of all resolutions, statements and procedural decisions adopted at Council meetings, as well as notes or letters issued by the President during the period under review, see the United Nations publication *Resolutions and Decisions of the Security Council* (S/INF/65, S/INF/66 and S/INF/67).

Figure VI  
Number of resolutions and statements by the President, 2007-2011



### Multiple decisions at one meeting

While the standard practice of the Council was to adopt a single decision at a meeting, during the period there were several occasions on which the Council adopted more than one decision at a single meeting. Of these, two instances related to the extension of the mandate of the United Nations Disengagement Observer Force, when the Council adopted a statement by the President immediately following the adoption of

the resolution.<sup>120</sup> The other instances related to the situation in Sierra Leone, the situation concerning Iraq, and threats to international peace and security caused by terrorist acts. In four cases, a statement by the President was issued immediately after the adoption of one or more resolutions; in two cases, two resolutions were adopted at the same meeting (see table 11).

<sup>120</sup> See [S/PV.6352](#) and [S/PV.6462](#).

Table 11  
Meetings at which more than one decision was taken, 2010-2011

| <i>Meeting and date</i>                   | <i>Item</i>                      | <i>Decisions</i>   |
|---|----------------------------------|--|
| <a href="#">6352</a><br>30 June 2010      | The situation in the Middle East | Resolution <a href="#">1934 (2010)</a> , <a href="#">S/PRST/2010/12</a>  |
| <a href="#">6392</a><br>29 September 2010 | The situation in Sierra Leone    | Resolutions <a href="#">1940 (2010)</a> and <a href="#">1941 (2010)</a>  |
| <a href="#">6450</a><br>15 December 2010  | The situation concerning Iraq    | Resolutions <a href="#">1956 (2010)</a> , <a href="#">1957 (2010)</a> and <a href="#">1958 (2010)</a> , <a href="#">S/PRST/2010/27</a> |
| <a href="#">6462</a><br>22 December 2010  | The situation in the Middle East | Resolution <a href="#">1965 (2010)</a> , <a href="#">S/PRST/2010/30</a>  |

| <i>Meeting and date</i> | <i>Item</i>  | <i>Decisions</i>                        |
|-------------------------|--|---|
| 6557<br>17 June 2011    | Threats to international peace and security caused by terrorist acts | Resolutions 1988 (2011) and 1989 (2011) |
| 6582<br>13 July 2011    | Admission of new Members   | Resolution 1999 (2011), S/PRST/2011/14  |

## B. Sponsorship in accordance with rule 38

A draft resolution may be submitted by any member of the Council. According to rule 38 of the provisional rules of procedure, any Member of the United Nations may also submit a proposal, but a proposal may be put to the vote only at the request of a Council member. Those Member States which submit a draft resolution become sponsors of the draft

resolution. A draft resolution may become a presidential text if all the Council members agree.

During the period under review, 126 draft resolutions were considered by the Council, of which 119 were sponsored texts, while 7 were presidential texts.<sup>121</sup> A total of 21 draft resolutions were sponsored by non-members of the Council (see table 12).

<sup>121</sup> S/2010/29 (see S/PV.6261), S/2010/141, S/2010/271, S/2010/346, S/2010/557, S/2011/417 and S/2011/421.

Table 12

### Draft resolutions sponsored by non-members of the Council, 2010-2011

| <i>Draft resolution</i> | <i>Item</i>                             | <i>Meeting and date</i>     | <i>Adopted resolution</i> | <i>Council member sponsors</i>  | <i>Non-member sponsors</i>  |
|-------------------------|---|-----------------------------|---------------------------|---|---|
| S/2010/29               | The question concerning Haiti           | 6261<br>19 January<br>2010  | 1908<br>(2010)            | Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States | Argentina, Canada, Chile, Guatemala, Peru, Uruguay                    |
| S/2010/95               | The situation in Timor-Leste            | 6278<br>26 February<br>2010 | 1912<br>(2010)            | Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States | Australia, Malaysia, New Zealand, Philippines, Portugal, South Africa |
| S/2010/216              | The situation concerning Western Sahara | 6305<br>30 April 2010       | 1920<br>(2010)            | France, Russian Federation, United Kingdom, United States   | Spain   |
| S/2010/277              | The question concerning Haiti           | 6330<br>4 June 2010         | 1927<br>(2010)            | Austria, Brazil, France, Japan, Mexico, United States   | Argentina, Canada, Chile, Guatemala, Peru, Spain, Uruguay             |



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| <i>Draft resolution</i>    | <i>Item</i>                             | <i>Meeting and date</i>                  | <i>Adopted resolution</i>      | <i>Council member sponsors</i>  | <i>Non-member sponsors</i>  |
|----------------------------|---|--|--------------------------------|---|---|
| <a href="#">S/2010/283</a> | Non-proliferation                       | <a href="#">6335</a><br>9 June 2010      | <a href="#">1929</a><br>(2010) | France, United Kingdom, United States   | Germany   |
| <a href="#">S/2010/454</a> | The situation in the Middle East        | <a href="#">6375</a><br>30 August 2010   | <a href="#">1937</a><br>(2010) | France, United States   | Belgium, Italy, Spain   |
| <a href="#">S/2010/519</a> | The question concerning Haiti           | <a href="#">6399</a><br>14 October 2010  | <a href="#">1944</a><br>(2010) | Brazil, France, Japan, Mexico, United States  | Argentina, Canada, Chile, Ecuador, Guatemala, Peru, Spain, Uruguay  |
| <a href="#">S/2010/582</a> | The situation in Bosnia and Herzegovina | <a href="#">6426</a><br>18 November 2010 | <a href="#">1948</a><br>(2010) | Austria, France, Russian Federation, Turkey, United Kingdom, United States  | Germany, Italy  |
| <a href="#">S/2010/592</a> | The situation in Somalia                | <a href="#">6429</a><br>23 November 2010 | <a href="#">1950</a><br>(2010) | Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States | Canada, Denmark, Germany, Greece, Norway, Somalia, Ukraine  |
| <a href="#">S/2010/641</a> | Women and peace and security            | <a href="#">6453</a><br>16 December 2010 | <a href="#">1960</a><br>(2010) | Austria, Bosnia and Herzegovina, Brazil, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Turkey, Uganda, United Kingdom, United States                            | Albania, Argentina, Australia, Belgium, Benin, Bulgaria, Burkina Faso, Canada, Chile, Colombia, Costa Rica, Croatia, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Estonia, Finland, Georgia, Germany, Greece, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Peru, Portugal, Romania, Rwanda, |

| <i>Draft resolution</i> | <i>Item</i>  | <i>Meeting and date</i>     | <i>Adopted resolution</i>                                    | <i>Council member sponsors</i>   | <i>Non-member sponsors</i>   |
|-------------------------|--|-----------------------------|--|--|--|
|                         |  |                             |  |  | Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine   |
| S/2010/644              | The situation in Côte d'Ivoire                                       | 6458<br>20 December<br>2010 | 1962<br>(2010)   | Austria, Bosnia and Herzegovina, France, Gabon, Nigeria, Turkey, Uganda, United Kingdom, United States | Germany  |
| S/2011/24               | The situation in the Middle East, including the Palestinian question | 6484<br>18 February<br>2011 | Not adopted owing to the negative vote of a permanent member | Brazil, Gabon, India, Lebanon, Nigeria, Portugal, South Africa   | Afghanistan, Algeria, Argentina, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Chile, Comoros, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Finland, Greece, Grenada, Guatemala, Guinea, Guyana, Iceland, Indonesia, Iraq, Ireland, Jordan, Kuwait, Lao People's Democratic Republic, Lesotho, Liechtenstein, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Namibia, Nicaragua, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Slovenia, |

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| <i>Draft resolution</i> | <i>Item</i>                             | <i>Meeting and date</i>  | <i>Adopted resolution</i> | <i>Council member sponsors</i>  | <i>Non-member sponsors</i>  |
|-------------------------|---|--------------------------|---------------------------|---|---|
|                         |   |                          |                           |   | Somalia, Sudan, Sweden, Switzerland, Tajikistan, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe  |
| S/2011/86               | The situation in Timor-Leste            | 6487<br>24 February 2011 | 1969<br>(2011)            | Bosnia and Herzegovina, Brazil, China, Colombia, France, Gabon, Germany, India, Lebanon, Nigeria, Portugal, Russian Federation, South Africa, United Kingdom, United States | Australia, Japan, Malaysia, New Zealand, Philippines  |
| S/2011/228              | The situation in Somalia                | 6512<br>11 April 2011    | 1976<br>(2011)            | Colombia, France, Gabon, India, Lebanon, Nigeria, Portugal, Russian Federation  | Denmark, Italy, Spain, Ukraine  |
| S/2011/268              | The situation concerning Western Sahara | 6523<br>27 April 2011    | 1979<br>(2011)            | France, Russian Federation, United Kingdom, United States   | Spain   |
| S/2011/425              | Children and armed conflict             | 6581<br>12 July 2011     | 1998<br>(2011)            | Bosnia and Herzegovina, France, Gabon, Germany, Nigeria, Portugal, United Kingdom, United States  | Australia, Austria, Belgium, Benin, Bulgaria, Canada, Chad, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Estonia, Finland, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, New Zealand, Norway, Peru, Poland, Qatar, |

| <i>Draft resolution</i>    | <i>Item</i>                             | <i>Meeting and date</i>  | <i>Adopted resolution</i>   | <i>Council member sponsors</i>   | <i>Non-member sponsors</i>   |
|----------------------------|---|--------------------------|-----------------------------|--|--|
|                            |   |                          |                             |  | Republic of Moldova, Romania, Samoa, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine |
| <a href="#">S/2011/545</a> | The situation in the Middle East        | 6605<br>30 August 2011   | <a href="#">2004 (2011)</a> | France, Germany, United States   | Italy, Spain   |
| <a href="#">S/2011/637</a> | The question concerning Haiti           | 6631<br>14 October 2011  | <a href="#">2012 (2011)</a> | Brazil, Colombia, France, United States  | Argentina, Canada, Chile, Guatemala, Peru, Spain, Uruguay                                    |
| <a href="#">S/2011/650</a> | The situation in Somalia                | 6635<br>24 October 2011  | <a href="#">2015 (2011)</a> | France, Gabon, Germany, India, Lebanon, Nigeria, Portugal, Russian Federation, United Kingdom, United States | Denmark, Greece, Italy, Norway, Spain, Ukraine   |
| <a href="#">S/2011/713</a> | The situation in Bosnia and Herzegovina | 6661<br>16 November 2011 | <a href="#">2019 (2011)</a> | France, Germany, Nigeria, Portugal, Russian Federation, United Kingdom, United States                        | Italy, Spain   |
| <a href="#">S/2011/725</a> | The situation in Somalia                | 6663<br>22 November 2011 | <a href="#">2020 (2011)</a> | France, Germany, India, Russian Federation, United Kingdom, United States                                    | Norway   |

### C. Decision-making by voting

According to Article 27 (2) and (3) of the Charter, decisions of the Council on procedural matters shall be made by an affirmative vote of nine members, while an affirmative vote of nine members, including the concurring votes of the permanent members, is required for decisions on all other matters, that is, substantive or non-procedural matters. However, the result of a vote in the Council does not in itself indicate whether the Council considers the matter voted upon as procedural or substantive. For example, whether a vote is procedural or substantive cannot be determined when a proposal is (a) adopted by a unanimous vote; (b) adopted by an affirmative vote of all permanent members; or (c) not adopted, having

failed to obtain the required nine affirmative votes. If a proposal is adopted, having obtained nine or more affirmative votes, with one or more permanent members casting a negative vote, that indicates that the vote is considered procedural. Conversely, if the proposal is not adopted, the vote is considered substantive. On certain occasions, in its early years, the Council found it necessary to decide, by vote, the question whether the matter under consideration was procedural within the meaning of Article 27 (2). This procedure is known as the “preliminary question”, after the language used in the San Francisco Statement on Voting Procedure. In recent years, however, there have been no instances in which the Council decided to examine the preliminary question. Furthermore, procedural motions such as the adoption of the agenda,

the extension of invitations, and the suspension or adjournment of a meeting have generally been decided upon by the Council without a vote. When such motions were voted upon, the vote was considered procedural. During the period under review, there were no changes to this established practice, and no instances of a vote being considered procedural.

### Adoption of resolutions

During the period under review, the majority of resolutions — 113 of 125 — were adopted unanimously. Nine resolutions were adopted without a unanimous vote (see table 13).

Table 13  
Resolutions adopted without a unanimous vote, 2010-2011

| <i>Resolution</i> | <i>Item</i>  | <i>Meeting and date</i>  | <i>Vote (for-against-abstaining)</i> | <i>Negative vote</i> | <i>Abstention</i>   |
|-------------------|--|--------------------------|--------------------------------------|----------------------|---|
| 1929 (2010)       | Non-proliferation  | 6335<br>9 June 2010      | 12-2-1                               | Brazil,<br>Turkey    | Lebanon   |
| 1930 (2010)       | The situation in Cyprus  | 6339<br>15 June 2010     | 14-1-0                               | Turkey               |   |
| 1945 (2010)       | Reports of the Secretary-General on the Sudan  | 6401<br>14 October 2010  | 14-0-1                               |                      | China   |
| 1953 (2010)       | The situation in Cyprus  | 6445<br>14 December 2010 | 14-1-0                               | Turkey               |   |
| 1958 (2010)       | The situation concerning Iraq  | 6450<br>15 December 2010 | 14-0-1                               |                      | France  |
| 1966 (2010)       | International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991; International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 | 6463<br>22 December 2010 | 14-0-1                               |                      | Russian Federation  |
| 1973 (2011)       | The situation in Libya   | 6498<br>17 March 2011    | 10-0-5                               |                      | Brazil,<br>China,<br>Germany,<br>India,<br>Russian Federation |

| <i>Resolution</i> | <i>Item</i>                  | <i>Meeting and date</i> | <i>Vote (for-against-abstaining)</i> | <i>Negative vote</i> | <i>Abstention</i>               |
|-------------------|------------------------------|-------------------------|--------------------------------------|----------------------|---------------------------------|
| 1984 (2011)       | Non-proliferation            | 6552<br>9 June 2011     | 14-0-1                               |                      | Lebanon                         |
| 2023 (2011)       | Peace and security in Africa | 6674<br>5 December 2011 | 13-0-2                               |                      | China,<br>Russian<br>Federation |

### Draft resolutions not adopted

Under Article 27 (3) of the Charter, a draft resolution on a non-procedural matter is not adopted when it fails to obtain the necessary nine votes in favour, or when a negative vote is cast by a permanent member. During the period under review, while there was no instance of a draft resolution being rejected for lack of nine affirmative votes, two draft resolutions were rejected because of the negative vote of a permanent member (see table 14).

At the 6389th meeting, on 23 September 2010, under the item entitled “Maintenance of international peace and security”, the Minister for External Relations of Brazil said that imaginative formulas to

make the use of the veto more difficult or encourage self-restraint were necessary.<sup>122</sup> At the 6404th meeting, on 18 October 2010, under the item entitled “The situation in the Middle East, including the Palestinian question”, the representative of the Bolivarian Republic of Venezuela said that the right of veto in the Council should be eliminated, and binding force granted to the decisions of the General Assembly.<sup>123</sup>

During the period under review, the question of the veto was raised at the two open debates concerning the working methods of the Council (case 7).

<sup>122</sup> S/PV.6389, p. 16.

<sup>123</sup> S/PV.6404 (Resumption 1), p. 22.

Table 14

### Draft resolutions not adopted owing to the negative vote of a permanent member, 2010-2011

| <i>Draft resolution</i> | <i>Item</i>  | <i>Meeting and date</i>  | <i>Vote (for-against-abstaining)</i> | <i>Permanent member(s) casting a negative vote</i> |
|-------------------------|--|--------------------------|--------------------------------------|--|
| S/2011/24               | The situation in the Middle East, including the Palestinian question | 6484<br>18 February 2011 | 14-1-0                               | United States                                      |
| S/2011/612              | The situation in the Middle East                                     | 6627<br>4 October 2011   | 9-2-4                                | China, Russian<br>Federation                       |

**Case 7**

**Implementation of the note by the President of the Security Council**

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>124</sup> the question of the veto was raised by several speakers, some suggesting ways in which its use could be restricted.<sup>125</sup> The representative of Egypt said that the working methods of the Council would not be improved unless the misuse of the right to veto, or the threat of use of the veto, was addressed, in a manner that would rationalize and restrict its use to cases where severe violations of human rights were being committed, as well as to the cessation of hostilities between belligerent parties, and the election of the Secretary-General.<sup>126</sup> The representative of Colombia said that the use of the veto could be limited to situations under Chapter VII of the Charter, and only in situations calling for the use of force or the imposition of sanctions. She also said that consideration could be given to increasing the number of negative votes by permanent members required for a draft resolution not to be adopted.<sup>127</sup> The representative of Cuba said it was important as a first step to consider various options for limiting the use of the veto, such as limiting the use of the veto to votes on measures adopted by the Council under Chapter VII of the Charter; allowing for the possible annulment of the veto through an affirmative vote by an agreed number of Council members in line with the number of members of an expanded Council; or allowing for a possible annulment of the veto by a two-thirds majority in the General Assembly.<sup>128</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”,

the question of the restriction of the veto was again considered by the Council.<sup>129</sup> Several speakers said that permanent members should voluntarily refrain from the use or threat of use of the veto altogether in situations where there were serious allegations of genocide, crimes against humanity and grave breaches of international humanitarian law.<sup>130</sup> Others suggested some new measures to restrict the use of the veto. The representative of Liechtenstein suggested that a new practice could be established that would allow a permanent member to cast a negative vote without giving it the effect of a veto; that would enable any permanent member to take a clear position on the substance of a text, while making it clear that it did not intend to block the adoption of a proposal.<sup>131</sup> The representative of Spain said that measures to limit the use of the veto would be, at the least, an obligation of conduct.<sup>132</sup> The representative of New Zealand said that agreement on an informal code guiding the use of the veto would be a welcome initiative.<sup>133</sup>

**Abstention, non-participation or absence**

Under Article 27 (3), a party to a dispute shall abstain from voting in decisions of the Council under Chapter VI of the Charter. Such an abstention is defined as an obligatory abstention, while an abstention that does not fall under Article 27 (3) is defined as a voluntary abstention.

During the period under review, there were no obligatory abstentions. As listed in table 13, there were seven occasions of voluntary abstentions on the part of Council members. In five of those cases a permanent member voluntarily abstained from voting. The abstention of a permanent member did not, however, affect the adoption of the draft resolutions in those cases.

There were no instances of non-participation by any Council members. There were also no instances of votes taken in the absence of a Council member.

<sup>124</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council (S/2006/507)”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council (S/2010/507)”.

<sup>125</sup> S/PV.6300, p. 22 (Egypt); and p. 36 (Slovenia); S/PV.6300 (Resumption 1), p. 9 (Cuba); p. 14 (Islamic Republic of Iran); p. 18 (Colombia); and p. 25 (Qatar).

<sup>126</sup> S/PV.6300, pp. 22-23.

<sup>127</sup> S/PV.6300 (Resumption 1), p. 18.

<sup>128</sup> Ibid., pp. 9-10.

<sup>129</sup> S/PV.6672, p. 4 (Russian Federation); p. 10 (Lebanon); pp. 21-23 (Jordan); p. 24 (Egypt, on behalf of Non-Aligned Movement); and p. 26 (Liechtenstein); S/PV.6672 (Resumption 1), p. 4 (Slovenia); p. 10 (Spain); p. 18 (New Zealand); and p. 20 (Portugal).

<sup>130</sup> S/PV.6672, p. 23 (Jordan); S/PV.6672 (Resumption 1), p. 4 (Slovenia); and p. 10 (Spain).

<sup>131</sup> S/PV.6672, p. 26.

<sup>132</sup> S/PV.6672 (Resumption 1), p. 10.

<sup>133</sup> Ibid., p. 18.

## D. Decision-making without a vote

Most procedural motions in the Council, such as questions relating to the agenda, or the suspension or adjournment of meetings, are adopted without a vote. Certain motions of substance can also be adopted without a vote.

During the period under review, there were four occasions when a decision was adopted without a vote. Two instances concerned the date of the election to fill a vacancy in the International Court of Justice, one concerned the appointment of the Secretary-General, and one concerned the admission of new Members to the United Nations (see table 15).

During the period under review, following previous Council practice, no votes were taken on decisions that took the form of statements by the President, which continued to be adopted by consensus. A total of 52 statements by the President were adopted during the period. Also following previous practice, most of the statements by the President were read out at meetings. Several statements were however adopted at the meeting without the text being read out, the President announcing only that the statement would be issued as a document of the Council.<sup>134</sup>

<sup>134</sup> For example, [S/PRST/2010/22](#) was not read out at the 6411th meeting, on 26 October 2010; and [S/PRST/2010/25](#) was not read out at the 6427th meeting, on 22 November 2010.

While a statement by the President is usually considered and agreed upon by the Council members in prior consultations, there was one occasion during the period when a Council member announced its intention to disassociate itself from the statement by the President. At the 6598th meeting, on 3 August 2011, under the item entitled “The situation in the Middle East”, the Council adopted a statement by the President concerning the Syrian Arab Republic.<sup>135</sup> Immediately after the adoption, the representative of Lebanon disassociated her country from the statement, as it believed that the adopted statement did not help to address the situation in the country.<sup>136</sup>

Regarding notes by the President or letters from the President issued during the period under review, no votes were taken on them, and many were simply issued as documents of the Council.<sup>137</sup> There were two occasions during the period under review when, in accordance with past practice, the issuance of the notes was announced at a formal meeting. On both occasions, through notes by the President, the Council announced that its draft report to the General Assembly had been adopted without a vote (see table 16).

<sup>135</sup> [S/PRST/2011/16](#).

<sup>136</sup> [S/PV.6598](#), pp. 2-3.

<sup>137</sup> For complete lists of the notes by the President of the Security Council and the letters from the President issued in 2010 and 2011, see part I, sect. XIV, and appendix IV, respectively, of the reports of the Security Council to the General Assembly at its sixty-fifth, sixty-sixth and sixty-seventh sessions ([A/65/2](#), [A/66/2](#) and [A/67/2](#)).

Table 15  
Resolutions adopted without a vote, 2010-2011

| <i>Meeting and date</i>                       | <i>Item</i>   | <i>Decision</i>                        |
|---|---|--|
| <a href="#">6285</a><br>18 March 2010         | Date of election to fill a vacancy in the International Court of Justice ( <a href="#">S/2010/136</a> ) | Resolution <a href="#">1914 (2010)</a> |
| <a href="#">6327</a><br>2 June 2010           | Date of election to fill a vacancy in the International Court of Justice ( <a href="#">S/2010/255</a> ) | Resolution <a href="#">1926 (2010)</a> |
| <a href="#">6556</a> (closed)<br>17 June 2011 | Recommendation for the appointment of the Secretary-General of the United Nations                       | Resolution <a href="#">1987 (2011)</a> |
| <a href="#">6582</a><br>13 July 2011          | Admission of new Members to the United Nations  | Resolution <a href="#">1999 (2011)</a> |



Table 16

**Notes by the President of the Security Council adopted at a formal meeting, 2010-2011**

| <i>Meeting and date</i> | <i>Item</i>   | <i>Symbol</i>              |
|-------------------------|---|----------------------------|
| 6413<br>28 October 2010 | Consideration of the draft report of the Security Council to the General Assembly | <a href="#">S/2010/552</a> |
| 6641<br>27 October 2011 | Consideration of the draft report of the Security Council to the General Assembly | <a href="#">S/2011/664</a> |

**E. Discussions concerning the decision-making process**

During the period under review, the question of the incorporation of inputs from non-members of the Council in the outcome documents of Council meetings was raised at several meetings. At the 6427th meeting, on 22 November 2010, under the item entitled “Protection of civilians in armed conflict”, the representative of Peru said that he believed it very important that, before the adoption of statements by the President, the opinions of Member States on the issue at hand should be listened to and considered.<sup>138</sup> At the 6587th meeting, on 20 July 2011, under the item entitled “Maintenance of international peace and security”, the representative of the Bolivarian Republic of Venezuela said that the statement by the President had been read out before the debate had ended and before the statements of several delegations had been heard. He stated that the procedure was inconsiderate and another example of the exclusive nature of the decision-making of the Council.<sup>139</sup>

During the period under review, the question of the decision-making process of the Council was raised at the two open debates concerning the working methods of the Council (case 8).

**Case 8  
Implementation of the note by the President of the Security Council**

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the

President of the Security Council ([S/2006/507](#))”,<sup>140</sup> speakers considered the question of the involvement of Member States in the decision-making process of the Council, including the role of elected Council members, the circulation of draft resolutions, and the interaction of the Council with troop- and police-contributing countries and other bodies such as the Peacebuilding Commission.

The role of elected members of the Council in its decision-making process was raised by several speakers. The representative of Turkey said that the fact that the Council often acted as a quasi-judicial body whose decisions, such as sanctions, affected international law, meant that involving every Council member fully in decision-shaping and decision-making processes was of even further significance in that respect.<sup>141</sup> The representative of Portugal said that the Council and its members must continuously strive to preserve the adequate involvement of all Council members, improve information exchange and promote participation and initiative in its internal decision-making process.<sup>142</sup> The representative of South Africa said that there was a need for improvement in the decision-making process of the Council. For example, the deliberations of the Council on draft resolutions should be open for genuine deliberations among all of

<sup>138</sup> [S/PV.6427 \(Resumption 1\)](#), p. 16.

<sup>139</sup> [S/PV.6587 \(Resumption 1\)](#), p. 35.

<sup>140</sup> The note by the President of the Council dated 19 July 2006 ([S/2006/507](#)) was superseded by a note dated 26 July 2010 ([S/2010/507](#)). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council ([S/2006/507](#))”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council ([S/2010/507](#))”.

<sup>141</sup> [S/PV.6300](#), p. 4.

<sup>142</sup> *Ibid.*, p. 33.

its members, including the 10 elected members, and should not be the exclusive domain of a few.<sup>143</sup>

Several speakers referred to the process of drafting resolutions.<sup>144</sup> The representative of Colombia suggested that advance circulation of or access to draft resolutions would be a step towards greater transparency in the work and decision-making of the Council.<sup>145</sup> The representative of Namibia noted that, at times, elected members of the Council experienced difficulties in participating effectively, particularly when draft resolutions had been negotiated behind the scenes among the five permanent members. He said that sufficient time should be allotted for all members of the Council to be consulted as well as for their consideration of drafts prior to any action by the Council on specific items.<sup>146</sup>

The question of the involvement of troop- and police-contributing countries as part of the decision-making process of the Council was raised by several speakers, together with specific proposals for improvement.<sup>147</sup> The representative of Brazil said that consultations should be held as early as possible in the negotiation of mandate renewals for peacekeeping missions so that the views of troop- and police-contributing countries could be considered by the Council fully in a timely manner.<sup>148</sup> Similarly, the representative of Finland said that troop- and police-contributing countries should be better engaged in all

stages of decision-making regarding peacekeeping operations, starting with the planning of mandates.<sup>149</sup>

Several speakers emphasized the importance of expanding the involvement of the Peacebuilding Commission in the decision-making process of the Council.<sup>150</sup> The representative of Austria said that it would be beneficial for the Council to have the Chairs of all country-specific configurations of the Commission participate in the relevant consultations of the Council independently of whether they represented Council members or not.<sup>151</sup> The representative of Germany said that the Council needed to consider ways to maximize the use of the advisory role of the Peacebuilding Commission, particularly with regard to early peacebuilding activities carried out by peacekeepers.<sup>152</sup> The representative of Pakistan said that the Council should have more structured interaction with the General Assembly, the Economic and Social Council and the Peacebuilding Commission, as well as troop- and police-contributing countries.<sup>153</sup>

The question of the contributions of Member States at open debates was also raised, several speakers calling for them to be duly reflected in the outcome documents of the Council. The representative of Finland, on behalf of the Nordic countries, said that they welcomed an increased focus on how the thematic debates could become more action-oriented, and could feed into future decisions of the Council on the topic, ensuring that key provisions of the thematic resolutions were incorporated into country-specific resolutions.<sup>154</sup> The representative of Cuba said that opinions expressed by Member States in thematic open debates should be reflected in the decisions of the Council.<sup>155</sup> The representative of Costa Rica said that the adoption of decisions by the Council agreed upon before the debate seemed to indicate that the Council was not

<sup>143</sup> *Ibid.*, p. 34.

<sup>144</sup> *Ibid.*, p. 10 (Lebanon); p. 15 (Brazil); p. 24 (Finland); p. 34 (South Africa); and p. 36 (Slovenia); [S/PV.6300 \(Resumption 1\)](#), p. 5 (New Zealand); p. 6 (Australia); p. 7 (Costa Rica); p. 10 (India); p. 13 (Islamic Republic of Iran); p. 17 (Germany); p. 18 (Colombia); p. 20 (Namibia); and p. 23 (Malaysia).

<sup>145</sup> [S/PV.6300 \(Resumption 1\)](#), p. 18.

<sup>146</sup> *Ibid.*, p. 20.

<sup>147</sup> [S/PV.6300](#), p. 3 (Turkey); p. 5 (Russian Federation); p. 6 (China); p. 7 (Austria); p. 8 (United Kingdom); p. 11 (Nigeria); p. 13 (France); p. 14 (Bosnia and Herzegovina); p. 15 (Brazil); p. 25 (Finland); p. 30 (Italy); and p. 32 (Jordan); [S/PV.6300 \(Resumption 1\)](#), p. 3 (Canada); p. 4 (New Zealand); p. 6 (Australia); p. 7 (Costa Rica); p. 10 (India); p. 11 (Uruguay); p. 16 (Ukraine); p. 17 (Germany); p. 20 (Namibia); p. 21 (Czech Republic); p. 23 (Malaysia); p. 24 (Ecuador); p. 27 (Pakistan); and p. 28 (Republic of Korea).

<sup>148</sup> [S/PV.6300](#), p. 15.

<sup>149</sup> *Ibid.*, p. 25.

<sup>150</sup> *Ibid.*, p. 7 (Austria); p. 9 (United Kingdom); p. 10 (Lebanon); p. 14 (Bosnia and Herzegovina); p. 15 (Brazil); p. 23 (Luxembourg); p. 25 (Finland, on behalf of the Nordic countries); p. 29 (Slovakia); p. 34 (South Africa); and p. 38 (Switzerland); [S/PV.6300 \(Resumption 1\)](#), p. 4 (Canada); p. 6 (Australia); p. 8 (Argentina); p. 12 (Malta); p. 17 (Germany); pp. 21-22 (Czech Republic); and p. 27 (Pakistan).

<sup>151</sup> [S/PV.6300](#), p. 7.

<sup>152</sup> [S/PV.6300 \(Resumption 1\)](#), p. 17.

<sup>153</sup> *Ibid.*, p. 27.

<sup>154</sup> [S/PV.6300](#), p. 24.

<sup>155</sup> [S/PV.6300 \(Resumption 1\)](#), p. 9.

interested in hearing the points of view of the broader membership before making decisions.<sup>156</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, the question of the decision-making process was again discussed.<sup>157</sup> The representative of Brazil said that the Council should grant non-members of the Council access to the subsidiary bodies of the Council, including the right to participate as appropriate.<sup>158</sup> The representative of Mexico said that the sanctions committees should be encouraged to hear the views of Member States affected by sanctions and to include

such views in their mandatory reports to the Council.<sup>159</sup>

Several speakers made suggestions concerning the process by which the outcome documents of the Council were produced. The representative of Singapore said that open debates in themselves did not necessarily enhance the accountability, transparency, inclusiveness or effectiveness of the Council and, given that their outcomes were often predetermined, it was difficult to see how open debates could give Member States insight into the deliberations of the Council, or enable the Council to benefit from the views of Member States on its work.<sup>160</sup> The representative of Slovenia said that consideration could be given to the order of speakers at open briefings and debates, while at the same time allowing some time between the meeting and the adoption of the possible outcome document, thus demonstrating that the Council was willing to reflect on the views presented by the wider membership before the final decision was taken.<sup>161</sup>

<sup>156</sup> Ibid., p. 8.

<sup>157</sup> S/PV.6672, p. 3 (Bosnia and Herzegovina); p. 4 (Russian Federation); p. 5 (France); p. 7 (Colombia); p. 8 (Nigeria); p. 9 (Germany); p. 10 (Lebanon); p. 11 (South Africa); p. 13 (India); p. 14 (United Kingdom); p. 16 (Brazil); p. 17 (United States); p. 18 (Guatemala); p. 20 (Switzerland); and p. 24 (Egypt); S/PV.6672 (Resumption 1), p. 2 (Mexico); p. 3 (Slovenia); p. 5 (Australia, Costa Rica); p. 6 (Luxembourg); p. 7 (Finland); p. 9 (Morocco); p. 11 (Sudan); pp. 12-13 (Malaysia); p. 13 (Singapore); p. 14 (Islamic Republic of Iran); pp. 15-16 (Belgium); p. 17 (New Zealand); and p. 20 (Portugal).

<sup>158</sup> S/PV.6672, p. 16.

<sup>159</sup> S/PV.6672 (Resumption 1), p. 2.

<sup>160</sup> Ibid., p. 13.

<sup>161</sup> Ibid., p. 3.

## IX. Languages

### Note

Section IX covers rules 41 to 47 of the provisional rules of procedure of the Security Council, relating to the official and working languages of the Council, interpretation and the languages of meeting records and published resolutions and decisions.

#### Rule 41

*Arabic, Chinese, English, French, Russian and Spanish shall be both the official and the working languages of the Security Council.*

#### Rule 42

*Speeches made in any of the six languages of the Security Council shall be interpreted into the other five languages.*

#### Rule 43

*[Deleted]*

#### Rule 44

*Any representative may make a speech in a language other than the languages of the Security Council. In this case, he shall himself provide for interpretation into one of those languages. Interpretation into the other languages of the Security Council by the interpreters of the Secretariat may be based on the interpretation given in the first such language.*

*Rule 45*

*Verbatim records of meetings of the Security Council shall be drawn up in the languages of the Council.*

*Rule 46*

*All resolutions and other documents shall be published in the languages of the Security Council.*

*Rule 47*

*Documents of the Security Council shall, if the Security Council so decides, be published in any language other than the languages of the Council.*

During the period under review, rules 41 to 47 were consistently applied. At several meetings, speakers delivered their statements in a language other

than the six official languages of the Security Council in accordance with rule 44.<sup>162</sup>

<sup>162</sup> For example, at the 6341st meeting, on 16 June 2010, a former child soldier briefed the Council in Nepalese; an English text was provided by the speaker (see [S/PV.6341](#), p. 9). At the 6359th meeting, on 15 July 2010, the Minister for Foreign Affairs of Guinea-Bissau delivered his statement in Portuguese; an English text was provided by the delegation ([S/PV.6359](#), p. 6). At the 6389th meeting, on 23 September 2010, the Prime Minister of Japan spoke in Japanese; an English text was provided by the delegation ([S/PV.6389](#), p. 13). At the 6411th meeting, on 26 October 2010, the Parliamentary Vice-Minister for Foreign Affairs of Japan spoke in Japanese; an English text was provided by the delegation ([S/PV.6411](#), p. 15). At the 6421st meeting, on 11 November 2010, the Chairman of the Presidency of Bosnia and Herzegovina spoke in Bosnian; English interpretation was provided by the delegation ([S/PV.6421](#), p. 5). At the 6425th meeting, on 16 November 2010, the State Secretary for Foreign Affairs of Japan spoke in Japanese; English interpretation was provided by the delegation ([S/PV.6425](#), p. 24). At the 6650th meeting, on 9 November 2011, the President of the Council (Portugal) spoke in Portuguese; English interpretation was provided by the delegation ([S/PV.6650](#), p. 2). At the 6664th meeting, on 22 November 2011, the Minister for Foreign Affairs and Cooperation of Timor-Leste spoke in Portuguese; English interpretation was provided by the delegation ([S/PV.6664](#), p. 5).

## X. Provisional status of the rules of procedure

### Note

Section X covers the practice of the Council concerning the status of the provisional rules of procedure of the Council. Article 30 of the Charter provides that the Council shall adopt its own rules of procedure. Since the adoption of the provisional rules of procedure at its first meeting, held on 17 January 1946, the Council has continued to use its provisional rules of procedure, last amended in 1982.<sup>163</sup>

<sup>163</sup> The provisional rules of procedure of the Council were amended 11 times between 1946 and 1982: five times during the Council's first year, at its 31st, 41st, 42nd, 44th and 48th meetings, on 9 April, 16 and 17 May, and 6 and 24 June 1946; twice in its second year, at the 138<sup>th</sup> and 222nd meetings, on 4 June and 9 December 1947; and at the 468th meeting, on 28 February 1950; 1463rd meeting, on 24 January 1969; 1761st meeting, on 17 January 1974; and 2410th meeting, on 21 December

### Article 30

*The Security Council shall adopt its own rules of procedure, including the method of selecting its President.*

### Discussions concerning the provisional status of the rules of procedure

During the period under review, the question of the provisional rules of procedure, including with reference to Article 30 of the Charter, was raised at the two open debates concerning the working methods of the Council (case 9).

1982. Previous versions of the provisional rules were issued under the symbols [S/96](#) and [Rev.1-6](#), the current version under the symbol [S/96/Rev.7](#).

**Case 9**  
**Implementation of the note by the President of the Security Council**

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”,<sup>164</sup> several speakers noted that the rules of procedure of the Council were still provisional, and called for the formal adoption of the rules of procedure.<sup>165</sup> The representative of Cuba said that the rules of procedure should be formalized to increase transparency and accountability.<sup>166</sup> The representative of Kenya said that the Council should finalize its rules of procedure, including new methods of work and practices that had already been agreed upon.<sup>167</sup>

Several speakers explicitly referred to Article 30 of the Charter. The representative of the Russian Federation, emphasizing that Article 30 defined the prerogative of the Council to establish its own rules of procedure, said that in implementation of that role, the Council was striving methodically to improve its working methods in its Informal Working Group on Documentation and Other Procedural Questions.<sup>168</sup> The representative of the United States, also citing Article 30, said that the Council understood the importance of making sure that other Member States were informed of and appropriately involved in its work.<sup>169</sup> The representative of Saint Vincent and the Grenadines, speaking on behalf of the 14 members of the Caribbean Community, questioned the expansive reading that some States gave to Article 30. He said that it was impossible to read Article 30 in such a way

as to make it immune from the explicit authority of the General Assembly to discuss and make recommendations on any matters within the scope of the Charter relating to the functions of any organ of the United Nations, including the Council. While the Council might have the responsibility of formally adopting its rules of procedure, he emphasized that the General Assembly was clearly empowered not only to discuss the working methods of the Council, but to make recommendations to the Council, whether or not those recommendations touched on and concerned the rules of procedure.<sup>170</sup> The representative of Qatar noted that in Article 30 the Council was called upon to adopt its rules of procedure, and outlined several proposals for the improvement of the working methods of the Council. He said that the Council represented all Member States, and it should take their views into account when adopting its rules of procedure.<sup>171</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, several speakers pointed to the provisional status of the rules of procedure and called for their formal adoption.<sup>172</sup> The representative of Switzerland said that Council was still working under the provisional rules of procedure prepared in 1946, or was following informal traditions, and those rules of procedure were neither adequate nor adapted to the needs of the present day.<sup>173</sup> The representative of Egypt, speaking on behalf of the Non-Aligned Movement, said that an initial and major concrete step towards improving the working methods of the Council would be to reach an agreement on permanent rules of procedure to replace the current provisional rules, which had been in force for more than 60 years.<sup>174</sup> The representative of the United States, citing Article 30, said that the Council recognized the need for other Member States to be informed of and appropriately involved in its work.<sup>175</sup>

<sup>164</sup> The note by the President of the Council dated 19 July 2006 (S/2006/507) was superseded by a note dated 26 July 2010 (S/2010/507). The agenda for the 6300th meeting was “Implementation of the note by the President of the Security Council (S/2006/507)”, while the agenda for the 6672nd meeting was “Implementation of the note by the President of the Security Council (S/2010/507)”.

<sup>165</sup> S/PV.6300, p. 10 (Lebanon); p. 22 (Egypt); and p. 28 (Sierra Leone); S/PV.6300 (Resumption 1), p. 9 (Cuba); p. 18 (Colombia); p. 19 (Kenya); p. 20 (Namibia); and p. 22 (Bolivarian Republic of Venezuela).

<sup>166</sup> S/PV.6300 (Resumption 1), p. 9.

<sup>167</sup> Ibid., p. 19.

<sup>168</sup> S/PV.6300, p. 5.

<sup>169</sup> Ibid., p. 11.

<sup>170</sup> Ibid., pp. 26-27.

<sup>171</sup> S/PV.6300 (Resumption 1), p. 25.

<sup>172</sup> S/PV.6672, p. 11 (South Africa); p. 17 (United States); p. 19 (Switzerland); and p. 25 (Egypt).

<sup>173</sup> Ibid., p. 19.

<sup>174</sup> Ibid., p. 25.

<sup>175</sup> Ibid., p. 17.

## **Part III**

# **Purposes and principles of the Charter of the United Nations**

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## Introductory note

Part III covers the consideration by the Security Council of Articles contained in Chapter I of the Charter of the United Nations pertaining to the purposes and principles of the United Nations, namely Articles 1 (2), 2 (4), 2 (5) and 2 (7), and consists accordingly of four sections. In section I, material relating to the principle of self-determination of peoples under Article 1 (2) is considered; section II covers material relevant to the prohibition of the threat or use of force as enshrined in Article 2 (4); section III deals with the obligation of States to refrain from assisting a target of the Council's enforcement action as stipulated in Article 2 (5); and section IV concerns the Council's consideration of the principle of non-intervention by the United Nations in the internal affairs of States, as regulated in Article 2 (7).

In 2010 and 2011, the Council discussed the application and interpretation of Articles 1 (2), 2 (4), 2 (5) and 2 (7) in discharging its function of the maintenance of international peace and security. For instance, the Council discussed the advisory opinion issued on 22 July 2010 by the International Court of Justice concerning the unilateral declaration of independence of Kosovo, with a particular focus on the principle of self-determination. The Council also monitored the preparation and outcome of the referendum for self-determination of the Republic of South Sudan, which became the 193rd Member of the United Nations on 14 July 2011. The Council remained active in addressing security concerns in the disputed area of Abyei. Finally, in the midst of developments in North Africa and the Arab world, the situations in Libya<sup>1</sup> and the Syrian Arab Republic<sup>2</sup> triggered debates on the principles of self-determination and non-interference in the internal affairs of States.

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<sup>1</sup> In February 2011, the Council considered issues pertaining to the Libyan Arab Jamahiriya at its 6486th, 6490th and 6491st meetings, under the item entitled "Peace and security in Africa". Pursuant to a note by the President of the Security Council dated 16 March 2011 (S/2011/141), as from that date the earlier consideration by the Council of issues pertaining to the Libyan Arab Jamahiriya was subsumed under the item entitled "The situation in Libya".

<sup>2</sup> The Council considered developments in the Syrian Arab Republic under various items, including "The situation in the Middle East" and "Protection of civilians in armed conflict".



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## I. The principle of equal rights and self-determination of peoples under Article 1, paragraph 2

*Article 1, paragraph 2*

*[The Purposes of the United Nations are:]*

*To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.*

### Note

Section I concerns the practice of the Security Council with regard to the principle of equal rights and self-determination of peoples as enshrined in Article 1 (2) of the Charter of the United Nations. Subsection A features decisions relevant to the principle enshrined in Article 1 (2). Subsection B provides an overview of discussions relating to Article 1 (2), including three case studies. Subsection C sets out instances in which

the principle of self-determination was invoked in the official correspondence of the Council.

### A. Decisions relating to Article 1 (2)

During the period under review, the Security Council did not explicitly invoke Article 1 (2) in its decisions. However, several references found in decisions could be considered as having an implicit bearing on Article 1 (2), as reflected in table 1. Those implicit references were made in connection with the holding of referendums on self-determination in Southern Sudan and Western Sahara, respectively. For instance, in the period leading up to the Southern Sudan referendum held on 9 January 2011, the Council stressed the importance of respecting the right to self-determination of the people of Southern Sudan in determining their future status.

Table 1

### Decisions containing implicit references to Article 1 (2)

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*Decision and date*

*Provision*

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#### Reports of the Secretary-General on the Sudan

Resolution [1919 \(2010\)](#)  
29 April 2010

Stressing the importance of the full implementation of the Comprehensive Peace Agreement of 9 January 2005, including, in particular, the importance of pursuing further efforts to make unity attractive and respecting the right to self-determination of the people of Southern Sudan, to be exercised through a referendum to determine their future status (fifth preambular paragraph)

Resolution [1945 \(2010\)](#)  
14 October 2010

Reaffirming its commitment to the cause of peace throughout the Sudan, to the sovereignty, independence, unity and territorial integrity of the Sudan, to the full and timely implementation of the final phase of the Comprehensive Peace Agreement, including efforts to make unity attractive and a referendum to determine the future status of the people of Southern Sudan in exercise of their right to self-determination, ... (second preambular paragraph)

[S/PRST/2010/24](#)  
16 November 2010

The Council reaffirms its strong commitment to the sovereignty, independence, peace and stability of the Sudan and to a peaceful and prosperous future for all Sudanese people, and underlines its support for the full and timely implementation by the Sudanese parties of the Comprehensive Peace Agreement, including the holding of the referendums on the self-determination of the people of Southern Sudan and on the status of Abyei and of the popular consultations in Southern Kordofan and Blue Nile, and for a peaceful, comprehensive and inclusive resolution of the situation in Darfur (second paragraph)

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Decision and date

Provision

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The Council urges the parties to the Comprehensive Peace Agreement, while working to make unity attractive and recognizing the right to self-determination of the people of Southern Sudan, to take urgent action to implement their commitment, reaffirmed at the high-level meeting on the Sudan, held in New York on 24 September 2010, to ensure peaceful, credible, timely and free referendums that reflect the will of the people of Southern Sudan and Abyei, as provided for in the Agreement. In this regard, the Council welcomes the start of registration for the Southern Sudan referendum on 15 November 2010 and encourages further efforts to ensure that the referendums are held on 9 January 2011 in accordance with the Agreement and as scheduled in the timeline published for the Southern Sudan referendum by the Southern Sudan Referendum Commission. The Council is concerned by the continued delays in releasing to the Commission the full funding needed for preparations to continue to move forward. The Council calls upon the parties and all Member States to respect the outcome of credible referendums, held in accordance with the Agreement, that reflect the will of the people of Southern Sudan and Abyei. It requests all parties to refrain from unilateral action and to implement the Agreement (fourth paragraph)

[S/PRST/2010/28](#)  
16 December 2010

... The Council welcomes the conclusion of a peaceful registration process for the Southern Sudan referendum in the Sudan, and encourages the parties to continue this forward momentum towards peaceful and credible referendums on 9 January 2011 that reflect the will of the people. ... (first paragraph)

[S/PRST/2011/3](#)  
9 February 2011

The Security Council welcomes the announcement on 7 February 2011 by the Southern Sudan Referendum Commission of the final results of the referendum on self-determination for the people of Southern Sudan, which showed that 98.83 per cent of voters chose independence. The Council calls upon the international community to lend its full support to all Sudanese people as they build a peaceful and prosperous future (first paragraph)

### **The situation concerning Western Sahara**

Resolution [1920 \(2010\)](#)  
30 April 2010

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect (third preambular paragraph)

*Same provision in resolution [1979 \(2011\)](#), third preambular paragraph*

Also calls upon the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect (para. 4)

*Same provision in resolution [1979 \(2011\)](#), para. 6*

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## B. Constitutional discussion relating to Article 1 (2)

During the period under review, Article 1 (2) was explicitly invoked once in the deliberations of the Security Council in the context of the gaining of independence by South Sudan through the exercise of its right to self-determination.<sup>3</sup> While the principle of self-determination was mentioned quite frequently, such references seldom gave rise to a constitutional discussion.<sup>4</sup> For instance, in connection with the Central African region, the representative of Lebanon stated that the adoption of a binding international instrument to regulate the production and sale of small arms and light weapons would not infringe, among others, the right of peoples to resist occupation and to achieve self-determination.<sup>5</sup>

Two of the case studies below provide highlights of debates during which speakers touched upon the principle of self-determination when discussing the outcome of the referendum of self-determination for the people of Southern Sudan (case 1) and the situation in Kosovo, following the issuance of the advisory opinion on 22 July 2011 by the International Court of Justice on the question of the unilateral declaration of independence of Kosovo (case 2). In addition, the principle of self-determination was invoked in the deliberations of the Council on the situation in the Middle East, with regard to events in the Syrian Arab Republic (case 3).

### Case 1 Reports of the Secretary-General on the Sudan

At its 6478th meeting, on 9 February 2011, concerning the reports of the Secretary-General on the Sudan, the Council adopted a presidential statement by which it welcomed the announcement by the Southern

Sudan Referendum Commission of the final results of the referendum on self-determination for the people of Southern Sudan, held on 8 January 2011, which had shown that 98.83 per cent of the voters had chosen independence.<sup>6</sup>

At that meeting, the Chair of the Panel of the Secretary-General on the Referenda in the Sudan reported the conclusion of the Panel that the outcome of the referendum reflected the will of the people of Southern Sudan and that the referendum process had been free, fair and credible.<sup>7</sup> The representative of the Sudan, recalling that the referendum had been one of the most important elements of the Comprehensive Peace Agreement, affirmed that the unity of his country had been sacrificed for peace and stability and out of respect for the desire of the people in Southern Sudan to exercise their right to self-determination, in consonance with the Agreement. He added that his Government had ratified the outcome of the referendum and was committed to maintaining good-neighbourly relations with the South, including through assisting in the establishment of the nascent country.<sup>8</sup>

Calling the results of the referendum a reflection of “the true democratic will of the people of Southern Sudan”, the Minister of Regional Cooperation of the Government of Southern Sudan underlined that the peaceful conduct of the referendum had shown the maturity and commitment of all citizens to exercise their right to self-determination. He stressed that South Sudan, the world’s “newest democracy”, was committed to a Government that reflected the will of the people.<sup>9</sup>

Council members unanimously welcomed the results of the referendum, many acknowledging the outcome as the expression of the will of the people of Southern Sudan.<sup>10</sup> The representative of South Africa, recalling the decision in 2005 by the Sudanese leaders to “grant the right of self-determination” to the people of Southern Sudan, opined that the outcome of the referendum bore testimony to the collective desire of the people of Southern Sudan to exercise their

<sup>3</sup> S/PV.6583, p. 22 (Lebanon).

<sup>4</sup> See, for example, in connection with the situation in the Middle East, including the Palestinian question, S/PV.6265, p. 10 (Palestine) and S/PV.6265 (Resumption 1), p. 7 (Cuba), p. 17 (Argentina) and pp. 21-22 (South Africa); S/PV.6363, p. 8 (Palestine), p. 17 (Gabon) and S/PV.6363 (Resumption 1), p. 10 (Islamic Republic of Iran), p. 12 (Cuba), p. 15 (Bangladesh) and pp. 17-18 (Bolivarian Republic of Venezuela); and in connection with the situation concerning Western Sahara, S/PV.6305, p. 3 (Nigeria), p. 5 (France, Mexico) and p. 6 (Austria, United Kingdom); and S/PV.6523, pp. 2-3 (South Africa).

<sup>5</sup> S/PV.6288, p. 15.

<sup>6</sup> S/PRST/2011/3.

<sup>7</sup> S/PV.6478, p. 2.

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

<sup>9</sup> Ibid., pp. 10-11.

<sup>10</sup> Ibid., p. 12 (United States); p. 14 (United Kingdom); p. 15 (Russian Federation); p. 16 (South Africa); p. 17 (Lebanon); p. 18 (Colombia); p. 19 (Portugal); p. 23 (Nigeria); and p. 24 (China).

inalienable right to self-determination, in accordance with the Comprehensive Peace Agreement.<sup>11</sup>

**Case 2**  
**Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

In his report dated 29 July 2010, the Secretary-General noted that the International Court of Justice had delivered on 22 July 2010 its advisory opinion on the question “Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?”, which had been requested by the General Assembly in its resolution 63/3 of 8 October 2008. The Court had concluded that the adoption of the declaration of independence had not violated any applicable rule of international law.<sup>12</sup>

Having the above-mentioned report before it, the Council held its 6367th meeting on 3 August 2010 under the item entitled “Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)”. The representative of Serbia argued that the advisory opinion did not alter the fundamental parameters set forth in resolution 1244 (1999) and that therefore the centrality and leading role of the Security Council remained paramount in the final settlement of the Kosovo issue. He said that the Court had neither endorsed the view that Kosovo’s unilateral declaration of independence was a unique case, nor supported the claim that Kosovo was a State. He further noted that the Court had not approved Kosovo’s “right of secession from Serbia” or any purported right to self-determination for Kosovo’s ethnic Albanians. The Court, he stated, had rather narrowly examined the language of the unilateral declaration of independence, adopting a strictly technical approach. Such an approach, in his opinion, had unfortunately left room for a misinterpretation that the Court had legalized the ethnic Albanians’ attempt at unilateral secession. Such a misinterpretation, he warned, could enable other groups around the world “to write their own declarations of independence according to Kosovo’s textual template”. Taking the floor again at the end of the meeting, the representative of Serbia recalled that never in the history of the United Nations had a

territory achieved statehood by seceding from a parent State that did not give its consent.<sup>13</sup>

Several Council members called on all Member States to respect the sovereignty and territorial integrity of Serbia<sup>14</sup> and emphasized that resolution 1244 (1999) provided an international legal framework for achieving a settlement of the issue.<sup>15</sup> The representative of China stated that negotiating a mutually acceptable solution was the best way to resolve the Kosovo issue, and that unilateral action could in no way contribute to achieving that objective.<sup>16</sup> The representative of the Russian Federation reaffirmed his country’s non-recognition of the unilateral declaration of independence of Kosovo and said that the Court had not considered the broader issue of the right of Kosovo to unilaterally secede from Serbia or the consequences of the adoption of that declaration, including whether the recognition of Kosovo by other States was lawful.<sup>17</sup> Similarly, the representative of Mexico pointed out that the advisory opinion limited itself to the formal aspects of the declaration of independence as an act of promulgation, without addressing underlying issues. He encouraged the parties to opt for peaceful means and dialogue to reach a political settlement on Kosovo’s definitive status and achieve a solution that promoted respect for the rights of all communities.<sup>18</sup>

On the other hand, Mr. Skender Hyseni stated that by affirming that the declaration of independence of his country had not violated international law, the Court had ruled in favour of Kosovo on all points. He added that nothing in the opinion issued by the Court cast any doubt on the statehood of the Republic of Kosovo, and he called on States that had delayed recognition pending the opinion of the Court to move forward and recognize Kosovo. He argued that the correct interpretation of the advisory opinion of the Court was that the independence of Kosovo represented the accomplishment of resolution 1244 (1999). Recalling that Kosovo’s ultimate objective was membership in the United Nations, he said the time

<sup>11</sup> Ibid., p. 16.

<sup>12</sup> S/2010/401, para. 55.

<sup>13</sup> S/PV.6367, p. 7 and p. 24.

<sup>14</sup> Ibid., p. 15 (China); p. 21 (Gabon); and p. 23 (Russian Federation).

<sup>15</sup> Ibid., p. 15 (China); p. 17 (Brazil); p. 21 (Gabon); p. 22 (Mexico); and p. 23 (Russian Federation).

<sup>16</sup> Ibid., p. 15.

<sup>17</sup> Ibid., p. 23.

<sup>18</sup> Ibid., p. 22.

had come to replace resolution 1244 (1999) with a new resolution reflecting the realities created by the independence of Kosovo and the ruling of the Court in its favour. While reaffirming the willingness of his country to cooperate with Serbia, he stressed that such cooperation must take place on an equal footing and “on a State-to-State basis only”.<sup>19</sup>

A number of speakers welcomed the advisory opinion of the Court that the declaration of independence of Kosovo had not violated resolution 1244 (1999) or international law, and argued that it would open a new phase in the relations between Belgrade and Pristina.<sup>20</sup> The representative of the United Kingdom refuted the idea that the advisory opinion of the Court would allow the case of Kosovo to provide a template for secession elsewhere. Rather, it should end the debate on the status of Kosovo, which he recalled, had been functioning as an independent State for over two and a half years.<sup>21</sup> The representative of the United States stated that the advisory opinion had decisively affirmed the view of her country as well as others that Kosovo’s declaration of independence was in accordance with international law, and the United States believed that the opinion of the Court would encourage countries that had not done so to recognize Kosovo. She also affirmed that Kosovo was a special case and did not constitute a precedent for other conflicts, stressing that the Court had recognized that the declaration of independence had to be considered, *inter alia*, within the framework established by resolution 1244 (1999) and the developments in the final status process brokered by the United Nations.<sup>22</sup>

### Case 3 The situation in the Middle East

At the 6627th meeting, on 4 October 2011, concerning the Middle East, while discussing events in the Syrian Arab Republic, a number of speakers stressed that the fundamental rights of the Syrian people should be respected and their aspirations

addressed through an inclusive political process.<sup>23</sup> The representative of Germany commended the courage of the people in the Arab world who had expressed their legitimate aspiration for self-determination in a peaceful manner. He said that the aspirations of the Syrian people could not be answered by tanks, bullets and torture and that the only viable option for the future of the Syrian Arab Republic was a meaningful, Syrian-led political process. He stressed that Germany, its partners and all those who cherished the values of freedom, dignity and self-determination would not relent in their efforts to stand by them.<sup>24</sup> The representative of South Africa hoped that the situation in the Syrian Arab Republic would be resolved in accordance with the will of the Syrian people and urged the Syrian authorities to initiate an all-inclusive political process with the people to address their grievances, in order to guarantee their fundamental political rights and freedoms.<sup>25</sup>

In response, the representative of the Syrian Arab Republic argued that his country’s leadership had responded to the legitimate demands of its population by enacting reforms. He denounced the activities of armed terrorist groups supported by certain States, and the misuse of the legitimate demands of the people to provoke sectarian unrest and pave the way for external intervention. He added that the economic sanctions imposed unilaterally on his country were intended to push the population to replace the political regime, and hence constituted a violation of the people’s right of self-determination and to choose its political system without outside pressure.<sup>26</sup> While condemning the repression of peaceful protests, the representative of the Russian Federation argued that the Syrian opposition showed an extremist bent, relied on terrorist tactics and acted outside the law. He said the Council must bear in mind the fact that a significant number of Syrians did not agree with the demand for a quick regime change and would rather see gradual changes implemented while maintaining civil peace and harmony.<sup>27</sup> The representative of India recalled that States had the responsibility both to respect the

<sup>19</sup> *Ibid.*, pp. 8-9 and p. 24.

<sup>20</sup> *Ibid.*, p. 12 (France); p. 14 (Turkey); pp. 15-16 (United Kingdom); p. 18 (Austria); and p. 19 (United States).

<sup>21</sup> *Ibid.*, p. 16.

<sup>22</sup> *Ibid.*, p. 19.

<sup>23</sup> *S/PV.6627*, p. 3 (France); p. 6 (Portugal, India); p. 7 (United Kingdom); p. 8 (Colombia, United States); p. 9 (Bosnia and Herzegovina); p. 10 (Germany); and p. 11 (South Africa, Brazil).

<sup>24</sup> *Ibid.*, p. 10.

<sup>25</sup> *Ibid.*, p. 11.

<sup>26</sup> *Ibid.*, p. 13.

<sup>27</sup> *Ibid.*, p. 4.

fundamental rights of their people and to protect their citizens from armed groups that resorted to violence against State authority and infrastructure. In the Syrian context, therefore, the violence perpetrated by the opposition should be condemned and its grievances addressed through a peaceful political process.<sup>28</sup>

### C. Invocation of the principle enshrined in Article 1 (2) in communications

During the period under review, no explicit references were made to Article 1 (2) in the communications of the Council. The principle of self-determination was however invoked in a large number of communications addressed to or brought to the attention of the Council. In a statement transmitted to the Secretary-General on 9 August 2011, the Deputy Minister for Foreign Affairs of Cuba demanded full respect for the self-determination and sovereignty of the Syrian Arab Republic, stressing the capacity of the Syrian people and Government to resolve their internal problems without any foreign interference.<sup>29</sup> In a special statement transmitted to the Secretary-General on 12 September 2011, the Ministers for Foreign Affairs of the Bolivarian Alliance for the Peoples of

Our America-People's Trade Agreement, condemning the NATO intervention in Libya and warning about the danger that similar action would be taken against the Syrian Arab Republic, reiterated their commitment to the right of self-determination of the peoples of Libya and the Syrian Arab Republic.<sup>30</sup>

A few references were made to the right of self-determination in the report of the Committee on the Admission of New Members concerning the application of Palestine for admission to membership in the United Nations.<sup>31</sup> The right of self-determination was also mentioned in the terms of reference of the Security Council mission to the Sudan conducted from 4 to 10 October 2010.<sup>32</sup> Other instances include communications from Member States in connection with the situation in the Middle East, including the Palestinian question,<sup>33</sup> and Nagorny Karabakh.<sup>34</sup>

<sup>28</sup> Ibid., p. 6.

<sup>29</sup> Letter dated 4 August 2011 from the representative of Cuba to the Secretary-General (S/2011/499). See also, in connection with the situation in Libya, the letter dated 26 August 2011 from the representative of the Bolivarian Republic of Venezuela to the President of the Security Council on the need to preserve the sovereignty and self-determination of that State (S/2011/544).

<sup>30</sup> Note verbale dated 12 September 2011 from the Permanent Mission of the Bolivarian Republic of Venezuela to the Secretary-General (S/2011/571).

<sup>31</sup> S/2011/705, paras. 6 and 7.

<sup>32</sup> S/2010/509, annex.

<sup>33</sup> See, for example, letter dated 13 January 2011 from the representative of Guyana to the Secretary-General (S/2011/51, annex); and note verbale dated 28 September 2011 from the Permanent Mission of the Bolivarian Republic of Venezuela to the Secretary-General (S/2011/611, annex).

<sup>34</sup> See, for example, letter dated 24 February 2010 from the representative of Armenia to the Secretary-General (S/2010/102); and letter dated 13 October 2010 from the representative of Azerbaijan to the Secretary-General (S/2010/531).

## II. Prohibition of the threat or use of force under Article 2, paragraph 4

### *Article 2, paragraph 4*

*All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.*

### Note

Section II deals with the practice of the Security Council concerning the principle of the prohibition of

the threat or use of force under Article 2 (4) of the Charter. This section comprises three subsections: subsection A covers decisions adopted by the Council which may have an implicit bearing on Article 2 (4); subsection B covers constitutional discussion relating to the use or threat of use of force; and subsection C contains material relevant to the principle enshrined in Article 2 (4) found in the official correspondence of the Council.

## A. Decisions relating to Article 2 (4)

In 2010 and 2011, the Council adopted no decisions containing an explicit reference to Article 2 (4). In a number of its decisions, however, the Council reaffirmed the principle of refraining from the threat or use of force in international relations; reiterated the importance of good-neighbourliness and non-interference by States in the internal affairs of others; called for the cessation of support by States to armed groups engaged in destabilizing peace and security; and called on parties to withdraw from a disputed area, as illustrated below.

### Affirmation of the principle of refraining from the threat or use of force in international relations

In the period 2010-2011, the Council stressed the importance of the principle of refraining from the threat or use of force among States in the following instances. In resolution 1929 (2010) of 9 June 2010, by which it modified sanctions measures against the Islamic Republic of Iran in connection with non-proliferation, the Council stressed that nothing in the resolution compelled States to take measures or

actions exceeding the scope of the resolution, “including the use of force or the threat of force”.<sup>35</sup> In a presidential statement dated 1 June 2010 in connection with the situation in the Middle East, including the Palestinian question, the Council deeply regretted the loss of life and injuries resulting from the use of force during the Israeli military operation in international waters against a convoy sailing to Gaza.<sup>36</sup>

### Reiteration of the principles of good-neighbourliness, non-interference and regional cooperation among States

During the two-year period under review, the Council underlined the principle enshrined in Article 2 (4) by recalling the principles of good-neighbourliness, non-interference and regional cooperation in several decisions concerning the Central African Republic, Côte d’Ivoire and the Sudan, while reaffirming its commitment to the sovereignty, independence and territorial integrity of those States (see table 2).

<sup>35</sup> Resolution 1929 (2010), penultimate preambular paragraph.

<sup>36</sup> S/PRST/2010/9, first paragraph.

Table 2

### Decisions reiterating the principle of non-interference by States in the internal affairs of others

| <i>Decision and date</i>                             | <i>Provision</i>  |
|--|---|
| <b>The situation in the Central African Republic</b> |   |
| Resolution 2031 (2011)<br>21 December 2011           | Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of the Central African Republic, and recalling the importance of the principles of good-neighbourliness and regional cooperation (second preambular paragraph)                                  |
| <b>The situation in Côte d’Ivoire</b>                |   |
| Resolution 1911 (2010)<br>28 January 2010            | Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d’Ivoire, and recalling the importance of the principles of good neighbourliness, non-interference and regional cooperation (second preambular paragraph)                               |
|  | <i>Same provision in resolutions 1933 (2010), second preambular paragraph; 1946 (2010), second preambular paragraph; 1962 (2010), second preambular paragraph; 1975 (2011), second preambular paragraph; 1980 (2011), second preambular paragraph; and 2000 (2011), second preambular paragraph</i> |

Decision and date

Provision

### Reports of the Secretary-General on the Sudan

|   |   |
|---|---|
| Resolution 1945 (2010)<br>14 October 2010 | Reaffirming its commitment to the cause of peace throughout the Sudan, to the sovereignty, independence, unity and territorial integrity of the Sudan, ... and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations among States in the region (second preambular paragraph) |
|---|---|

#### **Calls for the cessation of support by States to armed groups engaged in destabilizing national and regional peace and security**

In several decisions adopted in 2010 and 2011, the Council called upon certain Governments to cease support for illegal armed groups engaged in undermining peace and stability, including through the use of their territory (see table 3). For instance, in connection with the situation concerning the Democratic Republic of the Congo, the Council, reiterating its concern about the support received by illegal armed groups operating in the eastern part of the country from regional and international networks,<sup>37</sup> called upon all States to take effective steps to ensure that there was no support, in and from their territories, for those illegal armed groups and to take action

<sup>37</sup> See resolutions 1952 (2010), sixth preambular paragraph; and 2021 (2011), fifth preambular paragraph.

against leaders of the Forces démocratiques de libération du Rwanda and other illegal armed groups residing in their countries.<sup>38</sup> In resolution 2023 (2011) of 5 December 2011, the Council expressed grave concern at the findings of the Monitoring Group on Somalia and Eritrea<sup>39</sup> that Eritrea had continued to provide political, financial, training and logistical support to armed opposition groups, including Al-Shabaab, engaged in undermining peace, security and stability in Somalia and the region; the Council demanded that Eritrea cease all direct or indirect efforts to destabilize States, including through financial, military, intelligence and non-military assistance.<sup>40</sup>

<sup>38</sup> Resolution 1952 (2010), para. 10.

<sup>39</sup> See S/2011/433.

<sup>40</sup> Resolution 2023 (2011), seventh preambular paragraph and para. 7.

Table 3

#### **Decisions calling for the cessation of support by States to armed groups engaged in destabilizing national and regional peace and security**

Decision and date

Relevant provision

#### **Peace and security in Africa**

|   |  |
|---|--|
| Resolution 2023 (2011)<br>5 December 2011 | Demands also that Eritrea cease all direct or indirect efforts to destabilize States, including through financial, military, intelligence and non-military assistance, such as the provision of training centres, camps and other similar facilities for armed groups, passports, living expenses or travel facilitation (para. 7) |
|---|--|

#### **The situation concerning the Democratic Republic of the Congo**

|  |  |
|--|--|
| Resolution 1952 (2010)<br>29 November 2010 | Calls upon all States, especially those in the region, to take effective steps to ensure that there is no support, in and from their territories, for the illegal armed groups in the eastern part of the Democratic Republic of the Congo, ... and calls upon all States to take action, where appropriate, against leaders of the Forces démocratiques de libération du Rwanda and other illegal armed groups residing in their countries (para. 10) |
|--|--|



**Calls on parties to withdraw all military forces from a disputed area**

During the period under review, the Council called on parties to withdraw from the disputed area of Abyei in several decisions adopted in connection with the reports of the Secretary-General on the Sudan (see table 4). In resolution [2032 \(2011\)](#) of 22 December 2011, for instance, the Council stressed that both countries would have much to gain if they showed restraint and chose the path of dialogue instead of resorting to violence or provocations, and expressed concern about the continued presence of military and

police personnel from the Sudan and South Sudan in Abyei, in violation of the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011;<sup>41</sup> the Council demanded that both Governments redeploy all remaining military and police personnel from the Abyei Area immediately and without preconditions.<sup>42</sup>

<sup>41</sup> [S/2011/384](#), annex.

<sup>42</sup> Resolution [2032 \(2011\)](#), seventh and seventeenth preambular paragraphs, and para. 3.

Table 4

**Decisions calling on parties to withdraw all military forces from a disputed area**

| <i>Decision and date</i>                                   | <i>Provision</i>   |
|--|--|
| <b>Reports of the Secretary-General on the Sudan</b>       |  |
| <a href="#">S/PRST/2011/8</a><br>21 April 2011             | The Council reiterates its deep concern over increased tensions, violence and displacement in the Abyei Area. The Council calls upon both parties to implement and adhere to recent security agreements by withdrawing from the Abyei Area all forces other than the Joint Integrated Units and Joint Integrated Police Units allowed under those agreements and to urgently reach an agreement on Abyei's post-Comprehensive Peace Agreement status ... (second paragraph)  |
| <a href="#">S/PRST/2011/12</a><br>3 June 2011              | The Council strongly condemns the Government of the Sudan's taking and continued maintenance of military control over the Abyei Area and the resulting displacement of tens of thousands of residents of Abyei. The Council calls upon the Sudanese Armed Forces to ensure an immediate halt to all looting, burning and illegal resettlement ... (second paragraph)<br><br>... The Council demands that the Government of the Sudan withdraw immediately from the Abyei Area. The Council further demands the immediate withdrawal of all military elements from Abyei ... (eighth paragraph) |
| Resolution <a href="#">2032 (2011)</a><br>22 December 2011 | Demands that the Governments of the Sudan and South Sudan redeploy all remaining military and police personnel from the Abyei Area immediately and without preconditions, and urgently finalize the establishment of the Abyei Area Administration and the Abyei Police Service, in accordance with their commitments in the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011 (para. 3)   |

**B. Constitutional discussion relating to Article 2 (4)**

During the period 2010-2011, Article 2 (4) of the Charter was explicitly invoked once at a meeting held on 31 May 2010, following the so-called flotilla incident of that same day, which involved a military operation by Israel against a convoy sailing to Gaza. Stressing that Article 2 (4) of the Charter stipulated

that States must refrain from the threat or use of force against the territorial integrity or political independence of any other State or "in any other manner inconsistent with the purposes of the United Nations", the representative of Lebanon argued that the "attack" by Israel was not consistent with those purposes.<sup>43</sup>

<sup>43</sup> [S/PV.6325](#), p. 12.

During the deliberations of the Council a few implicit references were made to the principles enshrined in Article 2 (4), without those references giving rise to a constitutional discussion on the Article itself.<sup>44</sup> On one occasion, however, the Council extensively discussed the prohibition of the threat or use of force in the context of the promotion of the rule of law in the maintenance of international peace and security (case 4).

#### Case 4

##### **The promotion and strengthening of the rule of law in the maintenance of international peace and security**

At the 6347th meeting, on 29 June 2010, while considering the promotion and strengthening of the rule of law in the maintenance of international peace and security, the representatives of China and the Russian Federation emphasized that the rejection of the threat or use of force was a fundamental principle of international law, along with other principles such as the pacific settlement of disputes.<sup>45</sup> Rejecting the language of force, threats and militaristic rhetoric, the representative of Armenia said that the rule of law was a concept diametrically opposed to the rule by force or use of force. He added that adherence to the principle of non-use or threat of force by the parties concerned in conflict and post-conflict settings was a crucial factor in building mutual trust and achieving justice and security.<sup>46</sup> The representative of Azerbaijan stated that the true value of the principle of the pacific settlement of disputes as enshrined in the Charter was to commit States to respecting each other's territorial integrity and political independence and to refraining in their international relations from the threat or use of force. That principle should not however impair the inherent right of individual or collective self-defence in case of an armed attack against a Member State.<sup>47</sup>

The representative of Lebanon recalled that the core objective of the establishment of the United Nations had been to maintain international peace and

security and to “deter and punish” any State that chose the military option except in cases involving collective security and legitimate defence. He noted that the selective application of the principle of preventing the use of force threatened to render the concept meaningless and constituted a blatant violation of the rule of law. He warned that the international community could be perceived as incapable of preventing practices which violated the principles of the United Nations and of international law, including the sovereignty and territorial integrity of States and the non-use of force.<sup>48</sup>

#### **C. Invocation of the principle enshrined in Article 2 (4) in communications**

The official correspondence of the Security Council in 2010 and 2011 included several explicit references to Article 2 (4) of the Charter.<sup>49</sup> For example, concerning events on the border between Cambodia and Thailand, the representative of Cambodia, in his letter, indicated that the repeated acts of aggression by Thailand constituted a violation of, among others, Article 2 (4).<sup>50</sup>

<sup>48</sup> *S/PV.6347*, pp. 19-20.

<sup>49</sup> See the identical letters dated 13 April 2010 from the representative of the Islamic Republic of Iran to the Secretary-General and the President of the Security Council (*S/2010/188*); letter dated 3 May 2010 from the representative of Mexico to the President of the Security Council, transmitting a letter from the Minister for Foreign Affairs of Eritrea (*S/2010/225*, enclosure II); letters dated 25 March and 20 December 2011 from the representative of Eritrea to the President of the Security Council (*S/2011/181* and *S/2011/792*, annex, respectively); identical letters dated 8 August 2010 from the representative of Cambodia to the President of the General Assembly and the President of the Security Council (*S/2010/426*, annex); letters dated 5 and 6 February 2011 from the representative of Cambodia to the President of the Security Council (*S/2011/56*, annex, and *S/2011/58*, annex, respectively); and letter dated 19 December 2010 from the representative of the United States to the Secretary-General transmitting the special report of the United Nations Command established pursuant to resolution 84 (1950) (*S/2010/648*, annex, footnote 10).

<sup>50</sup> Letter dated 6 February 2011 (*S/2011/58*, annex).

<sup>44</sup> See for instance, in connection with peace and security in Africa, *S/PV.6674*, pp. 2-3 (Djibouti); and in connection with the Sudan, *S/PV.6656*, pp. 7-9 (Sudan) and p. 9 (South Sudan).

<sup>45</sup> *S/PV.6347*, p. 21 (China); and p. 23 (Russian Federation).

<sup>46</sup> *S/PV.6347 (Resumption 1)*, p. 24.

<sup>47</sup> *Ibid.*, p. 22.

### III. Obligation to refrain from assisting the target of enforcement action under Article 2, paragraph 5

*Article 2, paragraph 5*

*All members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.*

**Note**

Section III concerns the practice of the Security Council with regard to the principle enshrined in Article 2 (5) of the Charter, particularly regarding the obligation of Member States to refrain from giving assistance to a State against which the United Nations is taking preventive or enforcement action. There was no material for coverage in the communications and deliberations of the Council in the period under review.

Hence, this section deals only with decisions relevant to Article 2 (5).

**Decisions relating to Article 2 (5)**

During the period under review, there were no explicit references to Article 2 (5) of the Charter in the decisions of the Security Council. However, the Council adopted four decisions which may have an implicit bearing on the principle enshrined in Article 2 (5). Those decisions touched upon the obligation of all States, in particular those in the region, to refrain from any action in contravention of the arms embargo imposed on Somalia and Eritrea (see table 5).<sup>51</sup>

<sup>51</sup> For more information on the arms embargo, see part VII, sect. III, with regard to measures imposed against Somalia and Eritrea.

Table 5

**Decisions of the Security Council containing provisions relating to Article 2 (5)**

| <i>Decision and date</i>                                | <i>Provision</i>  |
|---|---|
| <b>The situation in Somalia</b>                         |   |
| Resolution <a href="#">1916 (2010)</a><br>19 March 2010 | Calling upon all Member States, in particular those in the region, to refrain from any action in contravention of the Somalia and Eritrea arms embargoes and to take all necessary steps to hold violators accountable (ninth preambular paragraph)<br><br><i>Same provision in resolution <a href="#">2002 (2011)</a>, eighth preambular paragraph</i> |
| <a href="#">S/PRST/2011/6</a><br>10 March 2011          | The Council calls upon all Member States, in particular those in the region, to refrain from any action in contravention of the Somalia and Eritrea arms embargoes and to take all necessary steps to hold violators accountable ... (penultimate paragraph)  |
| Resolution <a href="#">1972 (2011)</a><br>17 March 2011 | Reiterating its insistence that all States, in particular those in the region, should refrain from any action in contravention of the Somalia arms embargo and take all necessary steps to hold violators accountable (fourth preambular paragraph)   |

## IV. Non-intervention in the internal affairs of States by the United Nations under Article 2, paragraph 7

### *Article 2, paragraph 7*

*Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.*

### Note

Section IV concerns the practice of the Security Council in relation to the principle of non-intervention of the United Nations in the internal affairs of States under Article 2 (7) of the Charter. In the period 2010-2011, the Council made no explicit reference to that Article in its decisions. However, Article 2 (7) was explicitly invoked, and the principle of non-intervention discussed, at meetings held in connection with the situation in the Middle East and the protection of civilians, as illustrated in subsection A. The correspondence of the Council contained one explicit reference to Article 2 (7), featured in subsection B.

### A. Constitutional discussion relating to Article 2 (7)

During the period under review, Article 2 (7) was invoked twice by the representative of the Syrian Arab Republic at two meetings held in connection with the Middle East and the protection of civilians, respectively.<sup>52</sup> The principle enshrined in Article 2 (7) was touched upon in the deliberations of the Council on those two items, as illustrated by cases 5 and 6.

#### Case 5 The situation in the Middle East

At its 6627th meeting, on 4 October 2011, concerning the situation in the Middle East, the Council had before it a draft resolution, by which it would have demanded, inter alia, that the Syrian authorities immediately cease violations of human

<sup>52</sup> S/PV.6627, p. 14; and S/PV.6650 (Resumption 1), pp. 27-28.

rights and the use of force against civilians, and expressed the Council's intention to review the Syrian Arab Republic's implementation of the resolution and consider its options, including measures under Article 41 of the Charter.<sup>53</sup> The draft resolution was not adopted, owing to the negative vote of two permanent members of the Council.

The representative of the Russian Federation stated that the draft resolution proposed by his delegation and China<sup>54</sup> was based on respect for the national sovereignty and territorial integrity of the Syrian Arab Republic and the principle of non-intervention, including military, in Syrian affairs. The draft resolution against which his delegation had voted did not include his delegation's proposed wording on the non-acceptability of foreign military intervention.<sup>55</sup> The representative of China said that whether the Council took further action on the question of the Syrian Arab Republic should depend on whether such action complied with the Charter and the principle of non-interference in the internal affairs of States, which had a bearing upon the security and survival of developing countries, in particular small and medium-sized countries, as well as on world peace and stability.<sup>56</sup>

The representative of the Syrian Arab Republic said that certain States had tried to intervene in his country's domestic affairs under the pretext of the protection of civilians. He noted that the international legal framework governing international relations was based on the principle of non-interference in the domestic affairs of States, which had been enshrined in myriad international instruments, specifically under Article 2 (7) of the Charter. He affirmed that the "intervention of the Council in Syrian internal affairs" had further aggravated the situation and sent a message to extremists and terrorists that their acts of deliberate sabotage and violence were "encouraged and supported by the Council".<sup>57</sup>

<sup>53</sup> S/2011/612.

<sup>54</sup> Not issued as a document of the Security Council.

<sup>55</sup> S/PV.6627, pp. 3-4.

<sup>56</sup> Ibid., p. 5.

<sup>57</sup> Ibid., pp. 13-14.

The representative of South Africa, whose delegation abstained from voting on the draft resolution, expressed concern about the intention of the sponsors to impose punitive measures which he believed had been “designed as a prelude to further actions” perhaps aimed at regime change. He also expressed concern about the fact that the sponsors had rejected language that clearly excluded the possibility of military intervention in the resolution of the Syrian crisis.<sup>58</sup> The representative of India, who also abstained in the vote, stressed that the international community should “give time and space” to allow the Syrian Government to implement the reforms it had announced, and should facilitate a Syrian-led inclusive political process and not complicate the situation by threats of sanctions and regime change.<sup>59</sup>

Among Council members who regretted that the draft resolution had not been adopted,<sup>60</sup> the representative of France noted that the international community and the Council in particular, given its mandate, could not escape its obligation to ensure an effective response to the aspirations of the people of the Syrian Arab Republic, adding that only such a response could restore stability in that country.<sup>61</sup> The representative of Germany said that the Syrian Arab Republic would move closer to the brink of civil war if the repression did not stop, and that it was not the time or place for “a mere wait-and-see approach”.<sup>62</sup> The representative of the United States expressed outrage that the Council had “utterly failed” to address an urgent moral challenge and a growing threat to regional peace and security. She believed that it was past time for the Council to assume its responsibilities and impose tough, targeted sanctions and an arms embargo on the Syrian regime.<sup>63</sup>

### Case 6 Protection of civilians in armed conflict

At the 6531st meeting, on 10 May 2011, in connection with the protection of civilians in armed conflict, many speakers affirmed that national

Governments had the primary responsibility to protect civilians while the international community could provide assistance to that end.<sup>64</sup>

Positions varied however on the implementation of such assistance. A number of speakers stressed the role of the United Nations, in particular the Security Council, when national Governments were unable or unwilling to fulfil their responsibility to protect civilians.<sup>65</sup> Citing the situations in Côte d’Ivoire and Libya as cases in point, a few speakers stressed that, when grave violations of international humanitarian and human rights law, war crimes and crimes against humanity were committed, it was the responsibility of the Council to take action to end such violations.<sup>66</sup> In a similar vein, the representative of Norway stated that the Security Council had a responsibility to “authorize international protection” when States failed and betrayed their obligations, but emphasized that the decisive measures recently adopted by the Council were measures of last resort and should be implemented strictly to protect civilians and should not “go beyond that”.<sup>67</sup>

While stressing the primary responsibility of States for the protection of civilians, the representative of the Russian Federation stated that international measures to protect civilians, in particular those involving the use of force, could be taken only with the authorization of the Security Council, in strict compliance with the Charter, and within the framework established by the relevant Council resolutions.<sup>68</sup>

Other speakers emphasized that international action aimed at protecting civilians in armed conflict should respect the independence, sovereignty and

<sup>58</sup> *Ibid.*, p. 11.

<sup>59</sup> *Ibid.*, p. 6.

<sup>60</sup> *Ibid.*, p. 3 (France); p. 5 (Portugal); p. 7 (United Kingdom); p. 8 (Colombia); p. 9 (United States, Bosnia and Herzegovina); and p. 10 (Germany).

<sup>61</sup> *Ibid.*, p. 3.

<sup>62</sup> *Ibid.*, p. 10.

<sup>63</sup> *Ibid.*, p. 8.

<sup>64</sup> [S/PV.6531](#), p. 5 (Under-Secretary-General for Peacekeeping Operations); p. 9 (Russian Federation); pp. 10-11 (India); p. 13 (Bosnia and Herzegovina); p. 18 (Germany); p. 19 (Nigeria); p. 20 (China); p. 22 (Gabon, Lebanon); p. 31 (Sri Lanka); p. 32 (Japan); p. 33 (Liechtenstein); [S/PV.6531 \(Resumption 1\)](#), p. 9 (Chile); p. 11 (Norway); p. 12 (Turkey); p. 19 (Bolivarian Republic of Venezuela); p. 24 (Netherlands); and p. 30 (Republic of Korea).

<sup>65</sup> [S/PV.6531](#), p. 18 (Germany); p. 19 (Nigeria); p. 23 (France); [S/PV.6531 \(Resumption 1\)](#), p. 9 (Chile); p. 11 (Norway); p. 12 (Turkey); and p. 15 (Croatia).

<sup>66</sup> [S/PV.6531](#), p. 23 (France); p. 28 (Switzerland on behalf of the Human Security Network); and [S/PV.6531 \(Resumption 1\)](#), p. 17 (Austria).

<sup>67</sup> [S/PV.6531 \(Resumption 1\)](#), p. 11.

<sup>68</sup> [S/PV.6531](#), p. 9.

territorial integrity of States and comply with the provisions of the Charter.<sup>69</sup> Several speakers registered concern about the use of the concept of protection of civilians at the United Nations by certain States to achieve political objectives, particularly regime change.<sup>70</sup> The representative of Brazil argued that if the concept of the protection of civilians, which must not be confused or conflated with the responsibility to protect, was interpreted too broadly, it could lead to the exacerbation of conflict, compromise the impartiality of the United Nations or create the perception that the concept was being used as a smokescreen for intervention or regime change.<sup>71</sup> Using the situation in Libya as an example of “manipulation” of the concept for “dishonourable” political purposes, seeking to impose regime change, the representative of Nicaragua held that if the Charter did not include any reference to a “supposed right of humanitarian interference” it was because the principle clearly constituted an attempt to interfere in the internal affairs of States for political purposes. Given that respect for the sovereignty of States and non-interference and non-intervention in the

internal affairs of States was placed above any other consideration, he held that there was no legal justification for “poorly defined” concepts, such as the protection of civilians, to prevail over the sovereignty of States.<sup>72</sup> Similarly, the representative of Cuba stated that no legal provisions existed by which to justify the legal nature of an intervention on the basis of humanitarian reasons or pretexts.<sup>73</sup>

## **B. Invocation of the principle enshrined in Article 2 (7) in communications**

In the period under review, Article 2 (7) was explicitly invoked once in the documents of the Security Council. In a report dated 28 June 2011 on the role of regional and subregional arrangements in implementing the responsibility to protect, the Secretary-General pointed out that the idea was not new. He recalled that in 1945 the drafting committee in San Francisco, referring to the domestic jurisdiction clause of Article 2 (7), had declared that if fundamental freedoms and rights were “grievously outraged so as to create conditions which threaten peace or to obstruct the application of provisions of the Charter, then they cease to be the sole concern of each State”.<sup>74</sup>

<sup>69</sup> Ibid., p. 10 (India); p. 16 (Colombia); p. 18 (South Africa); p. 20 (China); p. 27 (Cuba); p. 31 (Sri Lanka); and [S/PV.6531 \(Resumption 1\)](#), p. 28 (Syrian Arab Republic).

<sup>70</sup> [S/PV.6531](#), p. 11 (Brazil); p. 18 (South Africa); p. 20 (China); p. 34 (Nicaragua); and [S/PV.6531 \(Resumption 1\)](#), p. 19 (Bolivarian Republic of Venezuela).

<sup>71</sup> [S/PV.6531](#), p. 11.

<sup>72</sup> Ibid., p. 34.

<sup>73</sup> Ibid., p. 27.

<sup>74</sup> [S/2011/393](#), para. 10.



## **Part IV**

### **Relations with other United Nations organs**



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## **Introductory note**

Part IV deals with relations between the Security Council and the following principal organs of the United Nations: the General Assembly, the Economic and Social Council and the International Court of Justice. In this supplement, the election of members of the International Court of Justice is featured under relations with the General Assembly, given the involvement of both the General Assembly and the Security Council in that process.

During the period under review, the Security Council, among various matters it considered in conjunction with other principal organs, recommended the appointment of Ban Ki-moon, for a second term as Secretary-General, from 2012 to 2016, recommended the admission of a new Member to the United Nations, South Sudan, which became the 193rd State Member of the Organization and, for the first time, elected the judges of the International Residual Mechanism for Criminal Tribunals, which was established pursuant to resolution [1966 \(2010\)](#) of 22 December 2010 to carry out residual functions of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. These matters are covered in section I, Relations with the General Assembly.

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## I. Relations with the General Assembly

### Note

Section I focuses on various aspects of the relationship between the Security Council and the General Assembly in accordance with Articles 4 to 6, 10 to 12, 15, 20, 23, 24 (3), 93, 94, 96 and 97 of the Charter of the United Nations, rules 40,<sup>1</sup> 60 and 61 of the provisional rules of procedure of the Council and Articles 4, 8, 10 to 12 and 14 of the Statute of the International Court of Justice.

Subsection A deals with the election by the General Assembly of non-permanent members of the Security 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 in making recommendations to the Council. Subsection D considers instances in which a decision of the Council must be taken prior to a decision of the Assembly under Articles 4 to 6, 93 and 97, on matters such as the admission of new Members to the Organization and the appointment of the Secretary-General. Subsection E examines the practices relating to the election of members of the International Court of Justice, which requires concurrent actions by the Council and the Assembly. Subsection F deals with annual and special reports of the Council to the Assembly, in accordance with Articles 15 and 24 (3). Subsection G concerns Council relations with the subsidiary organs established by the Assembly which have played a part in the work of the Council. Subsection H covers other Council practice bearing on relations with the Assembly.

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<sup>1</sup> Rule 40 of the provisional rules of procedure is also covered in part II, sect. VIII, "Decision-making and voting".

### A. Election by the General Assembly of 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.*

In accordance with Article 23 of the Charter, the General Assembly, at each regular session, elects five non-permanent members of the Security Council for a two-year term, to replace those members whose terms of office expire on 31 December of that year. Table 1 sets out the details of the elections held in 2010 and 2011.

Table 1  
Elections of non-permanent members of the Security Council by the General Assembly

| <i>Term</i> | <i>General Assembly decision</i> | <i>Plenary meeting and date of election</i> | <i>Members elected for the term</i>                 |
|-------------|----------------------------------|---|---|
| 2011-2012   | 65/402                           | 28th<br>12 October 2010                     | Colombia, Germany, India, Portugal,<br>South Africa |
| 2012-2013   | 66/402                           | 37th<br>21 October 2011                     | Guatemala, Morocco, Pakistan, Togo                  |
|             | 66/402                           | 40th<br>24 October 2011                     | Azerbaijan  |

## B. Recommendations of the General Assembly to the Security Council in the form of resolutions under Articles 10 and 11 of the Charter

### Article 10

*The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.*

### Article 11

1. *The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.*

2. *The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.*

3. *The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.*

4. *The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.*

In accordance with Articles 10 and 11 of the Charter, the General Assembly may make recommendations to the Security Council on any matter except as provided in Article 12 and on general principles of cooperation in the maintenance of international peace and security.

In 2010 and 2011, the General Assembly addressed the Council in a few resolutions adopted under the item entitled “Protection of human rights and fundamental freedoms while countering terrorism” which might be considered illustrative of the recommendation-making powers of the Assembly under Articles 10 and 11 (1) of the Charter (see table 2).

During the period under review, in the deliberations of the Council, Article 10 was explicitly invoked in the discussion relating to the working methods of the Council,<sup>2</sup> which is the subject of a case study below (case 1). Explicit references were also made four times to Article 11 and its paragraph 2, although this did not give rise to a constitutional discussion.<sup>3</sup> The General Assembly made no

<sup>2</sup> S/PV.6300, p. 27 (Saint Vincent and the Grenadines, on behalf of the 14 States members of the Caribbean Community (CARICOM)); S/PV.6672, p. 19 (Switzerland); and p. 23 (Jordan).

<sup>3</sup> S/PV.6300, p. 21 (Egypt, speaking on behalf of the Non-Aligned Movement (NAM)); p. 27 (Saint Vincent and the Grenadines, on behalf of CARICOM); S/PV.6300 (Resumption 1), p. 26 (Qatar); and S/PV.6672, p. 25 (Egypt, speaking on behalf of NAM).

recommendations to the Council on specific questions relating to the maintenance of international peace and security, nor did it request action from the Council in accordance with Article 11 (2). The Assembly did not

draw the attention of the Council to any situations under Article 11 (3).<sup>4</sup>

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<sup>4</sup> For more information on Article 11 (3), see part VI, sect. I, “Referrals of disputes or situations to the Security Council”.

Table 2

**Recommendations to the Security Council in resolutions of the General Assembly**

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*General Assembly resolution and date*      *Provisions*

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**Protection of human rights and fundamental freedoms while countering terrorism**

[65/221](#)

21 December 2010

Recognizes the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the ongoing efforts of the Security Council in support of these objectives, including by establishing an office of the ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of these sanctions in countering terrorism (para. 9)

Welcomes the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links, cooperation and dialogue with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, other relevant special procedures and mechanisms of the Human Rights Council, and relevant treaty bodies, giving due regard to the promotion and protection of human rights and the rule of law in their ongoing work relating to counter-terrorism (para. 12)

*Same provision in resolution [66/171](#) of 19 December 2011, para. 14*

[66/171](#)

19 December 2011

Recognizes the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the ongoing efforts of the Security Council in support of these objectives, including by supporting the enhanced role of the office of the ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of these sanctions in countering terrorism (para. 11)

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**Case 1**

**Implementation of the note by the President of the Security Council**

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council ([S/2006/507](#))”, the representative of Saint Vincent and the Grenadines,

speaking on behalf of the 14 States members of the Caribbean Community, said that Article 30 of the Charter, concerning the adoption of the rules of procedure by the Council, did not make the Council immune from the General Assembly’s explicit authority to discuss and make recommendations on any matters within the scope of the Charter relating to the functions of any organ of the United Nations, including

the Council. Referring to Articles 10 to 12, which he said established the scope of the Assembly's powers and its limits with absolute clarity, he affirmed that the General Assembly was clearly empowered not only to discuss the Council's working methods but to make recommendations to the Council, whether or not those recommendations touched on and concerned the rules of procedure; given the acknowledged role of the General Assembly in conferring legitimacy on bodies, decisions and norms, the Council should adopt, rather than resist, the relevant recommendations arising from the wider membership.<sup>5</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled "Implementation of the note by the President of the Security Council (S/2010/507)", the representative of Switzerland, speaking on behalf of the group of five small countries,<sup>6</sup> recalled that the 2005 World Summit Outcome,<sup>7</sup> "in line with Article 10" of the Charter mandating the General Assembly to make recommendations, including to the Security Council, reflected the need for measures to achieve the goals of legitimacy, transparency and accountability. He said that the group of five small countries had been formed for the sole purpose of contributing to the improvement of the working methods of the Council.<sup>8</sup> The representative of Jordan, a member of the group, said that the group based its recommendations in a draft resolution to be submitted to the General Assembly<sup>9</sup> "on the right accorded to the General Assembly under Article 10" of the Charter.<sup>10</sup>

### C. Practice in relation to Article 12 of the Charter

#### Article 12

1. *While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.*

<sup>5</sup> S/PV.6300, p. 27.

<sup>6</sup> Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland.

<sup>7</sup> General Assembly resolution 60/1.

<sup>8</sup> S/PV.6672, p. 19.

<sup>9</sup> Not circulated as a United Nations document.

<sup>10</sup> S/PV.6672, p. 23.

2. *The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.*

This subsection concerns the practice of the Council in relation to Article 12 of the Charter. Article 12 (1) limits the authority of the General Assembly in respect of any dispute or situation while the Security Council is exercising the functions assigned to it in the Charter, and Article 12 (2) requires that the Secretary-General notify the Assembly of any matters relating to the maintenance of international peace and security which are being dealt with by the Council or with which the Council ceases to deal.

#### Authority of the General Assembly to make recommendations in accordance with Article 12 (1)

During the period under review, there was no discussion in the Council of the nature of the limitation placed by Article 12 (1) upon the authority of the General Assembly to make recommendations, although one explicit reference to Article 12 was made.<sup>11</sup> Nor did the Council request the Assembly to make a recommendation in respect of a dispute or situation in accordance with the exception provided for in Article 12 (1).

#### Notification by the Secretary-General to the General Assembly in accordance with Article 12 (2)

During the period under review, in accordance with Article 12 (2), the Secretary-General continued to notify the General Assembly of the matters relating to the maintenance of international peace and security which were being dealt with by the Security Council or with which the Council had ceased to deal.<sup>12</sup> Following receipt of the notifications, the General

<sup>11</sup> S/PV.6300, p. 27 (Saint Vincent and the Grenadines, on behalf of CARICOM); see case 1 above.

<sup>12</sup> See A/65/300 and A/66/300.

Assembly, at each session, formally took note of them.<sup>13</sup>

In accordance with past practice, those notifications were based upon the summary statement of matters of which the Council was seized and the stage reached in their consideration, circulated each week to the members of the Council in accordance with rule 11 of the provisional rules of procedure. The items listed in the notifications were the same as those in the summary statements for the relevant period, except that those items not considered to relate to the maintenance of international peace and security were omitted.<sup>14</sup> The consent of the Council, required under Article 12 (2), was obtained through the circulation by the Secretary-General to the members of the Council of copies of the draft notifications.

#### **D. Practice in relation to provisions of the Charter involving recommendations of the Security Council to the General Assembly**

##### *Article 4*

1. *Membership in the United Nations is open to all other peace loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.*

2. *The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.*

##### *Article 5*

*A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.*

##### *Article 6*

*A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.*

##### *Article 93, paragraph 2*

*A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.*

##### *Article 97*

*The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.*

##### *Rule 60*

*The Security Council shall decide whether in its judgement the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter and, accordingly, whether to recommend the applicant State for membership.*

*If the Security Council recommends the applicant State for membership, it shall forward to the General Assembly the recommendation with a complete record of the discussion.*

*If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, it shall submit a special report to the General Assembly with a complete record of the discussion.*

*In order to ensure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendation not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session.*

...

On a number of matters, the Charter provides for joint decision-making by the Security Council and the

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<sup>13</sup> General Assembly decisions 65/509 and 66/509.

<sup>14</sup> For more information, see part II, sect. II.B, "Matters of which the Security Council is seized (rules 10 and 11)".

General Assembly, but requires a decision of the Council to be taken first. This is the case with respect to the admission, suspension or expulsion of Members (Articles 4, 5 and 6), the appointment of the Secretary-General (Article 97) and the conditions under which a State that is not a Member of the United Nations may become a party to the Statute of the International Court of Justice (Article 93 (2)).<sup>15</sup> In addition, the statutes of the International Tribunals for the Former Yugoslavia and Rwanda<sup>16</sup> require the Council to submit a list of candidates to the Assembly, from which the Assembly will elect the judges of the Tribunals.<sup>17</sup>

During the period under review, no questions arose concerning the conditions of accession to the Statute of the International Court of Justice. With regard to the International Tribunals, there were no elections of judges but the Council took decisions on matters relating to terms of office of judges and the

statutory limits for the number of ad litem judges, which the General Assembly then endorsed. The two organs were also involved in the election of judges of the International Residual Mechanism for Criminal Tribunals established pursuant to resolution 1966 (2010) to carry out residual functions of the Tribunals.

This section considers briefly the Council's practice in relation to the admission of Members, the recommendation for the appointment of the Secretary-General, and matters relating to judges of the International Tribunals and the election of the judges of the Mechanism.

### Membership in the United Nations

The admission of a State to membership in the United Nations, and the suspension or expulsion of a Member State from the Organization, is effected by "the General Assembly upon the recommendation of the Security Council" as set out in 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 General Assembly, within specified time limits, its recommendations concerning each application for membership, together with a record of its discussions of the application.

In 2010 and 2011, the Council recommended the admission of one State, the Republic of South Sudan, to membership in the United Nations (see case 2). The Council also considered the application of Palestine for admission to membership in the United Nations<sup>18</sup> and referred the application to its Committee on the Admission of New Members at the 6624th meeting on 28 September 2011; the Committee made no recommendation.<sup>19</sup> The Council did not discuss or recommend the suspension or expulsion of any Member.

### Case 2 Admission of new Members

In a letter dated 9 July 2011 from the President of the Republic of South Sudan addressed to the Secretary-General, the Republic of South Sudan submitted an application for admission to membership

<sup>15</sup> The Statute of the International Court of Justice provides for the Security Council to make recommendations to the General Assembly regarding the conditions under which a State which is a party to the Statute but is not a Member of the United Nations may participate in electing the members of the Court and in making amendments to the Statute (Articles 4 (3) and 69 of the Statute).

<sup>16</sup> The full titles of the two Tribunals are: International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994; and 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.

<sup>17</sup> The procedure for the election of judges of the two Tribunals is set out in article 13 (2), (3) and (4) of the statute of the International Tribunal for the Former Yugoslavia and article 12 (2), (3), (4) and (5) of the statute of the International Tribunal for Rwanda. In each case, in accordance with the statute, the Secretary-General forwards to the President of the Security Council the nominations received. The Council then convenes a meeting, in accordance with the understanding reached in its prior consultations, and adopts a resolution establishing the list of candidates for judges. Subsequently, the President of the Security Council formally transmits, by letter, the text of the resolution to the President of the General Assembly. The Assembly then proceeds to elect the judges from the list contained in that resolution.

<sup>18</sup> S/2011/592.

<sup>19</sup> For more information on the Committee on the Admission of New Members, see part IX, sect. I.A, "Standing Committees".



in the United Nations, which was circulated in a note by the Secretary-General of the same date.<sup>20</sup>

The Council considered the application at its 6580th meeting, on 11 July 2011 and, in accordance with rule 59 of its provisional rules of procedure, referred the application to the Committee on the Admission of New Members. The Committee unanimously decided to recommend to the Council that the Republic of South Sudan be admitted to membership in the United Nations and recommended the adoption of a draft resolution to that effect.<sup>21</sup>

At the 6582nd meeting, on 13 July 2011, the Council adopted resolution [1999 \(2011\)](#), without a vote, recommending to the General Assembly that the Republic of South Sudan be admitted to membership in the United Nations. The Council also adopted a presidential statement making known its recommendation and congratulating the Republic of the Sudan on the historic occasion.<sup>22</sup> In a letter of the same date from the President of the Council to the Secretary-General, the Council requested the latter to transmit to the General Assembly resolution [1999 \(2011\)](#) and the verbatim records of the 6580th and 6582nd meetings in accordance with rule 60.<sup>23</sup>

On 14 July 2011, having received the recommendation of the Security Council, the General Assembly decided to admit the Republic of South Sudan to membership in the United Nations by its resolution [65/308](#).

### **Recommendation for the 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

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<sup>20</sup> [S/2011/418](#).

<sup>21</sup> See the report of the Committee on the Admission of New Members concerning the application of the Republic of South Sudan for admission to membership in the United Nations ([S/2011/420](#), para. 3).

<sup>22</sup> [S/PRST/2011/14](#).

<sup>23</sup> [A/65/905](#).

communiqué is circulated which indicates the stage reached in the consideration of the question.

During the period under review, the Council recommended the appointment of Ban Ki-moon as the Secretary-General for a second term of office (see case 3).

### **Case 3 Recommendation for the appointment of the Secretary-General**

At its 6556th meeting, held in private on 17 June 2011, the Council considered the question of the recommendation for the appointment of the Secretary-General of the United Nations. The Council adopted resolution [1987 \(2011\)](#) by acclamation, recommending to the General Assembly that Mr. Ban Ki-moon be appointed Secretary-General for a second term of office, from 1 January 2012 to 31 December 2016. By a letter dated 17 June 2011 addressed to the President of the General Assembly, the President of the Security Council informed the Assembly of the adoption of the resolution.<sup>24</sup>

Acting in accordance with the Council's recommendation, on 21 June 2011, the General Assembly, by resolution [65/282](#), appointed Mr. Ban Ki-moon for a second term of office.

### **Matters relating to judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda**

During the period under review, in response to requests made by the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, the Council, as the parent organ of the Tribunals, adopted seven resolutions under Chapter VII of the Charter by which it authorized the judges to serve beyond the expiry of their terms of office and beyond the statutory limit of their cumulative service,<sup>25</sup> authorized the Tribunals to temporarily exceed their statutory limits for the total number of ad litem judges<sup>26</sup> and amended a relevant provision of the statute of the International Tribunal for Rwanda,<sup>27</sup> all for the purpose of completing the

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<sup>24</sup> [A/65/865](#).

<sup>25</sup> Resolutions [1931 \(2010\)](#), [1932 \(2010\)](#), [1954 \(2010\)](#), [1955 \(2010\)](#), [1993 \(2011\)](#) and [2029 \(2011\)](#).

<sup>26</sup> Resolutions [1915 \(2010\)](#) and [1955 \(2010\)](#).

<sup>27</sup> Resolution [1932 \(2010\)](#).

ongoing cases by the serving judges. The Council then transmitted the text of the resolutions to the General Assembly, the organ which had originally elected those judges. The Assembly then decided to endorse those decisions of the Council. An example of such a proceeding is presented below (case 4). For all the actions taken by the Council and the Assembly in

relation to the judges of the Tribunals during the period under review, see table 3.<sup>28</sup>

<sup>28</sup> For information on the mandates of the Tribunals, see part IX, sect. IV, "Tribunals".

Table 3

### **Actions of the Security Council and the General Assembly concerning judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda**

| <i>Letter from the Secretary-General transmitting the request from the Tribunal</i>  | <i>Security Council resolution</i>   | <i>Transmission to the General Assembly</i> | <i>General Assembly decision and date</i> |
|--|--|---|---|
| <b>International Tribunal for the Former Yugoslavia</b>  |  |   |   |
| S/2010/133, transmitting request (a) for extension of the terms of office of two ad litem judges to complete a case; and (b) to allow the total number of ad litem judges to exceed the statutory limit of 12  | Resolution 1915 (2010) of 18 March 2010, deciding that the total number of ad litem judges could temporarily exceed the maximum of 12, to a maximum of 13, returning to a maximum of 12 by 30 June 2010 or upon completion of the case, if sooner  | A/64/727                                    | 64/416 B<br>29 March<br>2010              |
| S/2010/330, transmitting request (a) for extension of the terms of office of three ad litem judges until 31 December 2011, four permanent and seven ad litem judges until 31 December 2012, four permanent judges until 31 December 2013 and five permanent judges until 31 December 2014, or until completion of their cases, if sooner; and (b) to permit nine ad litem judges to serve beyond the cumulative period of three years provided for under article 13 ter (2) of the statute of the Tribunal | Resolution 1931 (2010) of 29 June 2010, deciding (a) to extend the terms of office of all the judges concerned until 31 December 2011, 31 December 2012 or until completion of their cases, if sooner; and (b) to allow nine ad litem judges to serve beyond the cumulative period of service provided for under the statute of the Tribunal | A/64/861                                    | 64/416 C<br>16 July 2010                  |
| S/2010/599, transmitting request (a) for extension of the terms of office of one permanent judge until 28 February 2011 and one ad litem judge until 30 April 2011; and (b) to allow the said ad litem judge to serve beyond the cumulative period provided for under article 13 ter (2) of the statute of the Tribunal  | Resolution 1954 (2010) of 14 December 2010, (a) authorizing the two judges to complete their cases notwithstanding the expiry of their terms of office; and (b) deciding to allow the ad litem judge to serve beyond the cumulative period of service provided for under the statute of the Tribunal   | A/65/662                                    | 65/413 A<br>14 January<br>2011            |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Letter from the Secretary-General transmitting the request from the Tribunal</i>   | <i>Security Council resolution</i>   | <i>Transmission to the General Assembly</i> | <i>General Assembly decision and date</i> |
|---|--|---|---|
| S/2011/392, transmitting request (a) for extension of the terms of office of six ad litem judges until 31 December 2012, 10 permanent and two ad litem judges until 31 December 2014 and three permanent judges and one ad litem judge until 31 December 2015 or until completion of their cases, if sooner; and (b) to permit eight ad litem judges to serve beyond the cumulative period of service provided for under article 13 ter (2) of the statute of the Tribunal  | Resolution 1993 (2011) of 29 June 2011, deciding to extend the terms of office of eight permanent and nine ad litem judges until 31 December 2012 or until completion of their cases, if sooner  | A/65/894                                    | 65/413 B<br>19 July 2011                  |
| <b>International Criminal Tribunal for Rwanda</b>   |  |   |   |
| S/2010/289, transmitting request (a) for extension of the terms of office of one permanent and nine ad litem judges until 31 December 2011, four permanent judges until 31 December 2013 and two permanent judges until 31 December 2014 or until completion of their cases, if sooner; (b) to change the time frame for redeployment of judges to the Appeals Chamber; (c) to address the need for judges to fill the key functions of the Tribunal by (i) converting ad litem judges to permanent judges or (ii) amending the statute of the Tribunal so that ad litem judges would have the same powers as permanent judges; and (d) to amend article 12 ter (2) of the statute to re-establish a roster of non-serving judges | Resolution 1932 (2010) of 29 June 2010, deciding (a) to extend the terms of office of five permanent and nine ad litem judges until 31 December 2011 and two permanent judges until 31 December 2012 or until completion of their cases, if sooner; and (b) to amend article 12 ter of the statute concerning the appointment of former permanent or ad litem judges | A/64/862                                    | 64/415 B<br>16 July 2010                  |
| S/2010/513, transmitting request (a) for extension of the terms of office of one permanent judge and one ad litem judge to complete their cases; (b) for an extension of the exemption concerning the maximum number of ad litem judges; and (c) to fill the key functions of the Tribunal by (i) conversion of at least three ad litem judges to permanent judges or (ii) amendment of the statute of the Tribunal to permit ad litem judges to have the same powers as permanent judges   | Resolution 1955 (2010) of 14 December 2010, (a) authorizing the three judges to complete their cases, notwithstanding the expiry of their terms of office; and (b) deciding that the total number of ad litem judges could temporarily exceed the maximum provided for in the statute, returning to a maximum of nine by 31 December 2011                            | A/65/661                                    | 65/412<br>14 January 2011                 |

| <i>Letter from the Secretary-General transmitting the request from the Tribunal</i>   | <i>Security Council resolution</i>  | <i>Transmission to the General Assembly</i> | <i>General Assembly decision and date</i> |
|---|---|---|---|
| S/2010/598, transmitting request for extension of the term of office of one ad litem judge to complete a case   |   |   |   |
| S/2011/780, transmitting request for extension of the terms of office of four permanent judges and seven ad litem judges until 30 June 2012 or until completion of their cases, if sooner | Resolution 2029 (2011) of 21 December 2011, deciding to extend the terms of office of all the judges concerned until 30 June 2012 | A/66/660                                    | 66/418 A<br>25 January<br>2012            |
| S/2011/781, transmitting request for extension of the term of office of one ad litem judge until 30 June 2012 or until completion of her cases, if sooner                                 |   |   |   |

#### Case 4

##### **Other actions of the Security Council and the General Assembly relating to the International Criminal Tribunal for Rwanda**

By identical letters dated 13 October and 23 November 2010 addressed to the President of the General Assembly and the President of the Security Council, the Secretary-General transmitted letters from the President of the International Criminal Tribunal for Rwanda requesting the extension of the term of office of one permanent judge and one ad litem judge in order to allow them to complete the *Ndindiliyimana et al.* case, and of another ad litem judge to allow for the completion of the *Hategekimana* case. The President of the Tribunal further requested that the Tribunal be allowed to exceed temporarily the maximum number of nine ad litem judges allowed by article 11 (1) of the statute of the Tribunal, by extending an earlier exemption granted by resolution 1901 (2009) and General Assembly decision 64/415, and that in order to address the need to fill the key functions of the Tribunal, either (a) at least three ad litem judges be converted to permanent judges or (b) the statute be amended to permit ad litem judges to have the same powers as permanent judges, including to be elected President and Presiding Judge.<sup>29</sup>

In response to those requests, the Council on 14 December 2010 adopted resolution 1955 (2010), by which, acting under Chapter VII of the Charter, it decided that, notwithstanding the expiry of their term

of office on 31 December 2010, the three judges concerned were authorized to complete the *Ndindiliyimana et al.* case and the *Hategekimana* case and that, in order for the Tribunal to complete existing trials or conduct additional trials, the total number of ad litem judges serving at the Tribunal could, from time to time, temporarily exceed the maximum of nine provided for in article 11 (1) of the statute, to a maximum of 12 at any one time, returning to a maximum of nine by 31 December 2011. By a letter dated 20 December 2010 to the President of the General Assembly, the President of the Council transmitted the text of resolution 1955 (2010).<sup>30</sup>

At the 74th plenary meeting of its sixty-fifth session, on 14 January 2011, the General Assembly decided to endorse the recommendations contained in resolution 1955 (2010).<sup>31</sup>

##### **Election of judges of the International Residual Mechanism for Criminal Tribunals**

By resolution 1966 (2010) of 22 December 2010, the Council established the International Residual Mechanism for Criminal Tribunals to carry out residual functions of the International Tribunals for the Former Yugoslavia and Rwanda. In accordance with article 10 of the statute of the Mechanism, the judges of the

<sup>30</sup> A/65/661.

<sup>31</sup> General Assembly decision 65/412.

<sup>29</sup> A/65/529-S/2010/513 and A/65/587-S/2010/598.

Mechanism were elected by the General Assembly from a list submitted by the Council.<sup>32</sup>

In 2011, the Council for the first time considered the election of judges of the Mechanism. Having considered the 37 nominations for judges of the Mechanism received by the Secretary-General,<sup>33</sup> the President of the Council, by a letter dated 16 November 2011 addressed to the President of the General Assembly, transmitted 36 nominations to the Assembly in accordance with article 10, paragraph 1 (d) of the statute.<sup>34</sup> At the 87th plenary meeting of its sixty-sixth session, on 20 December 2011, the General Assembly elected 25 judges to a four-year term of office beginning on 1 July 2012.<sup>35</sup>

<sup>32</sup> According to article 10 of the statute of the Mechanism, the election of judges requires that the judges of the Mechanism shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner: (a) the Secretary-General shall invite nominations for judges, preferably from among persons with experience as judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, from States Members of the United Nations and non-Member States maintaining permanent observer missions at United Nations Headquarters; (b) within 60 days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in article 9, paragraph 1, of the statute; (c) the Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than 30 candidates, taking due account of the qualifications set out in article 9, paragraph 1, and adequate representation of the principal legal systems of the world; (d) the President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect 25 judges of the Mechanism. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-Member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected. Should more than two candidates of the same nationality obtain the required majority vote, the two who received the highest number of votes shall be considered elected (resolution 1966 (2010), annex 1).

<sup>33</sup> S/2011/659.

<sup>34</sup> A/66/564.

<sup>35</sup> General Assembly decision 66/416.

## 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.*

### *Statute of the International Court of Justice*

#### *Article 4*

*1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions. ...*

#### *Article 8*

*The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.*

#### *Article 10*

*1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.*

*2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.*

*3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.*

*Article 11*

*If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.*

*Article 12*

*1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.*

*2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.*

*3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.*

*4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.*

*Article 14*

*Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.*

The election of members of the International Court of Justice requires action by the Security Council

in conjunction with the General Assembly, the two organs proceeding independently. The procedure for the election is set out in Articles 4, 8, 10 to 12 and 14 of the Statute of the International Court of Justice; rules 150 and 151 of the rules of procedure of the Assembly;<sup>36</sup> and rules 40<sup>37</sup> and 61 of the provisional rules of procedure of the Council.

The Council begins the election process to fill the vacancies by fixing the date of the elections, as provided in Article 14 of the Statute of the Court. In the case of the election to replace a member whose term of office has not expired, the Council adopts a resolution to set a date of the election, after receiving a note by the Secretary-General concerning the date of an election to fill a vacancy. The Security Council and the General Assembly then proceed independently but concurrently with the elections. A candidate who obtains an absolute majority of the votes in both the Assembly and Council is considered to be elected a member of the Court, in accordance with Article 10 (1) of the Statute of the Court.

During the period under review, the Council conducted two separate elections in 2010 to fill one vacancy each, owing to the resignation of a member of the Court (see table 4). Given that the proceedings were the same for those two elections, one case is drawn from the first election (case 5). The Council also held an election to fill five seats that would become vacant owing to the expiry of the terms of office of the incumbents; that election required nine ballots in total (case 6).

<sup>36</sup> Rules 150 and 151 of the rules of procedure of the General Assembly provide that the election of the members of the Court shall take place in accordance with the Statute of the Court and that any meeting of the General Assembly held in pursuance of the Statute of the Court for the purpose of electing members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

<sup>37</sup> Rule 40 of the provisional rules of procedure is also covered in part II, sect. VIII, "Decision-making and voting".

Table 4  
**Concurrent elections of a member of the International Court of Justice to fill a vacancy due to the resignation of the incumbent**

| <i>Note by the Secretary-General</i> | <i>Council meeting on setting the date of the election</i> | <i>Council resolution deciding the date of the election</i> | <i>Council meeting on the election</i>   | <i>General Assembly plenary meeting on the election</i> |
|--------------------------------------|--|---|--|---|
| <a href="#">S/2010/136</a>           | <a href="#">6285</a><br>18 March 2010                      | <a href="#">1914 (2010)</a>                                 | <a href="#">6346</a><br>29 June 2010     | 102nd<br>29 June 2010                                   |
| <a href="#">S/2010/255</a>           | <a href="#">6327</a><br>2 June 2010                        | <a href="#">1926 (2010)</a>                                 | <a href="#">6381</a><br>9 September 2010 | 118th<br>9 September 2010                               |

**Case 5  
Election of a member of the International Court of Justice**

By a note dated 15 March 2010 concerning the date of an election to fill a vacancy in the International Court of Justice, the Secretary-General informed the Security Council of the resignation of one of the members and requested it to consider setting the date of the election to fill the vacancy which would occur on 28 May 2010.<sup>38</sup>

At its 6285th meeting, on 18 March 2010, the Council adopted resolution [1914 \(2010\)](#), by which, in accordance with Article 14 of the Statute of the Court, it decided that the election would take place on 29 June 2010 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-fourth session.

At its 6346th meeting, on 29 June 2010, the Council met to proceed with the election; one candidate obtained the required majority of votes on the first ballot. The President of the Council communicated the result of the vote to the President of the General Assembly. Subsequently, he announced that he had received a letter from the President of the General Assembly informing him that the same candidate had obtained an absolute majority of votes in the Assembly at its 102nd plenary meeting. The candidate in question was therefore elected for a term of office beginning on 29 June 2010 and expiring on 5 February 2012.<sup>39</sup>

<sup>38</sup> [S/2010/136](#).

<sup>39</sup> [S/PV.6346](#) and General Assembly decision 64/426 A.

**Case 6  
Election of five members of the International Court of Justice**

At its 6651st meeting, on 10 November 2011, the Council proceeded with the election of five members of the Court, to fill the five seats that would become vacant on 5 February 2012 on the expiry of the terms of office of the incumbents. On the first ballot, five candidates obtained the required majority of votes. The President of the Council communicated the result of the vote to the President of the General Assembly in writing. Subsequently, he informed Council members that he had received a letter from the President of the General Assembly informing him that five candidates had obtained an absolute majority of votes in the General Assembly at its 53rd plenary meeting being held concurrently with the meeting of the Council. Four of them were the candidates that had obtained the required majority of votes in the Council. Having received the requisite absolute majority of votes in both bodies, those four candidates were elected as members of the Court for a nine-year term of office beginning on 6 February 2012.

In accordance with Article 11 of the Statute of the Court, the Council proceeded to conduct seven additional ballots at the 6652nd to 6655th and 6665th to 6667th meetings, on 10 and 22 November 2011, to fill the remaining vacancy. However, no candidate gained the requisite absolute majority of votes in either the General Assembly or the Security Council. At the 6682nd meeting, and at the 84th plenary meeting of the General Assembly, on 13 December 2011, a ninth ballot was held, in which one candidate obtained the requisite absolute majority of votes in both bodies. Having met the requirements set forth in Article 10 (1) of the Statute of the Court, that candidate was elected

as a member of the Court for a nine-year term of office beginning on 6 February 2012.<sup>40</sup>

## F. Annual and special reports of the Security Council to the General Assembly

### *Article 15, paragraph 1*

*The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.*

### *Article 24, paragraph 3*

*The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.*

### *Rule 60, paragraph 3*

*If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, it shall submit a special report to the General Assembly with a complete record of the discussion.*

In accordance with Article 24 (3) of the Charter, the Council continued to submit annual reports to the General Assembly in 2010 and 2011; it did not submit special reports to the General Assembly under, for example, rule 60 (3) of the Council's provisional rules of procedure.

The two annual reports submitted during the period under review, covering the periods from 1 August 2009 to 31 July 2010 and from 1 August 2010 to 31 July 2011,<sup>41</sup> were prepared in accordance with the note by the President of 26 July 2010,<sup>42</sup> which had incorporated and further developed three previous notes by the President on working methods.<sup>43</sup> The introduction of each annual report was prepared under the leadership and responsibility of the President of the

Council for the month of July of each calendar year, that is, the delegations of Nigeria in 2010 and Germany in 2011, while the Secretariat prepared the remainder of the report. The Council considered and adopted without a vote the draft annual reports at its 6413th and 6641st meetings, on 28 October 2010 and 27 October 2011, respectively. At those meetings, the representative of the delegation responsible for drafting the introduction stressed that, in the drafting process, the monthly assessments and the views expressed by all Council members had been taken into account,<sup>44</sup> as recommended in the note by the President.<sup>45</sup> The General Assembly considered the annual reports at its sixty-fifth and sixty-sixth sessions, on 11 and 12 November 2010 and 8 November 2011.<sup>46</sup>

During the period under review, two communications made explicit references to Article 24 and its paragraph 3 regarding annual and special reports of the Council.<sup>47</sup> In addition, during a discussion in 2010 on the format and preparation of the annual and special reports in the context of improving the working methods of the Council, a number of explicit references were made to Article 24 and its paragraph 3 (see case 7).<sup>48</sup>

The General Assembly, in two resolutions on the revitalization of its work adopted during the period under review, welcomed the improvements that had been made in the quality of the annual reports of the Security Council to the Assembly and encouraged the Council to make further improvements as necessary.<sup>49</sup>

<sup>44</sup> See [S/PV.6413](#) and [S/PV.6641](#).

<sup>45</sup> [S/2010/507](#), para. 71.

<sup>46</sup> See [A/65/PV.48](#); [A/65/PV.50](#); and [A/66/PV.50](#).

<sup>47</sup> Identical letters dated 15 April 2010 and 23 November 2011 from the representative of Egypt, in his capacity as Chair of the Coordinating Bureau of NAM, to the President of the General Assembly and the President of the Council, forwarding the position of NAM concerning the working methods of the Council as reflected in documents adopted by NAM Heads of State and Government and Ministers ([S/2010/189](#), p. 4 and [S/2011/732](#), pp. 2-4, respectively).

<sup>48</sup> See, in connection with the implementation of the note by the President of the Security Council, [S/PV.6300](#), p. 21 (Egypt, speaking on behalf of NAM); p. 37 (Peru); [S/PV.6300 \(Resumption 1\)](#), p. 8 (Argentina); p. 9 (Cuba); p. 10 (India); p. 19 (Kenya); and p. 20 (Namibia).

<sup>49</sup> General Assembly resolutions [64/301](#), para. 9, and [65/315](#), para. 10.

<sup>40</sup> See [S/PV.6682](#) and General Assembly decision 66/404.

<sup>41</sup> [A/65/2](#) and [A/66/2](#).

<sup>42</sup> [S/2010/507](#), paras. 70-75.

<sup>43</sup> Notes by the President of the Council dated 19 July 2006, 19 December 2007 and 31 December 2008 ([S/2006/507](#), [S/2007/749](#) and [S/2008/847](#), respectively).



**Case 7**  
**Implementation of the note by the President of the Security Council**

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”, a number of speakers recognized that the annual report had improved in terms of quality and the details contained therein,<sup>50</sup> while others called for further improvement, emphasizing the need for the report to be more substantive and analytical.<sup>51</sup> The representative of Peru stressed that non-members of the Council had a right to greater access to information that was substantive, not merely descriptive, as was the case in the annual reports.<sup>52</sup> The representative of Australia considered it necessary to establish qualitative and quantitative metrics, and assess progress against them with a more effective annual report.<sup>53</sup>

In terms of concrete proposals for improvement of the annual report to the General Assembly, the representative of Liechtenstein, speaking on behalf of the group of five small countries,<sup>54</sup> proposed that the annual report should include an illustration of linkages between country situations and thematic issues and a chapter on the improvement of the working methods of the Council.<sup>55</sup> The representative of India called the current annual report a statistical compilation of events and a bland summary and listing of meetings and outcome documents. He said that the General Assembly should be aware not only of the decisions taken by the Council but also of the rationale, efficacy and impact of the Council’s decisions for the general membership.<sup>56</sup> The representative of Namibia stressed that the annual report, as the most visible source of information on the work of the Council, should be

analytical and provide not only an account of the matters considered by the Council in the year under review, but also an assessment of the ability of the Council to deal with the problems at hand, while signalling difficulties and areas where improvements could be made.<sup>57</sup>

With regard to the process of preparation and adoption of the annual report, several speakers supported the practice of holding informal meetings with the general membership, as initiated by Viet Nam in 2008.<sup>58</sup> The representative of Liechtenstein, speaking on behalf of the group of five small countries, stated that such consultations offered a good opportunity to discuss, in particular, the introductory section of the annual report, which was the only part that included political analysis.<sup>59</sup> A few considered that the use of monthly assessments of the presidency in the preparation for the annual report would enhance its quality.<sup>60</sup> A number of speakers encouraged open discussion on the annual report in both the Council and the General Assembly, allowing a genuine exchange of views between the general membership and the Council.<sup>61</sup>

With regard to special reports of the Council, a few speakers held that the Council should also submit, whenever necessary, such reports to the General Assembly in accordance with Articles 15 and 24 (3).<sup>62</sup> The representative of Costa Rica opined that the submission of special reports could be a useful tool in situations such as the establishment of a new peacekeeping operation or sanctions regime, or non-action of the Council due to the use of the veto.<sup>63</sup>

<sup>50</sup> S/PV.6300, p. 4 (Russian Federation); p. 5 (Mexico); p. 10 (Nigeria); p. 12 (United States); p. 17 (Gabon); p. 28 (Sierra Leone, on behalf of the Group of African States); and S/PV.6300 (Resumption 1), p. 6 (Australia); and p. 12 (Malta).

<sup>51</sup> S/PV.6300, p. 22 (Egypt); p. 29 (Slovakia); p. 37 (Peru); S/PV.6300 (Resumption 1), p. 6 (Australia); p. 8 (Argentina); p. 9 (Cuba); p. 10 (India); p. 20 (Namibia); p. 21 (Czech Republic); p. 25 (Qatar); and p. 28 (Republic of Korea).

<sup>52</sup> S/PV.6300, p. 37.

<sup>53</sup> S/PV.6300 (Resumption 1), p. 6.

<sup>54</sup> See footnote 6.

<sup>55</sup> S/PV.6300, p. 20.

<sup>56</sup> S/PV.6300 (Resumption 1), p. 10.

<sup>57</sup> Ibid., pp. 20-21.

<sup>58</sup> S/PV.6300, p. 7 (Austria); p. 11 (Nigeria); p. 17 (Uganda); p. 20 (Liechtenstein, on behalf of the group of five small countries); p. 35 (Slovenia); and S/PV.6300 (Resumption 1), p. 15 (Singapore).

<sup>59</sup> S/PV.6300, p. 20.

<sup>60</sup> Ibid., p. 10 (Nigeria); and p. 20 (Liechtenstein, on behalf of the group of five small countries).

<sup>61</sup> Ibid., p. 20 (Liechtenstein, on behalf of the group of five small countries); p. 29 (Slovakia); and S/PV.6300 (Resumption 1), p. 19 (Kenya).

<sup>62</sup> S/PV.6300, p. 21 (Egypt, on behalf of NAM); S/PV.6300 (Resumption 1), p. 8 (Costa Rica, Argentina); p. 9 (Cuba); p. 10 (India); p. 19 (Kenya); and p. 24 (Ecuador).

<sup>63</sup> S/PV.6300 (Resumption 1), p. 8.

## G. Relations with subsidiary organs established by the General Assembly

A number of subsidiary organs established by the General Assembly continued to play a role in the work of the Security Council. During the two-year period under review, there were four such subsidiary organs interacting with the Council: the Peacebuilding Commission, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Human Rights Council and the Special Committee on Peacekeeping Operations. Relations with the Peacebuilding Commission, including participation of the representatives of the Commission and decisions of the Council referring to the Commission, are covered in part IX, section VII. Relations with subsidiary organs of the General Assembly other than the Peacebuilding Commission are examined in this subsection.

With regard to participation in meetings of the Security Council by the representatives of the subsidiary organs of the General Assembly, during the period under review, the Chair or the Vice-Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People participated in seven meetings concerning the situation in the Middle East, including the Palestinian question.<sup>64</sup> On the occasion of the International Day of Solidarity with the Palestinian People, 29 November, the President of the Security Council participated in two meetings of the Committee.<sup>65</sup>

Several decisions adopted by the Council during the period under review contained references to two of

the subsidiary organs of the General Assembly, namely, the Human Rights Council and the Special Committee on Peacekeeping Operations. The Council welcomed the decisions of the Human Rights Council to dispatch independent international commissions of inquiry to investigate alleged violations of human rights in Côte d'Ivoire<sup>66</sup> and the Libyan Arab Jamahiriya.<sup>67</sup> The Council acknowledged the role and welcomed the reports of the Special Committee on Peacekeeping Operations in the context of United Nations peacekeeping operations,<sup>68</sup> women and peace and security<sup>69</sup> and the protection of civilians in armed conflict.<sup>70</sup> For provisions of Council decisions relating to these bodies, see table 5.

During the deliberations of the Council, some speakers called for enhanced cooperation and dialogue between the Security Council and the Human Rights Council<sup>71</sup> and the Special Committee on Peacekeeping Operations.<sup>72</sup>

<sup>66</sup> [Resolution 1975 \(2011\)](#), tenth preambular paragraph.

<sup>67</sup> [Resolution 1970 \(2011\)](#), fifth preambular paragraph.

<sup>68</sup> [S/PRST/2010/2](#), eighth paragraph, and [S/PRST/2011/17](#), eleventh paragraph.

<sup>69</sup> [Resolution 1960 \(2010\)](#), fourteenth preambular paragraph.

<sup>70</sup> [S/PRST/2010/25](#), thirteenth paragraph.

<sup>71</sup> In connection with implementation of note by the President of the Security Council, see [S/PV.6300 \(Resumption 1\)](#), p. 8 (Argentina); and [S/PV.6672](#), p. 10 (Germany). In connection with maintenance of international peace and security, see [S/PV.6360 \(Resumption 1\)](#), p. 10 (Senegal). In connection with women and peace and security, see [S/PV.6411](#), p. 28 (Russian Federation); and p. 30 (China). In connection with the protection of civilians in armed conflict, see [S/PV.6531](#), p. 16 (Colombia); and [S/PV.6650 \(Resumption 1\)](#), p. 17 (Japan).

<sup>72</sup> In connection with United Nations peacekeeping operations, see [S/PV.6270](#), p. 23 (Brazil); p. 25 (Bosnia and Herzegovina); and p. 31 (Mexico); [S/PV.6603](#), p. 11 (United Kingdom); and p. 15 (Brazil).

<sup>64</sup> 6265th, 6298th, 6363rd, 6470th, 6520th, 6590th and 6636th meetings, held on 27 January, 14 April and 21 July 2010 and 19 January, 21 April, 26 July and 24 October 2011.

<sup>65</sup> 329th and 337th meetings (see [A/AC.183/PV.329](#) and [A/AC.183/PV.337](#)).

Table 5  
Security Council decisions containing references to subsidiary organs of the General Assembly

| <i>Decision and date</i>                                   | <i>Provision</i>  |
|--|---|
| <b>Human Rights Council</b>                                |   |
| <b>The situation in Libya</b>                              |   |
| Resolution <a href="#">1970 (2011)</a><br>26 February 2011 | Welcoming Human Rights Council resolution S-15/1 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated and, where possible, to identify those responsible (fifth preambular paragraph)   |
| <b>The situation concerning Western Sahara</b>             |   |
| Resolution <a href="#">1975 (2011)</a><br>30 March 2011    | Welcoming the establishment of the National Council on Human Rights in Morocco and the proposed component regarding Western Sahara, and the commitment of Morocco to ensure unqualified and unimpeded access to all special procedures of the United Nations Human Rights Council (twelfth preambular paragraph)  |
| <b>The situation in Côte d'Ivoire</b>                      |   |
| Resolution <a href="#">1975 (2011)</a><br>30 March 2011    | Welcoming Human Rights Council resolution <a href="#">16/25</a> of 25 March 2011, including the decision to dispatch an independent international commission of inquiry to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential election of 28 November 2010 (tenth preambular paragraph)<br><br>Also calls upon all parties to cooperate fully with the independent international commission of inquiry put in place by the Human Rights Council on 25 March 2011 to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential election of 28 November 2010, and requests the Secretary-General to transmit this report to the Security Council and other relevant international bodies (para. 8) |
| Resolution <a href="#">2000 (2011)</a><br>27 July 2011     | Taking note of the report and recommendations of the independent international commission of inquiry established pursuant to Human Rights Council resolution <a href="#">16/25</a> of 25 March 2011 (sixteenth preambular paragraph)<br><br>Decides that the United Nations Operation in Côte d'Ivoire shall have the following mandate:<br><br>...<br><br>(g) <i>Support for efforts to promote and protect human rights</i><br><br>To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to grave violations and abuses committed against children and women, notably sexual and gender-based violence, in close coordination with the independent expert whose mandate was established pursuant to Human Rights Council resolution <a href="#">17/21</a> of 17 June 2011 (para. 7)  |

Decision and date

Provision

**The situation in the Middle East**

Resolution [2014 \(2011\)](#)  
21 October 2011

Taking note of the Human Rights Council resolution on Yemen,<sup>a</sup> and underlining the need for a comprehensive, independent and impartial investigation consistent with international standards into alleged human rights abuses and violations, with a view to avoiding impunity and ensuring full accountability, and noting in this regard the concerns expressed by the United Nations High Commissioner for Human Rights (seventh preambular paragraph)

**Special Committee on Peacekeeping Operations****Maintenance of international peace and security: impact of HIV/AIDS epidemic on international peace and security**

Resolution [1983 \(2011\)](#)  
7 June 2011

Recalling the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and the report of the Special Committee on Peacekeeping Operations (fourth preambular paragraph)

**Protection of civilians in armed conflict**

[S/PRST/2010/25](#)  
22 November 2010

The Council welcomes the proposals, conclusions and recommendations on the protection of civilians included in the report of the Special Committee on Peacekeeping Operations. The Council stresses the importance of ensuring engagement by senior mission leadership on the protection of civilians, with a view to ensuring that all mission components and all levels of the chain of command are properly informed of and involved in the mission's protection mandate and their relevant responsibilities. The Council welcomes progress made by the Secretary-General in elaborating a conceptual framework, outlining resource and capability requirements and developing operational tools for the implementation of protection of civilians mandates. The Council emphasizes the importance of improving predeployment training for peacekeeping personnel on the protection of civilians. The Council encourages troop- and police-contributing countries to make full use of and provide feedback on these important materials (thirteenth paragraph)

**United Nations peacekeeping operations**

[S/PRST/2010/2](#)  
12 February 2010

The Council reaffirms its belief that United Nations peacekeeping is a unique global partnership that draws together the contributions and commitment of the entire United Nations system. The Council is committed to strengthening this partnership and acknowledges the key role of the Special Committee on Peacekeeping Operations of the General Assembly and the Fifth Committee of the Assembly in that regard. The Council recognizes the need for continuous review of the military planning, police, judicial, rule of law and institution-building capabilities of the Secretariat to ensure their effective utilization and coordination (eighth paragraph)

[S/PRST/2011/17](#)  
26 August 2011

The Council also recognizes the important work conducted by the Special Committee on Peacekeeping Operations and the Fifth Committee of the General Assembly (eleventh paragraph)

<sup>a</sup> Resolution [18/19](#).

## Women and peace and security

Resolution 1960 (2010)  
16 December 2010

Welcoming the proposals, conclusions and recommendations included in the report of the Special Committee on Peacekeeping Operations on the need for adequate capabilities and clear and appropriate guidelines to enable peacekeeping missions to carry out all their mandated tasks, including prevention of and response to sexual violence; stressing the importance of ensuring engagement by senior mission leadership on protection of civilians, including the prevention of and response to instances of sexual violence in armed conflict, with a view to ensuring that all mission components and all levels of the chain of command are properly informed of and involved in the mandate of the mission and their relevant responsibilities; welcoming progress made by the Secretary-General in developing operational tools for the implementation of protection of civilians mandates; and encouraging troop- and police-contributing countries to make full use of and provide feedback on these important materials (fourteenth preambular paragraph)

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

During the period under review, the President of the General Assembly did not participate in any meeting of the Security Council. No special sessions of the General Assembly were convoked at the request of the Council in accordance with Article 20 of the Charter, nor any emergency special sessions pursuant to Assembly resolution 377 A (V) of 3 November 1950.

A number of resolutions and presidential statements adopted by the Council in 2010 and 2011 referred to the General Assembly in connection with issues other than the admission of new Members, the appointment of the Secretary-General, or the elections of members of the International Court of Justice and matters relating to judges of the International Tribunals for the Former Yugoslavia and Rwanda. In connection with the maintenance of international peace and security, the Council stressed the importance of strengthening its partnership with the General Assembly;<sup>73</sup> supported the ongoing efforts of the General Assembly to bolster the effectiveness and efficiency of United Nations peacekeeping operations<sup>74</sup>

and recognized the key role of the Fifth Committee of the General Assembly;<sup>75</sup> also recognized the responsibility of the General Assembly for sustainable development issues, including climate change,<sup>76</sup> and its role in addressing HIV and AIDS.<sup>77</sup> In connection with women and peace and security, the Council welcomed the resolution<sup>78</sup> by which the General Assembly had established the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).<sup>79</sup> Concerning the situation in Libya, the Council welcomed the engagement of the Secretary-General and the President of the General Assembly, including through their visit to Libya, which had affirmed the key role of the United Nations in supporting Libyan national efforts in the post-conflict phase.<sup>80</sup>

In 2010 and 2011, the Council also considered its relations with the General Assembly together with its relations with the Economic and Social Council (see case 8).

<sup>73</sup> S/PRST/2010/18, seventeenth paragraph, and S/PRST/2011/18, twelfth paragraph.

<sup>74</sup> S/PRST/2010/18, tenth paragraph.

<sup>75</sup> In connection with United Nations peacekeeping operations, S/PRST/2010/2, eighth paragraph, and S/PRST/2011/17, eleventh paragraph.

<sup>76</sup> S/PRST/2011/15, second paragraph.

<sup>77</sup> Resolution 1983 (2011), seventh preambular paragraph.

<sup>78</sup> General Assembly resolution 64/289.

<sup>79</sup> S/PRST/2010/22, third paragraph.

<sup>80</sup> Resolution 2022 (2011), fifth preambular paragraph.



## 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 Council in relation to Article 65 of the Charter. Subsection A considers briefings by the President of the Economic and Social Council to the Security Council. Subsections B and C cover decisions and deliberations of the Council concerning relations with the Economic and Social Council, respectively. In communications received by the Security Council during the period under review, no explicit references were made to Article 65 of the Charter.

### A. Briefings by the President of the Economic and Social Council

In 2010 and 2011, the President of the Economic and Social Council was invited to brief the Security Council at two meetings concerning women and peace and security, at which the President stressed the importance of maintaining close dialogue between the

Economic and Social Council and the Security Council in their common areas of work.<sup>81</sup>

### B. Decisions concerning 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, but referred to the Economic and Social Council in several decisions, all under the item entitled “Maintenance of international peace and security”. In one presidential statement dealing with the interdependence between security and development, the Council highlighted the contributions 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.<sup>82</sup> In other decisions, the Council recognized the role and the responsibility of the Economic and Social Council in addressing the issues of the HIV/AIDS epidemic and climate change, and underlined the need to strengthen its partnership with the Economic and Social Council in the context of conflict prevention and ensuring the Council’s effective role in maintaining international peace and security. See table 6 for the relevant provisions of Council decisions under the item entitled “Maintenance of international peace and security”.

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<sup>81</sup> S/PV.6411, pp. 9-10 and S/PV.6642, pp. 5-6.

<sup>82</sup> S/PRST/2011/4, final paragraph.

Table 6

**Decisions of the Security Council containing references to the Economic and Social Council under the item entitled “Maintenance of international peace and security”**

| <i>Decision and date</i>  | <i>Provision</i>   |
|---|--|
| <b>Conflict prevention</b>  |  |
| <a href="#">S/PRST/2011/18</a><br>22 September 2011   | The Council intends to continue to strengthen its partnerships with all other relevant players, both at the strategic level and on the ground, in particular the General Assembly, the Economic and Social Council, the Peacebuilding Commission and international financial institutions, such as the World Bank ... (twelfth paragraph)  |
| <b>Ensuring the Security Council’s effective role in maintaining international peace and security</b> |  |
| <a href="#">S/PRST/2010/18</a><br>23 September 2010   | ... The Council also underlines that it should continue to strengthen its partnerships with all other relevant players both at the strategic level and on the ground, in particular the General Assembly, the Economic and Social Council, the Peacebuilding Commission, international financial institutions, such as the World Bank, and civil society (seventeenth paragraph) |
| <b>Impact of climate change</b>   |  |
| <a href="#">S/PRST/2011/15</a><br>20 July 2011  | The Council recognizes the responsibility for sustainable development issues, including climate change, conferred upon the General Assembly and the Economic and Social Council (second paragraph)   |
| <b>Impact of HIV/AIDS epidemic on international peace and security</b>                                |  |
| <a href="#">Resolution 1983 (2011)</a><br>7 June 2011   | Emphasizing the important roles of the General Assembly and the Economic and Social Council in addressing HIV and AIDS and the continuing need for coordinated efforts of all relevant United Nations entities, in line with their respective mandates, to assist in the global efforts against the epidemic (seventh preambular paragraph)                                      |
| <b>The interdependence between security and development</b>   |  |
| <a href="#">S/PRST/2011/4</a><br>11 February 2011   | The Council highlights the contribution that the Economic and Social Council can make in addressing economic, social, cultural and humanitarian issues and underlines the importance of close cooperation in accordance with Article 65 of the Charter (final paragraph)   |



### C. Constitutional discussion concerning relations with the Economic and Social Council

In deliberations during the period under review, speakers frequently touched upon relations between the Security Council and the Economic and Social Council, with a particular emphasis on strengthening cooperation, coordination and interaction between the two bodies;<sup>83</sup> Article 65 of the Charter was explicitly referred to on two occasions.<sup>84</sup> Case 8 is drawn from the discussion on the working methods of the Security Council.

#### Case 8 Implementation of the note by the President of the Security Council

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”, many speakers emphasized the need for strengthened cooperation, coordination and interaction, including the exchange of information between the Security Council, the General Assembly and the Economic and Social Council.<sup>85</sup> Several speakers called on the Council to hold regular consultations of the three

principal organs of the United Nations.<sup>86</sup> The representative of Colombia said that meetings among the Presidents of the three organs would improve the Council’s working methods and its relations with the General Assembly.<sup>87</sup> The representative of Turkey suggested that the Presidents of the Economic and Social Council and the General Assembly should be invited to the Security Council’s luncheons with the Secretary-General.<sup>88</sup> The representative of Argentina said that regular and substantive dialogue should be established between the Security Council and the Economic and Social Council, reinforcing the communication provided for in Article 65 of the Charter.<sup>89</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, several speakers again called for increased interaction between the President of the Security Council and the Presidents of the Economic and Social Council and the General Assembly.<sup>90</sup> The representative of the Russian Federation considered it important to improve the quality of the Council’s interaction with other United Nations bodies on issues within the Council’s competence and in that regard held that one relevant task was the future formulation of effective forms and methods for dialogue between the Security Council and the Economic and Social Council among other bodies.<sup>91</sup> Being mindful of the division of labour among United Nations organs in accordance with the Charter, the representative of China emphasized that the Security Council, the Economic and Social Council and the General Assembly should maintain communication through their Presidents.<sup>92</sup> A few speakers also stressed the need for regular discussions and interaction among the three Presidents in order to improve complementarity and increase coherence.<sup>93</sup>

<sup>83</sup> See, for example, in connection with the maintenance of international peace and security, S/PV.6389, p. 2 (Turkey); p. 8 (Nigeria); and p. 16 (Brazil); S/PV.6547, p. 13 (Russian Federation); p. 16 (Brazil); and p. 18 (Bosnia and Herzegovina); S/PV.6479, p. 3 (Secretary-General); p. 10 (Colombia); p. 17 (South Africa); p. 20 (Nigeria); pp. 21-22 (Russian Federation); and p. 27 (Brazil); S/PV.6479 (Resumption 1), p. 2 (Thailand); p. 5 (Pakistan); p. 15 (Luxembourg); p. 25 (Chile); p. 32 (Senegal); p. 38 (Malaysia); and p. 42 (El Salvador, Nicaragua); in connection with post-conflict peacebuilding, see S/PV.6299, p. 18 (Russian Federation); and p. 33 (China); S/PV.6299 (Resumption 1), pp. 6-7 (Egypt); p. 10 (Pakistan); p. 27 (Rwanda); p. 30 (Botswana); and p. 32 (Bangladesh).

<sup>84</sup> S/PV.6300 (Resumption 1), p. 8 (Argentina); and S/PV.6389, p. 16 (Brazil).

<sup>85</sup> S/PV.6300, p. 3 (Turkey); p. 10 (Lebanon); p.14 (Bosnia and Herzegovina); and p. 29 (Slovakia); S/PV.6300 (Resumption 1), p. 8 (Argentina); p. 10 (India); p. 18 (Colombia); p. 19 (Kenya); pp. 21-22 (Czech Republic); and p. 27 (Pakistan).

<sup>86</sup> S/PV.6300, p. 3 (Turkey); S/PV.6300 (Resumption 1), p. 8 (Argentina); p. 10 (India); p. 18 (Colombia); and p. 19 (Kenya).

<sup>87</sup> S/PV.6300 (Resumption 1), p. 18.

<sup>88</sup> S/PV.6300, p. 3.

<sup>89</sup> S/PV.6300 (Resumption 1), p. 8.

<sup>90</sup> S/PV.6672, p. 8 (Nigeria); p. 11 (Lebanon); and p. 14 (China); and S/PV.6672 (Resumption 1), pp. 11-12 (Sudan).

<sup>91</sup> S/PV.6672, p. 4.

<sup>92</sup> Ibid., p. 14.

<sup>93</sup> Ibid., p. 8 (Nigeria); and p. 25 (Egypt, on behalf of NAM).

### 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.*

#### Statute of the International Court of Justice

#### Article 41

1. *The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.*

2. *Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.*

#### Note

Section III concerns the relationship between the Security Council and the International Court of Justice. In accordance with Article 94, the Council may make recommendations or decide upon measures to be taken to give effect to the judgment rendered by the Court if a party to a case fails to perform its obligations under that judgment. In accordance with Article 96, the Council may request the Court to give an advisory opinion on any legal question.

During the period under review, the Council did not make recommendations or decide on measures with regard to any judgment rendered by the Court, nor did it request the Court to give an advisory opinion on a legal question. The President of the International Court of Justice was invited to participate in two private meetings of the Council under the item entitled “Briefing by the President of the International Court of Justice”.<sup>94</sup> Elections of members of the International Court of Justice held concurrently by the Security Council and the General Assembly during the period under review are covered in section I. E, “Relations with the General Assembly”.

This section covers (a) decisions and communications concerning relations with the International Court of Justice and (b) discussions concerning relations with the International Court of Justice.

#### A. Decisions and communications concerning relations with the International Court of Justice

In 2010 and 2011, the Council adopted no decisions containing an explicit reference to Article 94 or Article 96. However, in one presidential statement under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”, the Council emphasized the key role of the International Court of Justice in adjudicating disputes among States and the value of its work.<sup>95</sup>

A number of communications contained explicit references to Article 94 of the Charter.<sup>96</sup> In addition, the Council continued to exchange letters with the Secretary-General concerning the Cameroon-Nigeria Mixed Commission established to facilitate the

<sup>94</sup> The 6412th (closed) and 6637th (closed) meetings, held on 27 October 2010 and 25 October 2011, respectively.

<sup>95</sup> S/PRST/2010/11, second paragraph.

<sup>96</sup> See letter dated 18 June 2010 from the representative of Mexico addressed to the Secretary-General (S/2010/322, p. 5); and letters dated 5 and 6 February 2011 from the representative of Cambodia addressed to the President of the Security Council (S/2011/56, p. 2, and S/2011/58, p. 2, respectively).

implementation of the ruling of the Court on 10 October 2002 on the land and maritime boundary between the two countries.<sup>97</sup>

## B. Constitutional discussion concerning relations with the International Court of Justice

In the period under review, the Security Council, in its deliberations, touched upon the advisory opinions of the International Court of Justice of 9 July 2004 and 22 July 2010 rendered in response to the requests of the General Assembly concerning the legal consequences of the construction of a wall in the occupied Palestinian territory<sup>98</sup> and the unilateral declaration of independence by Kosovo,<sup>99</sup> respectively, which did not give rise to a constitutional discussion. Relations between the Security Council and the Court were discussed in a thematic debate concerning the rule of law, as well as the interpretation and the application of Articles 94 and 96 (see case 9).

### Case 9

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

In the concept paper on the subject prepared by Mexico, it was argued that advisory opinions of the International Court of Justice significantly contributed to strengthening the rule of law at the international level, as did respect for the Court's decisions, a matter in which the Council was called upon to play a critical role under Article 94 (2) of the Charter.<sup>100</sup>

The Council held its 6347th meeting on 29 June 2010 under the item entitled "The promotion and strengthening of the rule of law in the maintenance of

international peace and security". The Deputy Secretary-General emphasized the special role of the International Court of Justice in the peaceful settlement of disputes before intractable conflict and post-conflict situations arose, and held that strengthening the relationship between the Court and the Council would fortify the rule of law.<sup>101</sup> The Under Secretary-General for Legal Affairs similarly referred to the system of settling disputes peacefully envisaged in the Charter and underlined that the General Assembly, the Security Council and the Court all had a responsibility to contribute to the peaceful settlement of disputes. She noted that the fullest use had not always been made of the organic link between those bodies and the procedural means made available to them by the Charter to coordinate and complement their respective actions.<sup>102</sup> Many speakers during the debate acknowledged the role of the Court in the peaceful settlement of disputes and the maintenance of international peace and security.<sup>103</sup> The representative of Germany stressed that the Council should further encourage States to make use of the Court.<sup>104</sup> The representative of the Russian Federation opined that the Court was a unique organ that had the final say on the most ambiguous international legal issues.<sup>105</sup>

The representative of the Solomon Islands was of the view that advisory opinions of the Court should be respected and upheld.<sup>106</sup> The representative of Mexico reminded the Council that it had the power to request advisory opinions on any legal matter which would lead to strengthening international law in its daily work, in cases where that was required.<sup>107</sup> The representative of South Africa expressed the view that the Council could play a role in promoting the rule of law through regular recourse to advisory opinions from the Court. He encouraged the Council to follow the General Assembly's practice and to request advisory

<sup>97</sup> S/2010/637 and S/2010/638.

<sup>98</sup> In connection with the situation in the Middle East, including the Palestinian question, see, for example, S/PV.6265 and S/PV.6265 (Resumption 1); S/PV.6298 and S/PV. 6298 (Resumption 1); S/PV.6363 and S/PV.6363 (Resumption 1); S/PV.6404 and S/PV.6404 (Resumption 1); S/PV.6470 and S/PV.6470 (Resumption 1); S/PV.6520 and S/PV.6520 (Resumption 1); and S/PV.6636

<sup>99</sup> In connection with Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999), see, for example, S/PV.6264, S/PV.6314, S/PV.6353, S/PV.6367 and S/PV.6422.

<sup>100</sup> S/2010/322, p. 5.

<sup>101</sup> S/PV.6347, p. 3.

<sup>102</sup> Ibid., p. 5.

<sup>103</sup> Ibid., p. 10 (Bosnia and Herzegovina); p. 13 (Nigeria); p. 14 (France); p. 16 (Brazil); p. 18 (United Kingdom); p. 19 (Lebanon); p. 22 (Russian Federation); p. 23 (Japan); p. 25 (United States); p. 26 (Turkey); p. 28 (Gabon); S/PV.6347 (Resumption 1), p. 2 (Denmark); p. 10 (Argentina); p. 13 (Norway); p. 14 (Peru); and p. 19 (Germany).

<sup>104</sup> S/PV.6347 (Resumption 1), p. 19.

<sup>105</sup> S/PV.6347, p. 23.

<sup>106</sup> S/PV.6347 (Resumption 1), p. 20.

<sup>107</sup> Ibid, p. 8.

opinions when faced with questions of legal complexity, citing as an example the request which resulted in the 1971 Namibia opinion. While recognizing that advisory opinions of the Court were not binding in and of themselves, in the sense of Article 94, he said that they were not without legal consequence and failure to comply with them indicated a violation of whatever rule the Court might have deemed to be at issue in that opinion. He called upon the Council, in the interests of promoting the rule of law, to take appropriate action to ensure the implementation of the advisory opinions on Western Sahara and the legal consequences of the construction of a wall in the occupied Palestinian territory.<sup>108</sup>

Regarding the role of the Council in the execution of a decision of the Court in accordance with Article 94 (2), the representative of Mexico stated that,

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<sup>108</sup> [S/PV.6347 \(Resumption 1\)](#), pp. 16-17.

in cases of non-compliance, Article 94 (2) set out the path to follow although States rarely activated that mechanism.<sup>109</sup> The representative of Bosnia and Herzegovina stressed that, since the enforcement of the Court's judgments lay ultimately with the Security Council, the Council, through its own actions, should give stronger emphasis and "exploit" the Court more as one of the central tools in maintaining peace and security.<sup>110</sup>

At the meeting, the Council adopted a presidential statement in which it 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.<sup>111</sup>

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<sup>109</sup> [S/PV.6347](#), p. 8 (Mexico).

<sup>110</sup> [S/PV.6347](#), p. 10.

<sup>111</sup> [S/PRST/2010/11](#), second paragraph.



## **Part V**

### **Consideration of the functions and powers of the Security Council**

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## Introductory note

Part V covers the functions and powers of the Security Council under Articles 24, 25 and 26 of the Charter of the United Nations, and is accordingly divided into three sections. Under each section, decisions, communications and deliberations of the Council that touched upon the relevant Articles are examined.

During the period under review, the Council adopted a number of decisions while being “mindful of its primary responsibility” under the Charter for the maintenance of international peace and security, including, for the first time, decisions concerning the situations in the Horn of Africa, Libya<sup>1</sup> and Yemen. It held discussions with regard to its primary responsibility, particularly in the consideration of such topics as its working methods, the interdependence between security and development and the impact of climate change (cases 1-3). A Council debate on the rule of law touched upon the question of the obligation of Member States to accept and carry out Council decisions, as provided in Article 25 (case 4).

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<sup>1</sup> Until 17 March 2011, the Council considered developments in the Libyan Arab Jamahiriya at the 6686th, 6490th and 6491st meetings under the agenda item “Peace and security in Africa”. Pursuant to a note of the Security Council dated 16 March 2011 (S/2011/141), the Council decided to subsume its earlier consideration of developments in the Libyan Arab Jamahiriya at the above-mentioned three meetings under the new item “the situation in Libya”.



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## I. Primary responsibility of the Security Council for the maintenance of international peace and security under Article 24

### Article 24

1. *In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.*

2. *In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII and XII.*

...

### Note

This section covers the practice of the Security Council concerning its primary responsibility for the maintenance of international peace and security under Article 24 of the Charter.<sup>2</sup> It is divided into two subsections, dealing with decisions and discussions referring to the Council's primary responsibility. During the period under review, explicit references to Article 24, made in the context of the Council's discussion of its working methods, were found in two communications.<sup>3</sup>

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<sup>2</sup> Article 24 (3) of the Charter is dealt with in part IV, sect. I.F, Annual and special reports of the Security Council to the General Assembly.

<sup>3</sup> Letter dated 1 April 2010 from the representative of Japan to the Secretary-General (S/2010/165, p. 2); and identical letters dated 15 April 2010 from the representative of Egypt to the President of the General Assembly and the President of the Security Council (S/2010/189, pp. 3-4).

### A. Decisions referring to the primary responsibility of the Security Council for the maintenance of international peace and security

During the period under review, none of the decisions adopted by the Council contained an explicit reference to Article 24 of the Charter, but implicit references were made to Article 24 in a number of resolutions and presidential statements, as reflected in tables 1 and 2.

In seven resolutions adopted under items concerning country-specific issues, the Council made a common implicit reference to Article 24 (1), indicating that it was mindful of its primary responsibility under the Charter for the maintenance of international peace and security (see table 1). In five of those resolutions, the Council, "mindful of its primary responsibility", took action under Chapter VII of the Charter:<sup>4</sup> four included provisions imposing measures under Article 41 against Eritrea, Iran (Islamic Republic of) and Libya,<sup>5</sup> and one resolution included provisions authorizing the termination of enforcement action against Libya that the Council had previously authorized by its resolution 1973 (2011).<sup>6</sup> In the remaining two resolutions, concerning the situations in Libya and Yemen,<sup>7</sup> the Council indicated that it was "mindful of its primary responsibility", without invoking Chapter VII of the Charter. For example, in its resolution 2014 (2011), on the situation in the Middle East, the Council, mindful of its primary responsibility and emphasizing the

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<sup>4</sup> Resolutions 1929 (2010), 1970 (2011), 2009 (2011), 2016 (2011) and 2023 (2011).

<sup>5</sup> Resolutions 2023 (2011), 1929 (2010), 1970 (2011) and 2016 (2011), respectively. For more information regarding measures under Article 41 against Eritrea, Iran (Islamic Republic of) and Libya, see part VII, sect. III.A, Decisions of the Security Council relating to Article 41.

<sup>6</sup> Resolution 2016 (2011), thirteenth and fourteenth preambular paragraphs and paras. 5 and 6. For details concerning enforcement action against Libya, see part VII, sect. IV, Measures to maintain or restore international peace and security in accordance with Article 42 of the Charter.

<sup>7</sup> Resolutions 2017 (2011) and 2014 (2011), respectively.

threats to regional security and stability posed by the deterioration of the situation in Yemen in the absence of a lasting political settlement, demanded that the Yemeni authorities, inter alia, take action to end attacks against civilians and civilian targets by security forces.<sup>8</sup> Furthermore, in two presidential statements<sup>9</sup> adopted in connection with threats to international peace and security caused by terrorist acts, the Council reaffirmed and recalled its “primary responsibility for the maintenance of international peace and security” in accordance with the Charter (see table 2).

In most of those decisions related to thematic issues, the Council reiterated or reaffirmed its primary responsibility for the maintenance of international peace and security (see table 3). In a number of instances, the Council not only affirmed its primary responsibility but also decided that certain matters

were closely linked to that primary responsibility. For example, in connection with the maintenance of international peace and security, the Council stated that it was fully aware of the responsibilities bestowed upon it by the Charter and of the collective aspirations of the peoples of the world, which impelled it to take effective action to maintain international peace and security and eradicate the scourge of war.<sup>10</sup> Regarding children and armed conflict, the Council reiterated its primary responsibility and, in that connection, its commitment to address the widespread impact of armed conflict on children.<sup>11</sup> On the topic of interdependence between security and development, the Council reaffirmed its primary responsibility for the maintenance of international peace and security and its readiness to strive for sustainable peace in all situations under its consideration.<sup>12</sup>

<sup>8</sup> Resolution 2014 (2011), eighteenth preambular paragraph and para. 5.

<sup>9</sup> S/PRST/2010/19 and S/PRST/2011/5.

<sup>10</sup> S/PRST/2010/18, final paragraph.

<sup>11</sup> Resolution 1998 (2011), second preambular paragraph.

<sup>12</sup> S/PRST/2011/4, first paragraph.

Table 1

**Decisions concerning country-specific and general issues referring to the Council’s primary responsibility**

| <i>Decision and date</i>  | <i>Provision</i>  |
|---|---|
| <b>Non-proliferation</b>  |   |
| Resolution 1929 (2010)<br>9 June 2010<br>(adopted under Chapter VII)      | Concerned by the proliferation risks presented by the Iranian nuclear programme, and mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security (twenty-second preambular paragraph) |
| <b>Peace and security in Africa (Horn of Africa)</b>                      |   |
| Resolution 2023 (2011)<br>5 December 2011<br>(adopted under Chapter VII)  | Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security (fourteenth preambular paragraph)   |
| <b>The situation in Libya</b>   |   |
| Resolution 1970 (2011)<br>26 February 2011<br>(adopted under Chapter VII) | Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations (fifteenth preambular paragraph)  |
|   | <i>Same provision in resolutions 2009 (2011) (adopted under Chapter VII), fifteenth preambular paragraph, 2016 (2011) (adopted under Chapter VII), thirteenth preambular paragraph, and 2017 (2011), fourteenth preambular paragraph</i>                        |

*Decision and date*

*Provision*

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**The situation in the Middle East (Yemen)**

Resolution [2014 \(2011\)](#)  
21 October 2011

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations, and emphasizing the threats to regional security and stability posed by the deterioration of the situation in Yemen in the absence of a lasting political settlement (final preambular paragraph)

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Table 2

**Decisions concerning general issues referring to the Council's primary responsibility**

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*Decision and date*

*Provision*

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**Threats to international peace and security caused by terrorist acts**

[S/PRST/2010/19](#)  
27 September 2010

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations (first paragraph)

[S/PRST/2011/5](#)  
28 February 2011

The Council recalls its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations and further recalls Article 103 of the Charter (second paragraph)

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Table 3

**Decisions adopted under thematic items referring to the Council's primary responsibility**

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*Decision and date*

*Provision*

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**Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security**

[S/PRST/2010/1](#)  
13 January 2010

The Council recalls the purposes and principles of the Charter, reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and further recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, consistent with Chapter VIII of the Charter, can improve collective security (second paragraph)

**Threats to international peace and security**

[S/PRST/2010/4](#)  
24 February 2010

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations (first paragraph)

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*Decision and date*

*Provision*

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**Maintenance of international peace and security: optimizing the use of preventive diplomacy tools — prospects and challenges in Africa**

[S/PRST/2010/14](#)  
16 July 2010

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations (first paragraph)

**Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security**

[S/PRST/2010/18](#)  
23 September 2010

The Security Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security (first paragraph)

The Council is fully aware of the responsibilities bestowed upon it by the Charter, and of the collective aspirations of the peoples of the world, which impel it to take effective action to maintain international peace and security and eradicate the scourge of war (final paragraph)

**Peace and security in Africa**

[S/PRST/2010/21](#)  
22 October 2010

The Council reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security and consistent with Chapter VIII of the Charter can improve collective security (second paragraph)

**Maintenance of international peace and security: the interdependence between security and development**

[S/PRST/2011/4](#)  
11 February 2011

The Security Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security and its readiness to strive for sustainable peace in all situations under its consideration (first paragraph)

**Maintenance of international peace and security: impact of the HIV/AIDS epidemic on international peace and security**

Resolution [1983 \(2011\)](#)  
7 June 2011

Bearing in mind the primary responsibility of the Council for the maintenance of international peace and security (final preambular paragraph)

**Children and armed conflict**

Resolution [1998 \(2011\)](#)  
12 July 2011

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children (second preambular paragraph)

### Maintenance of international peace and security: impact of climate change

[S/PRST/2011/15](#)  
20 July 2011

The Security Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. The Council stresses the importance of establishing strategies of conflict prevention (first paragraph)

### United Nations peacekeeping operations

[S/PRST/2011/17](#)  
26 August 2011

The Security Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security (first paragraph)

### Maintenance of international peace and security: conflict prevention

[S/PRST/2011/18](#)  
22 September 2011

The Council reaffirms its primary responsibility for the maintenance of international peace and security, acting in accordance with the purposes and principles of the Charter of the United Nations (third paragraph)

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## B. Constitutional discussion referring to the primary responsibility of the Security Council for the maintenance of international peace and security

During the period under review, explicit references to Article 24, paragraphs 1 and 2, were made on several occasions in the discussions of the Council.<sup>13</sup> For example, at the 6347th meeting, on 29 June 2010, in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, the representative of

Mexico stated that it was important to recall that, according to Article 24 (2), the Council was bound to discharge its duties in accordance with the purposes and principles of the United Nations which, in his opinion, included essential components of the rule of law, such as respect for the principles of justice and adherence to international law and human rights.<sup>14</sup>

To illustrate the interpretation and application of Article 24 by the Council, the following three case studies, arranged chronologically, were drawn from deliberations in which the Council engaged in discussions on its responsibilities under the Charter and the appropriateness for the Council to include a situation or thematic issue on its agenda. Case 1 examines the Council's deliberation on its working methods, in which speakers provided their interpretations of Article 24, including those regarding the purview of the Council vis-à-vis other bodies in addressing some of the thematic issues. The remaining two cases feature discussions in which divided opinions were expressed on the question of whether the Council's primary responsibility, as espoused in Article 24, could be interpreted to extend to two thematic topics before the Council, the interdependence between security and development and the impact of climate change (cases 2 and 3).

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<sup>13</sup> See, in connection with the implementation of the note by the President of the Security Council, [S/PV.6300](#), p. 6 (Mexico); p. 9 (Lebanon); p. 15 (Brazil); p. 23 (Luxembourg); and p. 28 (Sierra Leone); [S/PV.6300 \(Resumption 1\)](#), p. 13 (Islamic Republic of Iran); p. 24 (Ecuador); and p. 26 (Pakistan); [S/PV.6672](#), p. 19 (Switzerland, on behalf of the group of five small countries (Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland)); and pp. 21-23 (Jordan); [S/PV.6672 \(Resumption 1\)](#), p. 7 (Luxembourg); and p. 14 (Islamic Republic of Iran). In connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, see [S/PV.6347](#), p. 7 (Mexico); [S/PV.6347 \(Resumption 1\)](#), p. 14 (Peru). In connection with the situation in the Middle East, including the Palestinian question, see [S/PV.6484](#), p. 4 (Lebanon). For explicit references to Article 24 (3) in the context of annual and special reports of the Security Council to the General Assembly, see part IV, sect. I.F.

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<sup>14</sup> [S/PV.6347](#), p. 7.

**Case 1**  
**Implementation of the note by the President of**  
**the Security Council: working methods**

At the 6300th meeting, on 22 April 2010, under the item entitled “Implementation of the note by the President of the Security Council (S/2006/507)”, a number of speakers explicitly cited Article 24 in the context of improving the working methods of the Council, stressing the principle enshrined in the Article that the Council should act on behalf of Member States to maintain international peace and security.<sup>15</sup> Citing Article 24 (1), the representative of Pakistan considered it essential for the Council to comprehend the perception of the general membership of its work and methods to carry out its mandate.<sup>16</sup> The representative of Mexico urged the Council to continue to fine-tune its working methods in order to ensure the effective implementation of its decisions by all and, ultimately, to enhance its credibility.<sup>17</sup> The representative of Lebanon proposed an increase in the number of open meetings, Arria Formula meetings and informal interactive dialogues, on the basis that such “open-door diplomacy” would help to increase interaction between the Council and the States that entrusted it to act on their behalf to maintain international peace and security under Article 24.<sup>18</sup>

Several speakers held that the Council should, as a general rule, refrain from encroaching on the functions and powers that the Charter had placed within the purview of other bodies, such as the General Assembly, particularly in addressing thematic issues.<sup>19</sup> The representative of the Islamic Republic of Iran stated that, although Article 24 required the Council to act on behalf of all States Members of the United

Nations, in reality the Council’s decisions decreasingly reflected the wishes and views of the general membership and, in many cases, did not even represent the genuine opinion of its own general membership.<sup>20</sup> The representative of Saint Vincent and the Grenadines, speaking on behalf of the Caribbean Community, called upon the Council to construe its mandate strictly and do a small number of things well, rather than be more expansive and “do a host of tasks poorly”, so as not to undercut the compelling logic and unique goals under which the United Nations had been established.<sup>21</sup> The representative of the Philippines urged the Council to channel its resources and attention to the “basic and core issues” of peace and security and to refrain from tackling cross-cutting issues more appropriately dealt with by other bodies of the United Nations.<sup>22</sup> Similarly, the representative of China considered that some of the thematic items on the Council’s agenda were beyond the Council’s sphere of competence, urging the Council to focus on addressing “major and urgent threats” to international peace and security.<sup>23</sup>

At the 6672nd meeting, on 30 November 2011, under the item entitled “Implementation of the note by the President of the Security Council (S/2010/507)”, some speakers commended the Council’s willingness to consider thematic issues as a positive and necessary response to more challenging, complex and non-traditional threats to international peace and security.<sup>24</sup> The representative of France said that thematic debates enabled the Council to refine its approach to issues pertaining to international peace and security and to demonstrate its ability to adapt to new demands.<sup>25</sup> The representative of Belgium, speaking also on behalf of the Netherlands, observed that the contemporary notion of international peace and security encompassed a far broader scope than at the time of the creation of the United Nations.<sup>26</sup> On the other hand, other speakers expressed concern at the Council’s perceived encroachment on the prerogatives

<sup>15</sup> S/PV.6300, p. 6 (Mexico); p. 9 (Lebanon); p. 15 (Brazil); p. 23 (Luxembourg, on behalf of Belgium, Luxembourg and the Netherlands); and p. 28 (Sierra Leone); S/PV.6300 (Resumption 1), p. 13 (Islamic Republic of Iran); p. 24 (Ecuador); and p. 26 (Pakistan); S/PV.6672, p. 19 (Switzerland, on behalf of the group of five small countries); pp. 21-23 (Jordan); S/PV.6672 (Resumption 1), p. 7 (Luxembourg); and p. 14 (Islamic Republic of Iran).

<sup>16</sup> S/PV.6300 (Resumption 1), pp. 26-27.

<sup>17</sup> S/PV.6300, p. 6.

<sup>18</sup> Ibid., p. 9.

<sup>19</sup> Ibid., pp. 6-7 (China); p. 21 (Egypt, on behalf of the Non-Aligned Movement); and p. 26 (Saint Vincent and the Grenadines, on behalf of the Caribbean Community); S/PV.6300 (Resumption 1), p. 9 (Cuba); p. 24 (Ecuador); p. 26 (Qatar); and p. 27 (Pakistan).

<sup>20</sup> S/PV.6300 (Resumption 1), p. 13.

<sup>21</sup> S/PV.6300, p. 26.

<sup>22</sup> S/PV.6300 (Resumption 1), p. 2.

<sup>23</sup> S/PV.6300, pp. 6-7.

<sup>24</sup> S/PV.6672, p. 5 (France); S/PV.6672 (Resumption 1), p. 4 (Australia); and p. 16 (Belgium, speaking also on behalf of the Netherlands).

<sup>25</sup> S/PV.6672, p. 5.

<sup>26</sup> S/PV.6672 (Resumption 1), p. 16.

of other United Nations bodies.<sup>27</sup> The representative of Egypt, speaking on behalf of the Non-Aligned Movement, stressed that the Council should refrain from continually encroaching on the functions and powers of the General Assembly or the Economic and Social Council and addressing issues that traditionally fell within their spheres of competence.<sup>28</sup>

Some speakers commended the Council for its willingness to consider complex thematic issues while being mindful of the purview of other United Nations bodies and agencies. For example, the representative of Australia considered the Council's debate on climate change as a laudable response to challenges affecting small island States. Nonetheless, he said that the Council should not stray into the prerogatives of other organs.<sup>29</sup> Similarly, the representative of Gabon said that, although the thematic debates made a significant contribution to the Council's consideration of the multiple challenges to international peace and security, it was important to clearly define their focus so as not to encroach on the competencies of other organs.<sup>30</sup> The representative of the Russian Federation explained that it "soberly and selectively" reacted to initiatives for the Council to consider thematic issues, suggesting that the Council instead focus on issues on which it could and should take concrete decisions.<sup>31</sup>

A number of speakers also touched upon the Council's responsibility under Article 24 in considering the issue of improving the working methods of the Council.<sup>32</sup> The representative of India observed that the failure of the Council to amend or innovate its working methods in line with the contemporary realities of international relations detracted from its effectiveness in implementing its mandate to maintain international peace and security.<sup>33</sup> Recognizing the new and emerging threats and challenges to international peace and security, the representative of Portugal stressed the need for the Council to work continuously to improve its working methods in order to increase its efficiency and fully exercise its

responsibilities.<sup>34</sup> The representative of Luxembourg said that the continuing improvement of the Council's effectiveness was of interest to all those who subscribed to the Charter, which stipulated in Article 24 that the Council acted in the name of all Member States to ensure the rapid and effective response of the Organization to preserve international peace and security.<sup>35</sup>

The representative of Jordan, providing a detailed analysis of the interpretation of Article 24, paragraphs 1 and 2, pointed out that although Article 24 (1), which referred to the primary responsibility of the Council in the maintenance of international peace and security, appeared to be clear in its meaning, the Council had yet to reach consensus on whether "primary" was equal in meaning to "exclusive" and whether the meaning of "responsibility" implied rights and/or duties. He interpreted Article 24 (2), which required the Council, in discharging its duties, to act in accordance with the purposes and principles of the United Nations, as implying an obligation on the part of the Council to act, rather than a mere suggestion or discretion. He urged that that provision be read in tandem with Article 1, which would thus require the Council to act "in accordance with the purposes and principles of the Charter" and therefore, in his opinion, "in conformity with the principles of justice and international law". With that interpretation in mind, he cautioned that if the use or threat of use of a veto by a permanent member might prevent the Council from acting to deter, prevent or dismantle an alleged serious violation of the sort that might threaten international peace and security, but also create an obligation *erga omnes* on all Member States to address it, that action might subvert the Council's ability to fulfil its responsibilities under Article 24 and to uphold the principles of justice and international law, in accordance with Article 1 (1).<sup>36</sup>

## Case 2 Maintenance of international peace and security: the interdependence between security and development

At the 6479th meeting, on 11 February 2011, during the Council's consideration of the interdependence between security and development under the item entitled "Maintenance of international

<sup>27</sup> S/PV.6672, p. 13 (India); and p. 25 (Egypt, speaking on behalf of the Non-Aligned Movement); S/PV.6672 (Resumption 1), p. 15 (Islamic Republic of Iran).

<sup>28</sup> S/PV.6672, p. 25.

<sup>29</sup> S/PV.6672 (Resumption 1), p. 4.

<sup>30</sup> S/PV.6672, pp. 6-7.

<sup>31</sup> Ibid., p. 3.

<sup>32</sup> Ibid., p. 12 (India); and pp. 21-23 (Jordan); S/PV.6672 (Resumption 1), p. 7 (Luxembourg); and p. 20 (Portugal).

<sup>33</sup> S/PV.6672, p. 12.

<sup>34</sup> S/PV.6672 (Resumption 1), p. 20.

<sup>35</sup> Ibid., p. 7.

<sup>36</sup> S/PV.6672, pp. 21-23.

peace and security”, several speakers stressed that the Council should refrain from taking actions beyond its core competence of maintaining international peace and security and delving into matters that in essence fell in the domain of other United Nations development agencies, funds and programmes, the General Assembly and the Economic and Social Council.<sup>37</sup> The representative of Cuba emphasized that the provisions of the Charter were clear and that the responsibilities of the Council were limited to international peace and security, while economic and social development issues were the remit of other principal organs of the United Nations.<sup>38</sup> The representative of Egypt, speaking on behalf of the Non-Aligned Movement, called upon Member States to respect the distinction between the mandates of the various United Nations bodies and noted that, although there were conceptual interlinkages between security and development, the issue went beyond the core competencies of the Council.<sup>39</sup>

Other speakers supported the Council’s decision to consider the issue of security and development in the context of its responsibility to maintain international peace and security.<sup>40</sup> The representative of the United Republic of Tanzania emphasized that it was time for the interdependence of security and development to be on the regular agenda of the Council, given that the nature of conflict and the kinds of threats to international peace and security confronting the Council at the time of its creation were vastly different from those of contemporary times.<sup>41</sup> The representative of Australia observed that peace, security and development were inexplicably linked and that, when the Council sought to fulfil its responsibilities under the Charter to maintain international peace and security, it must be fully apprised of the root causes of the conflicts before it.<sup>42</sup> The representative of Brazil explained that the purpose

of the debate being held at the initiative of his country during its presidency was not to reconfigure the responsibilities of different United Nations organs or agencies, or to transform the Council into a development programme, but to contribute to raising awareness of the importance of associating development with the security strategies for sustainable peace conceived by the Council.<sup>43</sup> Agreeing with the representative of Brazil, the representative of South Africa stated that the Council, in relevant deliberations, should take social and development issues into account within its Charter mandate.<sup>44</sup>

By a presidential statement adopted at the meeting, the Council reaffirmed its primary responsibility under the Charter for the maintenance of international peace and security and its readiness to strive for sustainable peace in all situations under its consideration. It noted that, in matters relating to the maintenance of international peace and security under its consideration, conflict analysis and contextual information on, inter alia, social and economic issues was important, when such issues were drivers of conflict, represented a challenge to the implementation of Council mandates or endangered the process of consolidation of peace.<sup>45</sup>

### Case 3 Maintenance of international peace and security: impact of climate change

At the 6587th meeting, on 20 July 2011, under the item entitled “Maintenance of international peace and security”, Council members exchanged views on whether the Council should include climate change on its agenda or whether the issue should be left for consideration by other United Nations organs. In explaining the rationale for the debate during his country’s presidency, the representative of Germany reminded the Council of its responsibility to maintain international peace and security, to act with foresight and to do its best to prevent crises before they became acute. He explained that the impacts of climate change on peace and security, particularly for small island and fragile States, including rising sea levels, loss of land and increasing scarcity of natural resources, could potentially drive social tensions and violent conflict and destabilize entire regions. He thus suggested that

<sup>37</sup> S/PV.6479 (Resumption 1), p. 11 (Cuba); pp. 16-17 (Egypt, on behalf of the Non-Aligned Movement); and p. 37 (Bolivarian Republic of Venezuela).

<sup>38</sup> Ibid., p. 11.

<sup>39</sup> Ibid., p. 16.

<sup>40</sup> S/PV.6479, p. 12 (Bosnia and Herzegovina); p. 16 (South Africa); p. 20 (Nigeria); and p. 27 (Brazil); S/PV.6479 (Resumption 1), p. 6 (Australia); p. 14 (Luxembourg); pp. 27-28 (United Republic of Tanzania); and p. 32 (Senegal).

<sup>41</sup> S/PV.6479 (Resumption 1), pp. 27-28.

<sup>42</sup> Ibid., p. 6.

<sup>43</sup> S/PV.6479, p. 27.

<sup>44</sup> Ibid., p. 16.

<sup>45</sup> S/PRST/2011/4, first and eighth paragraphs.



the debate focus strictly on the security implications of climate change and emphasized that there was no intention to advance any kind of encroachment on the competence of the United Nations Framework Convention on Climate Change.<sup>46</sup>

Several speakers, notably from the small island States, offered support for the Council's consideration of the matter on the grounds that the issue fell under the Council's mandate to maintain international peace and security, and that the security implications were imminent and required immediate action.<sup>47</sup> The representative of Nauru likened the threat of climate change to that of nuclear proliferation and terrorism, and called upon the Council to appoint a new special representative to analyse the effects of climate change and keep the Council informed of new developments.<sup>48</sup> Acknowledging concerns about the encroachment of the Council on issues beyond its competence, the representative of Papua New Guinea said that a discussion on climate change in the Council was appropriate, in the same way that a discussion on other issues, such as the AIDS epidemic, children in armed conflict and women in conflict, were appropriate and had not diluted the role of other United Nations organs.<sup>49</sup> The representative of Fiji said that, although he understood why some States classified climate change as a sustainable development issue beyond the mandate of the Council, in his view, the rising water levels created by greenhouse gas emissions and their potential to inundate his and other island States posed the gravest security threat that any State could face: that of survival.<sup>50</sup>

Some speakers offered support for the Council's consideration of the matter by focusing on the future threats posed by climate change.<sup>51</sup> The representative of the United Kingdom of Great Britain and Northern Ireland stressed that, although it was important to respect the different roles, functions and mandates of

the various United Nations bodies dealing with climate change, the Council should consider "emerging threats" in the maintenance of international peace and security. Greater discussion and better awareness of those new and cross-cutting security challenges, including the effects of climate change, would allow the Council to better fulfil its responsibility to prevent future conflict.<sup>52</sup> The representative of Colombia opined that, although the responses needed to minimize the effects of climate change were not within the mandate of the Council, it did have a responsibility to play a role in cases of conflict situations on its agenda when those were exacerbated by the effects of climate change.<sup>53</sup> The representative of France said that the Council, in taking up the issue of climate change, was simply facing up to a new type of security threat.<sup>54</sup>

Some speakers felt that the Council should not be the primary forum for negotiating and determining climate change policy but that it should certainly play a complementary role in those negotiations, with respect to security issues.<sup>55</sup> The representative of Lebanon cited General Assembly resolution 63/281, in which the Assembly invited the relevant organs of the United Nations, as appropriate and within their respective mandates, to intensify their efforts in considering and addressing climate change, including its possible security implications. He said that the present debate should be understood as an expression of such "complementarity".<sup>56</sup> The representative of the Philippines stressed that, while the Council could play a role, no discussion on climate change within the Council should be held without first acknowledging the state of play in other forums, especially within the United Nations Framework Convention on Climate Change.<sup>57</sup> The representative of Australia also reaffirmed the Framework Convention as the primary intergovernmental instrument for addressing climate change but noted that the overwhelming nature of the

<sup>46</sup> S/PV.6587, pp. 21-22.

<sup>47</sup> S/PV.6587, p. 7 (United States of America); and p. 23 (Nauru); S/PV.6587 (Resumption 1), pp. 5-6 (New Zealand); p. 19 (Papua New Guinea); p. 27 (Palau); and p. 36 (Fiji).

<sup>48</sup> S/PV.6587, p. 23.

<sup>49</sup> S/PV.6587 (Resumption 1), p. 19.

<sup>50</sup> Ibid., p. 36.

<sup>51</sup> S/PV.6587, p. 9 (Bosnia and Herzegovina); p. 10 (Nigeria); p. 12 (United Kingdom); p. 14 (Colombia); and p. 15 (France); S/PV.6587 (Resumption 1), p. 15 (Japan); and p. 28 (Finland).

<sup>52</sup> S/PV.6587, p. 12.

<sup>53</sup> Ibid., p. 14.

<sup>54</sup> Ibid., p. 15.

<sup>55</sup> S/PV.6587, p. 16 (Lebanon); p. 18 (Gabon); and pp. 24-25 (Australia); S/PV.6587 (Resumption 1), p. 2 (Slovenia); p. 3 (Denmark); pp. 3-4 (Luxembourg); p. 5 (Costa Rica); p. 8 (Chile); p. 16 (Singapore); and p. 31 (Philippines).

<sup>56</sup> S/PV.6587, p. 16.

<sup>57</sup> S/PV.6587 (Resumption 1), p. 31.

challenge of climate change meant that everyone, in every forum, was responsible for addressing it.<sup>58</sup>

Other speakers expressed a more narrow view of the Council's role, seeing its discussion of climate change as anticipatory rather than participative.<sup>59</sup> The representative of Portugal said that the Council was not the forum for any climate change negotiations, or even discussions on measures to mitigate and adapt to environmental vulnerabilities. However, he said that, given the Council's role in recognizing new challenges and ensuring that those did not lead to tensions and, ultimately, to conflict, the Council could add value by discussing the impact that certain consequences of climate change might have for international stability, peace and security.<sup>60</sup> The representative of Brazil said that security tools were appropriate to deal with concrete threats to international peace and security, but inadequate to address less obvious multidimensional issues, such as climate change.<sup>61</sup> The representative of Mexico agreed that, while climate change was so far not a threat to international peace and security in the traditional sense, it could be one, and he urged all countries to engage in collective action, in accordance with their common but differentiated responsibilities, to avoid the Council's having to act in future.<sup>62</sup>

Several speakers objected to any role for the Council in addressing the issue of climate change.<sup>63</sup> The representative of Egypt, on behalf of the

Non-Aligned Movement, said that climate change and its impacts were a sustainable development issue which required a comprehensive approach that was best left to the relevant frameworks of the Framework Convention, the General Assembly and the Economic and Social Council. He expressed deep concern that the Council was encroaching on the functions and powers of those more competent bodies.<sup>64</sup> The representative of Argentina, on behalf of the Group of 77 and China, added that the encroachment represented a distortion of the principles and purposes of the Charter, infringed on the authority of the other principal entities of the United Nations and compromised the rights of the general membership.<sup>65</sup> The representative of Kuwait, on behalf of the Group of Arab States, stated that there was no role for the Council, given that climate change was a sustainable development issue,<sup>66</sup> while the representative of Barbados, on behalf of the Caribbean Community, advised the Council to construe its mandate strictly and to do a small number of things well, rather than do an expansive host of tasks "poorly".<sup>67</sup>

Other speakers objected to any role for the Council, as its constitution was unrepresentative of a global membership affected by a global issue.<sup>68</sup> The representative of the Plurinational State of Bolivia recognized the security dimension of climate change, but felt that a discussion of the issue should take place in a forum where the "main victims" were represented, noting that the General Assembly was the only forum with that level of participation.<sup>69</sup> The representative of China said that the Council, in addition to lacking expertise in climate change and the means and resources necessary to address it, was not a forum for decision-making with universal representation.<sup>70</sup>

<sup>58</sup> S/PV.6587, pp. 24-25.

<sup>59</sup> S/PV.6587, p. 8 (Brazil); p. 17 (South Africa); p. 20 (Portugal); and pp. 28-29 (El Salvador); S/PV.6587 (Resumption 1), pp. 9-10 (Mexico); pp. 10-11 (Ecuador); p. 17 (Iceland); and pp. 22-23 (Belgium).

<sup>60</sup> S/PV.6587, p. 20.

<sup>61</sup> Ibid., p. 8.

<sup>62</sup> S/PV.6587 (Resumption 1), pp. 9-10.

<sup>63</sup> S/PV.6587, p. 9 (China); p. 13 (Russian Federation); p. 19 (India); p. 26 (Egypt, on behalf of the Non-Aligned Movement); p. 27 (Argentina, on behalf of the Group of 77 and China); S/PV.6587 (Resumption 1), pp. 11-12 (Cuba); pp. 19-20 (Islamic Republic of Iran); p. 20 (Kuwait, on behalf of the Group of Arab States); p. 26 (Plurinational State of Bolivia); pp. 28-29 (Barbados, on behalf of the Caribbean Community); p. 35 (Bolivarian Republic of Venezuela); and p. 38 (United Republic of Tanzania).

<sup>64</sup> S/PV.6587, p. 26.

<sup>65</sup> Ibid., p. 27.

<sup>66</sup> S/PV.6587 (Resumption 1), p. 20.

<sup>67</sup> Ibid., pp. 28-29.

<sup>68</sup> S/PV.6587, p. 9 (China); p. 13 (Russian Federation); and p. 19 (India); S/PV.6587 (Resumption 1), p. 26 (Plurinational State of Bolivia); and p. 35 (Bolivarian Republic of Venezuela).

<sup>69</sup> S/PV.6587 (Resumption 1), p. 26.

<sup>70</sup> S/PV.6587, p. 9.

## II. Obligation of Member States to accept and carry out Security Council decisions under Article 25

### Article 25

*The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.*

### Note

This section covers the practice of the Security Council in relation to Article 25 of the Charter, concerning the obligation of States Members of the United Nations to accept and carry out the decisions of the Council.

#### A. Decisions and communications related to Article 25

During the period under review, the Council did not adopt any decisions which referred to Article 25, either explicitly or implicitly. However, Article 25 was explicitly invoked in one instance: in a concept paper for the Council debate on working methods, the representative of Japan reminded Member States that they were bound, under Article 25 of the Charter, to accept and carry out the decisions of the Council.<sup>71</sup>

#### B. Constitutional discussion related to Article 25

On several occasions, Article 25 was explicitly invoked in the deliberations of the Council.<sup>72</sup> For example, in the discussion on the working methods of the Council, the representative of Mexico stated that,

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<sup>71</sup> Letter dated 1 April 2010 from the representative of Japan to the Secretary-General (S/2010/165, p. 2).

<sup>72</sup> See, in connection with the implementation of the note by the President of the Security Council (S/2006/507), S/PV.6300, p. 6 (Mexico); and p. 15 (Brazil). In connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, see S/PV.6347, p. 20 (Lebanon); and p. 24 (Japan); S/PV.6347 (Resumption 1), p. 7 (Liechtenstein). In connection with the protection of civilians in armed conflict, see S/PV.6650 (Resumption 1), p. 22 (representative of the International Humanitarian Fact-Finding Commission).

to protect the principle enshrined in Article 24 that the Council acted on behalf of Member States in the maintenance of international peace and security, the Council must continue to fine-tune its working methods in order to ensure that its decisions were effectively implemented by all Member States, as provided by Article 25, and ultimately to enhance its credibility.<sup>73</sup> The following case study is drawn from a deliberation on the rule of law, in which speakers provided the interpretation of Article 25, explicitly referring to the Article (case 4).

#### Case 4

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

At the 6347th meeting, on 29 June 2010, under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”, the representative of Liechtenstein stated that the Council must remain vigilant in ensuring that its work remained within the legal bounds and the spirit of the Charter. He emphasized that Council decisions that were to be implemented by Member States, in accordance with Article 25 of the Charter, must have a clear legal foundation.<sup>74</sup> Arguing that the *raison d’être* of the law lay in its implementation and compliance, the representative of Japan observed that States had a dual responsibility to observe international law and to be ruled by it. Member States, he noted, were bound by the Charter, including Article 25, to faithfully implement the decisions of the Council. To promote and strengthen the rule of law at the international level, he called upon States to continually confirm their adherence to that principle and to the fundamental principle of *pacta sunt servanda*.<sup>75</sup> Similarly, the representative of Lebanon opined that, when certain countries did not abide by the Charter, actual implementation of the principle of honouring contracts, or *pacta sunt servanda*, was missing. He questioned the selective implementation of international resolutions and wondered why sanctions were enforced against some, but not all, States that

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<sup>73</sup> S/PV.6300, p. 6.

<sup>74</sup> S/PV.6347 (Resumption 1), p. 7.

<sup>75</sup> S/PV.6347, p. 24.

failed to comply with international resolutions, despite Article 25 of the Charter obliging all Members to respect the resolutions of the Council.<sup>76</sup>

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<sup>76</sup> Ibid., p. 20.

### III. Responsibility of the Security Council to formulate plans to regulate armaments under Article 26

#### *Article 26*

*In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.*

#### **Note**

This section covers the practice of the Security Council concerning its responsibility for formulating

plans for the establishment of a system for the regulation of armaments, in accordance with Article 26 of the Charter.<sup>77</sup>

During the period under review, the Council did not adopt any decisions that invoked Article 26 of the Charter, either explicitly or implicitly; nor were there any explicit or implicit references to Article 26 in any communications or deliberations of the Council.

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<sup>77</sup> For more information on the Military Staff Committee, see part VII, sect. VI, Assistance by and composition of the Military Staff Committee in accordance with Articles 46 and 47 of the Charter.



## **Part VI**

### **Consideration of the provisions of Chapter VI of the Charter**

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## **Introductory note**

Part VI deals with the practice of the Security Council with regard to the peaceful settlement of disputes within the framework of Chapter VI (Articles 33-38) and Articles 11 and 99 of the Charter of the United Nations and is divided into four sections. Section I illustrates how, under Article 35, States brought any dispute or situation to the attention of the Council. This section also touches upon the functions and practice of the General Assembly and the Secretary-General, under Articles 11 (3) and 99 of the Charter, respectively, in calling the attention of the Council to situations which are likely to threaten the maintenance of international peace and security. Section II sets out investigative and fact-finding activities performed by the Council and other bodies that may be deemed to fall under the scope of Article 34, including Security Council missions. Section III provides an overview of the decisions of the Council with regard to the pacific settlement of disputes. It specifically illustrates recommendations of the Council to the parties to a conflict and its support for the endeavours of the Secretary-General in the peaceful settlement of disputes. Section IV reflects constitutional discussions on the interpretation or application of the provisions of Chapter VI of the Charter and Article 99.

In the period under review, the Council continued to engage in the peaceful settlement of disputes and considered five new situations that had been brought to its attention by Member States, two of them relating to the Korean peninsula and the others to the situation on the border between Cambodia and Thailand, the situation in Libya, and the incident of 31 May 2010 involving an Israeli military operation in international waters against a convoy sailing to Gaza. The Council acknowledged the investigative and fact-finding activities of the Secretary-General and the Human Rights Council and undertook three missions in 2010 and one in 2011. The Council also adopted a number of decisions within the framework of Chapter VI in which it frequently, under several thematic items, stressed the importance of conflict prevention mechanisms and the Secretary-General's role in the pacific settlement of disputes, including his good offices. In dealing with country-specific and regional situations it supported procedures of settlement such as negotiations, dialogues and peace processes facilitated by the Secretary-General, regional and subregional organizations and others. Constitutional discussions during the period under review concerned the roles of the International Court of Justice and the Secretary-General in the pacific settlement of disputes.



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## I. Referral of disputes or situations to the Security Council

### Article 11

3. *The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.*

### Article 35

1. *Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.*

2. *A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.*

3. *The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.*

### Article 99

*The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.*

### Note

Within the framework of the Charter of the United Nations, Article 35 (1) and (2) is generally regarded as the provision on the basis of which Member States and States which are not Members of the United Nations may refer disputes to the Security Council. Under Articles 11 (3) and 99, the General Assembly and the Secretary-General, respectively, may call the attention of the Council to situations which are likely to threaten the maintenance of international peace and security. The practice of the Council in this regard is described below. Subsection A provides an overview of the referrals of disputes or situations by States to the Council under Article 35, including the nature of the subject matter that was referred to and actions requested of the Council. Subsections B and C deal with referrals to the Council by the Secretary-General and the General Assembly, respectively, of matters likely to endanger international peace and security.

During the period under review, by a presidential statement of 16 July 2010 adopted in connection with the maintenance of international peace and security, the Council recalled that, in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State may bring to the attention of the Council any matter which is likely to endanger the maintenance of international peace and security.<sup>1</sup> In 2010 and 2011, five new matters were brought to the attention of the Council by Member States, two relating to the Korean peninsula and the others to the situation on the border between Cambodia and Thailand, the situation in Libya, and the incident of 31 May 2010 involving an Israeli military operation in international waters against a convoy sailing to Gaza. Neither the General Assembly nor the Secretary-General explicitly referred matters likely to endanger international peace and security to the Council but the latter did draw the Council's attention to situations which endangered the maintenance of international peace and security and which were already under consideration by the Council.

### A. Referrals by States

During the period under review, there were no explicit references to Article 35 of the Charter in any communications to the Council. No State not a Member of the United Nations brought any dispute or situation to the attention of the Council in accordance with Article 35 (2).

All disputes and situations were referred to the Council by means of communications from Member States addressed to the President of the Council. Communications in response to which the Council convened meetings, either in public or private, under an item included in the agenda for the first time, are examined in detail below.<sup>2</sup> Following the practice in previous Supplements, communications by which States merely conveyed information about a dispute or situation, but did not request a Council meeting or other specific Council action, are not included, as such communications cannot be considered referrals under

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<sup>1</sup> S/PRST/2010/14, third paragraph.

<sup>2</sup> The adoption of a new agenda item does not necessarily imply the existence of a new dispute or situation; it may simply be a new formulation of an item already before the Council. For more information on the agenda, see part II, sect. II.

Article 35. Communications referring to disputes or situations being considered by the Council under existing agenda items are also normally excluded. Table 1 lists communications bringing new disputes or situations to the attention of the Council. Also listed are a number of communications in which Member States called for Council action concerning existing situations under consideration by the Council during the review period.<sup>3</sup> Among those are two letters relating to the

situation in the Middle East, including the Palestinian question,<sup>4</sup> which are included on an exceptional basis in view of the nature of the matter referred to, namely, the military operation by Israel in international waters against the convoy sailing to Gaza on 31 May 2010, the so-called “flotilla incident”.

<sup>3</sup> See, for example, the following letters addressed to the President of the Council: in connection with Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999), letters dated 2 July 2010 and 26 July and 13 September 2011 from the representative of Serbia (S/2010/355, S/2011/456 and S/2011/574, respectively) and letter dated 14 September 2011 from the representative of the Russian Federation (S/2011/575); in connection with the situation in Libya, letter dated 19 March 2011 from the representative of the Libyan Arab Jamahiriya (S/2011/161).

<sup>4</sup> Letters dated 31 May 2010 from the representatives of Turkey and Lebanon (S/2010/266 and S/2010/267, respectively).

Table 1  
**Communications bringing disputes or situations to the attention of the Security Council, 2010-2011**

| <i>Communications</i>   | <i>Action requested of the Security Council</i>   | <i>Meeting and date</i>       |
|---|---|-------------------------------|
| <b>The situation in the Middle East, including the Palestinian question</b>   |   |                               |
| Letter dated 31 May 2010 from the representative of Turkey (S/2010/266)   | Convening of an emergency meeting to discuss the military attack by Israel, in international waters, against a multinational convoy of ships carrying humanitarian assistance to Gaza   | 6325th meeting<br>31 May 2010 |
| Letter dated 31 May 2010 from the representative of Lebanon (S/2010/267)  |   | 6326th meeting<br>1 June 2010 |
| <b>Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters</b> |   |                               |
| Letter dated 4 June 2010 from the representative of the Republic of Korea (S/2010/281)  | Consideration of the armed attack on 26 March 2010 by the Democratic People’s Republic of Korea against the Republic of Korea Navy ship <i>Cheonan</i> in the territorial waters of the Republic of Korea, which constitutes a threat to peace and security on the Korean peninsula and beyond, and response in a manner appropriate to the gravity of the military provocation to deter the recurrence of any further provocation by the Democratic People’s Republic of Korea | 6355th meeting<br>9 July 2010 |

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| <i>Communications</i> | <i>Action requested of the Security Council</i> | <i>Meeting and date</i> |
|-----------------------|---|-------------------------|
|-----------------------|---|-------------------------|

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**Letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2010/646)**

|  |   |   |
|--|---|---|
| Letter dated 18 December 2010 from the representative of the Russian Federation (S/2010/646) | Convening of an emergency meeting to consider the escalating tensions in the Korean peninsula | 6456th (closed) meeting<br>19 December 2010 |
|--|---|---|

**Letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council (S/2011/58)**

|  |  |   |
|--|--|---|
| Letter dated 6 February 2011 from the representative of Cambodia (S/2011/58) | Convening of an urgent meeting to consider Thailand's aggression against the sovereignty and territorial integrity of Cambodia | 6480th (closed) meeting<br>14 February 2011 |
|--|--|---|

**The situation in Libya<sup>a</sup>**

|  |  |   |
|--|--|---|
| Letter dated 21 February 2011 from the representative of the Libyan Arab Jamahiriya (S/2011/102) | Convening of an urgent meeting to discuss the grave situation in Libya and to take the appropriate actions | 6486th (closed) meeting<br>22 February 2011 |
|--|--|---|

<sup>a</sup> In February 2011, the Council considered issues pertaining to the Libyan Arab Jamahiriya under the item entitled "Peace and security in Africa". Pursuant to a note by the President of the Security Council dated 16 March 2011 (S/2011/141), as from that date the earlier consideration of issues pertaining to the Libyan Arab Jamahiriya was subsumed under the item entitled "The situation in Libya".

**States referring a situation or dispute**

Situations were referred to the Security Council implicitly under the provisions of Article 35 (1) during the two-year period under review, most often directly by the affected Member States<sup>5</sup> and in some instances through third States.<sup>6</sup> For example, the representative of the Republic of Korea sent a letter to the President of the Council seeking a Council response to an attack allegedly by the Democratic People's Republic of Korea on 26 March 2010 leading to the sinking of a naval ship of the Republic of Korea.<sup>7</sup> In the case of the "flotilla incident", an affected State and a third State, Turkey and Lebanon, respectively, simultaneously referred the matter to the Council.<sup>8</sup>

**Nature of matters referred to the Security Council**

During the two-year period 2010-2011, different matters deemed to threaten peace and security were brought to the attention of Council. Some

communications discussed in this section described the nature of the situation with a limited amount of detail or chronology of events.<sup>9</sup> In a letter from the representative of Cambodia, on the other hand, concerning an attack by Thai armed forces on the temple of Preah Vihear, a detailed sequence of events was provided;<sup>10</sup> and, in a letter from the representative of the Republic of Korea, concrete evidence was presented relating to the attack by the Democratic People's Republic of Korea on a Republic of Korea naval ship.<sup>11</sup>

Chapter VI of the Charter provides the basis on which States may bring matters to the attention of the Council, but the subject matter of the communications submitted to the Council were not limited by the scope of that Chapter. For instance, the communication from the representative of Cambodia described the situation as "Thailand's aggression against the sovereignty and territorial integrity" of his country and a "grave threat to peace and security in the region".<sup>12</sup> The representative of the Republic of Korea stated that the armed attack by

<sup>5</sup> S/2010/266, S/2010/281 and S/2011/58.

<sup>6</sup> S/2010/267 and S/2010/646.

<sup>7</sup> S/2010/281.

<sup>8</sup> S/2010/266 and S/2010/267.

<sup>9</sup> S/2010/266, S/2010/267 and S/2011/102.

<sup>10</sup> S/2011/58.

<sup>11</sup> S/2010/281.

<sup>12</sup> S/2011/58, p. 1.

the Democratic People's Republic of Korea constituted "a threat to peace and security on the Korean peninsula and beyond".<sup>13</sup> The Council did not however determine the existence of any threat to the peace, breach of the peace or act of aggression (Chapter VII, Article 39) in either of these two instances.

#### Action requested of the Security Council

Most Member States bringing situations to the attention of the Council requested it to convene an urgent or emergency meeting to consider the situation, as reflected in table 1. In one case, the submitting State requested the Council to "duly consider" the matter and "respond in a manner appropriate to the gravity" of the situation.<sup>14</sup> In another instance, the submitting State requested the Council to "discuss the grave situation" in that country and to "take the appropriate actions".<sup>15</sup>

### B. Referrals by the Secretary-General

In his report dated 26 August 2011 on preventive diplomacy, the Secretary-General explicitly referred to his mandate for conflict prevention originating in Article 99 of the Charter. He named the Department of Political Affairs as the main operational arm for the conduct of his good offices. He also reported that the Council had requested the Department to deliver monthly "horizon scanning" briefings that focused on ongoing and emerging conflicts.<sup>16</sup>

<sup>13</sup> S/2010/281, p. 1.

<sup>14</sup> Ibid.

<sup>15</sup> S/2011/102.

<sup>16</sup> S/2011/552, paras. 12 and 17.

During the period under review, the Secretary-General, by means of letters addressed to the President of the Council, drew the attention of the Council to a number of deteriorating situations under its consideration. For example, concerning the post-electoral crisis following the 28 November 2010 presidential run-off elections in Côte d'Ivoire, by a letter dated 4 April 2011, the Secretary-General drew the Council's attention to the deteriorating security situation in Abidjan, where fighting had escalated between the forces loyal to President Alassane Ouattara and military elements that still remained loyal to Laurent Gbagbo.<sup>17</sup> By a letter dated 10 March 2011, the Secretary-General reported that the situation in Libya had seriously deteriorated, in particular because of the disproportionate use of force by the Libyan authorities, and informed the Council of his decision to appoint a Special Envoy who would offer the Secretary-General's good offices and explore how best to resolve the crisis in Libya, in consultation with various stakeholders.<sup>18</sup>

### C. Referrals by the General Assembly

Under Article 11 (3) of the Charter, the General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security. During the period under review, the General Assembly did not refer any such situations to the Security Council under that Article.<sup>19</sup>

<sup>17</sup> S/2011/221.

<sup>18</sup> S/2011/126.

<sup>19</sup> For more information, see part IV, sect. I, with regard to the relations between the Security Council and the General Assembly.

## II. Investigation of disputes and fact-finding

### Note

#### Article 34

*The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.*

Article 34 of the Charter of the United Nations expressly provides that the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, and may determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security. Article 34 does not prevent the Secretary-General or other organs from performing investigative functions nor does it limit the Council's general competence to obtain knowledge of the relevant facts of any dispute

or situation by dispatching a fact-finding or investigative mission. Section II accordingly provides an overview of the practice of the Council with regard to fact-finding and investigation in accordance with Article 34 and is divided into three subsections: A. Security Council missions; B. Investigative and fact-finding functions of the Secretary-General; and C. Other instances of investigative functions acknowledged by the Security Council.

During the period under consideration, the Council undertook four missions to gather first-hand information on the situations it was considering, and acknowledged a number of investigative and/or fact-finding activities initiated by the Secretary-General and the Human Rights Council.

### A. Security Council missions

In 2010, the Council dispatched missions consisting of all 15 Council members to the Democratic Republic of the Congo; Uganda and the Sudan; and Afghanistan; in 2011 it dispatched a

mission to Africa, which visited Ethiopia, the Sudan and Kenya (see table 2). Security Council missions were not expressly charged with investigative tasks, but did allow the Council, inter alia, to form an impression of the respective country-specific or regional situation under its consideration, such as those relating to Afghanistan, the Democratic Republic of the Congo, Somalia, the Sudan and South Sudan, and to review and assess its role and consider the future mandate of relevant peacekeeping and political missions.

In his report dated 28 June 2011 on the role of regional and subregional arrangements in implementing the responsibility to protect, the Secretary-General suggested that the Council could make more extensive use of “its broad authority under Article 34 of the Charter” and held that by undertaking several visits or missions each year to see how places of concern were faring, the Council had taken an important step in that direction.<sup>20</sup>

<sup>20</sup> S/2011/393, para. 32.

Table 2  
Security Council missions, 2010-2011

| <i>Duration</i> | <i>Destination</i>               | <i>Composition</i>  | <i>Terms of reference</i>       | <i>Report</i> | <i>Meeting and date<sup>a</sup></i>   |
|-----------------|----------------------------------|---|---------------------------------|---------------|---|
| 13-16 May 2010  | Democratic Republic of the Congo | Austria, Bosnia and Herzegovina, Brazil, China, France (leader of mission), Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States | S/2010/187 and S/2010/187/Add.1 | S/2010/288    | 6317<br>19 May 2010   |
| 21-24 June 2010 | Afghanistan                      | Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey (leader of mission), Uganda, United Kingdom, United States | S/2010/325                      | S/2010/564    | 6351<br>30 June 2011 (under the item entitled “The situation in Afghanistan”) |

| <i>Duration</i>   | <i>Destination</i>                     | <i>Composition</i>  | <i>Terms of reference</i>  | <i>Report</i>              | <i>Meeting and date<sup>a</sup></i>     |
|-------------------|--|---|----------------------------|----------------------------|---|
| 4-10 October 2010 | Uganda and the Sudan                   | Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda (leader of mission to Uganda), United Kingdom (co-leader of mission to the Sudan), United States (co-leader of mission to the Sudan)   | <a href="#">S/2010/509</a> | <a href="#">S/2011/7</a>   | <a href="#">6397</a><br>14 October 2010 |
| 19-26 May 2011    | Africa (Ethiopia, the Sudan and Kenya) | Bosnia and Herzegovina, Brazil, China, Colombia, France (leader of mission to Ethiopia), Gabon, Germany, India, Lebanon, Nigeria, Portugal, Russian Federation (co-leader of mission to the Sudan), South Africa (co-leader of mission to Kenya), United Kingdom (co-leader of mission to Kenya), United States (co-leader of mission to the Sudan) | <a href="#">S/2011/319</a> | <a href="#">S/2013/221</a> | <a href="#">6546</a><br>6 June 2011     |

<sup>a</sup> Unless otherwise indicated, the relevant meeting was held under the item entitled “Security Council mission”.

## B. Investigative and fact-finding functions of the Secretary-General

During the two-year period 2010-2011, the Council, in its decisions, acknowledged the investigative or fact-finding functions of the Secretary-General on three occasions. In considering the events of 28 September 2009 in Guinea in which a large number of people had been killed, injured and sexually assaulted during a political rally, the Council commended the work of the International Commission of Inquiry established by the Secretary-General to investigate the facts and circumstances of the events.<sup>21</sup> Following the so-called “flotilla incident” of 31 May

2010 involving an Israeli military operation in international waters against a convoy sailing to Gaza, the Council took note of the statement of the Secretary-General on the need to have a full investigation into the matter.<sup>22</sup> In the context of peace and security in Africa, the Council welcomed the intention of the Secretary-General to deploy a United Nations assessment mission to examine the threat of piracy in the Gulf of Guinea.<sup>23</sup> For the relevant provisions of the Council decisions, see table 3.

<sup>22</sup> [S/PRST/2010/9](#), third paragraph.

<sup>23</sup> Resolution [2018 \(2011\)](#), para. 7.

<sup>21</sup> [S/PRST/2010/3](#), sixth paragraph.

The action of the Council in connection with the establishment of a panel of inquiry by the Secretary-General to investigate the “flotilla incident” is illustrated in case 1 below.

Table 3

**Decisions referring to investigative and/or fact-finding activities by the Secretary-General**

*Decision and date*

*Provision*

**Peace consolidation in West Africa**

S/PRST/2010/3  
16 February 2010

The Council commends the work of the International Commission of Inquiry established by the Secretary-General and supported by the Economic Community of West African States and the African Union to investigate the facts and circumstances of the events of 28 September 2009 in Guinea, consistent with its mandate. It takes note positively of the submission by the Commission of its report (sixth paragraph)

**The situation in the Middle East, including the Palestinian question**

S/PRST/2010/9  
1 June 2010

The Council takes note of the statement of the Secretary-General on the need to have a full investigation into the matter and it calls for a prompt, impartial, credible and transparent investigation conforming to international standards (third paragraph)

**Peace and security in Africa**

Resolution 2018 (2011)  
31 October 2011

Welcomes the intention of the Secretary-General to deploy a United Nations assessment mission to examine the threat of piracy and armed robbery at sea in the Gulf of Guinea and explore options on how best to address the problem, and looks forward to receiving the report of the mission with recommendations on the matter (para. 7)

**Case 1**

**The situation in the Middle East, including the Palestinian question**

At the 6325th meeting, held on 31 May 2010 in connection with the situation in the Middle East, including the Palestinian question, and in response to the requests of Turkey and Lebanon,<sup>24</sup> the Assistant Secretary-General for Political Affairs briefed the Council on the military operation carried out that day by Israel against the convoy sailing to Gaza and underlined the importance of a full investigation into the incident, as called for by the Secretary-General.<sup>25</sup> Characterizing the incident as an attack on the United Nations and its values, the representative of Turkey urged the Council to demand an urgent inquiry into the incident.<sup>26</sup> Many speakers called for an investigation

into the matter,<sup>27</sup> some calling for the investigation to be conducted urgently, independently and/or in line with international standards;<sup>28</sup> the representative of the United States called for a credible and transparent investigation and strongly urged the Government of Israel to investigate the incident fully.<sup>29</sup> The representative of the United Kingdom also called on the Israeli authorities to provide a full and transparent account of the incident and the subsequent actions taken, including what measures were in hand to ensure an impartial and comprehensive investigation and to ensure that there was no further loss of life.<sup>30</sup> The representative of Palestine, on the other hand, called for an “independent, impartial international”

<sup>24</sup> S/2010/266 and S/2010/267.

<sup>25</sup> S/PV.6325, p. 3.

<sup>26</sup> Ibid., p. 5.

<sup>27</sup> Ibid., p. 6 (United Kingdom); p. 7 (Mexico, Brazil); p. 8 (Austria, Japan); p. 9 (Nigeria, United States); p. 10 (France); p. 11 (Bosnia and Herzegovina); p. 12 (Lebanon); and p. 13 (Palestine).

<sup>28</sup> Ibid., p. 7 (Brazil); p. 8 (Austria, Japan); p. 9 (Nigeria); p. 10 (France); p. 11 (Bosnia and Herzegovina); and p. 12 (Lebanon).

<sup>29</sup> Ibid., p. 9.

<sup>30</sup> Ibid., p. 6.

investigation, in order to punish the perpetrators and to release and protect all those detained immediately and unconditionally.<sup>31</sup>

By a presidential statement of 1 June 2010, the Council took note of the statement of the Secretary-General on the need to have a full investigation into the matter and called for a prompt, impartial, credible and transparent investigation, conforming to international standards.<sup>32</sup>

At the 6363rd meeting, on 21 July 2010, many speakers<sup>33</sup> called for an investigation into the “flotilla incident” in accordance with the principles contained in the above-mentioned presidential statement. Some called for such an investigation into the incident to be established under the auspices of the Secretary-General and offered their support to the efforts of the Secretary-General in that regard.<sup>34</sup>

The representative of Malaysia said that, as expected, Israel had “exonerated itself” in the “illegitimate” investigation it had conducted, and called for the speedy establishment of a United Nations-led investigation pursuant to the presidential statement of 1 June 2010.<sup>35</sup> Similarly, the representative of the Bolivarian Republic of Venezuela held that Israel had conducted a “sham” investigation to cover up proof of its reprehensible crime.<sup>36</sup> The representative of Lebanon stated that the unilateral investigation by Israel was neither credible, impartial nor transparent and did not conform to the requisite international standards.<sup>37</sup> The representative of Brazil expressed the opinion that the panel established by

Israel failed to meet the requirements set forth by the Council and that the gravity of the incident, its occurrence in international waters and the fact that it involved entities and individuals from various countries required that the investigation be conducted under the auspices of the United Nations.<sup>38</sup> The representative of South Africa similarly stated that, as the “flotilla incident” had international ramifications, an investigation should be conducted by independent international investigators, including representatives of Israel and Turkey as proposed by the Secretary-General.<sup>39</sup>

While affirming the right and obligation of the parties involved to establish their own commissions of inquiry, the representative of Mexico emphasized that such an internal commission should complement an international commission as outlined in the Council’s presidential statement of 1 June 2010.<sup>40</sup> The representative of Nigeria said it was necessary for the Israeli panel of inquiry to meet international standards of independence and transparency as envisaged in the presidential statement, and encouraged Israel to consider the offer of the Secretary-General to facilitate an impartial and independent investigation of the “flotilla incident”.<sup>41</sup>

The representative of the United States, on the other hand, said that Israel was capable of conducting a serious and credible investigation into events that involved its national security, and opined that the Israeli independent public commission could meet the standard of a prompt, impartial, credible and transparent investigation.<sup>42</sup> The representative of the United Kingdom advocated for the Israeli independent public commission to proceed swiftly, transparently and rigorously with access to all the evidence available.<sup>43</sup>

By a letter dated 2 August 2010 to the President of the Council, the Secretary-General informed Council members that, in the light of the presidential statement of 1 June 2010 and with the concurrence of Turkey and Israel, he had decided to establish a Panel of Inquiry on the flotilla incident.<sup>44</sup> The Panel was

<sup>31</sup> *Ibid.*, p. 13.

<sup>32</sup> *S/PRST/2010/9*, third paragraph.

<sup>33</sup> *S/PV.6363*, p. 7 (Palestine); p. 11 (Japan); p. 12 (Bosnia and Herzegovina, Lebanon); p. 14 (Mexico); p. 20 (Austria, Turkey); p. 21 (France); p. 22 (Uganda); and p. 23 (China); *S/PV.6363 (Resumption 1)*, p. 3 (Syrian Arab Republic); p. 9 (Tajikistan, on behalf of the Organization of the Islamic Conference); p. 12 (Cuba); p. 17 (Bolivarian Republic of Venezuela); p. 18 (European Union); and p. 21 (Iceland).

<sup>34</sup> *S/PV.6363*, p. 7 (Palestine); p. 12 (Bosnia and Herzegovina); p. 25 (Egypt, on behalf of the Non-Aligned Movement); p. 27 (Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People); *S/PV.6363 (Resumption 1)*, p. 5 (South Africa); p. 13 (Malaysia); and p. 14 (Nicaragua).

<sup>35</sup> *S/PV.6363 (Resumption 1)*, p. 13.

<sup>36</sup> *Ibid.*, p. 17.

<sup>37</sup> *S/PV.6363*, p. 12.

<sup>38</sup> *Ibid.*, p. 16.

<sup>39</sup> *S/PV.6363 (Resumption 1)*, p. 5.

<sup>40</sup> *S/PV.6363*, p. 14.

<sup>41</sup> *Ibid.*, p. 24.

<sup>42</sup> *Ibid.*, p. 10.

<sup>43</sup> *Ibid.*, p. 18.

<sup>44</sup> *S/2010/414*.



established as an independent body tasked with making findings about the facts, circumstances and context of the “flotilla incident”, and recommending ways of avoiding similar incidents in the future.<sup>45</sup> The Panel began its work on 10 August 2010 and concluded it with the submission of its report on 2 September 2011,<sup>46</sup> but the Council did not meet to discuss the report during the period under review.

### C. Other instances of investigative functions acknowledged by the Security Council

In 2011, for the first time, in its decisions, the Security Council recognized the work of the Human Rights Council as part of its investigative functions. For example, the Security Council welcomed the decision by the Human Rights Council to dispatch an independent international commission of inquiry to investigate all alleged violations of human rights law in the Libyan Arab Jamahiriya, to establish the facts

<sup>45</sup> S/2011/585, para. 44.

<sup>46</sup> Available from [www.un.org/News/dh/infocus/middle\\_east/Gaza\\_Flotilla\\_Panel\\_Report.pdf](http://www.un.org/News/dh/infocus/middle_east/Gaza_Flotilla_Panel_Report.pdf).

and circumstances of such violations.<sup>47</sup> The Council also welcomed the decision by the Human Rights Council to dispatch an independent international commission of inquiry to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d’Ivoire following the presidential election of 28 November 2010, called upon all parties to cooperate with the commission of inquiry and took note of the commission’s report<sup>48</sup> following its issuance.<sup>49</sup> For the relevant provisions of the Council decisions, see table 4.

During the period under review, the Council continued to support the work of the Commission of Inquiry established in February 2009 to investigate the facts and circumstances of the assassination of the former Prime Minister of Pakistan, Mohtarma Benazir Bhutto, by agreeing to extend its mandate.<sup>50</sup> In April 2010, the Commission submitted its final report to the Council through the Secretary-General.<sup>51</sup>

<sup>47</sup> Resolution 1970 (2011), fifth preambular paragraph.

<sup>48</sup> A/HRC/17/48.

<sup>49</sup> Resolutions 1975 (2011), tenth preambular paragraph and para. 8; and 2000 (2011), sixteenth preambular paragraph.

<sup>50</sup> S/2010/8.

<sup>51</sup> S/2010/191.

Table 4

#### Decisions relating to investigation and inquiry by other bodies of the United Nations acknowledged by the Security Council

| <i>Decision and date</i>                | <i>Provision</i>  |
|---|---|
| <b>The situation in Côte d’Ivoire</b>   |   |
| Resolution 1975 (2011)<br>30 March 2011 | Welcoming Human Rights Council resolution 16/25 of 25 March 2011, including the decision to dispatch an independent international commission of inquiry to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d’Ivoire following the presidential election of 28 November 2010 (tenth preambular paragraph)<br><br>Also calls upon all parties to fully cooperate with the independent international commission of inquiry put in place by the Human Rights Council on 25 March 2011 to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d’Ivoire following the presidential election of 28 November 2010, and requests the Secretary-General to transmit this report to the Security Council and other relevant international bodies (para. 8) |
| Resolution 2000 (2011)<br>27 July 2011  | Taking note of the report and recommendations of the independent international commission of inquiry established pursuant to Human Rights Council resolution 16/25 of 25 March 2011 (sixteenth preambular paragraph)  |

Decision and date

Provision

### The situation in Libya

Resolution 1970 (2011)  
26 February 2011

Welcoming Human Rights Council resolution S-15/1 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated and, where possible, to identify those responsible (fifth preambular paragraph)

## III. Decisions of the Security Council concerning the pacific settlement of disputes

### Article 33

1. *The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.*

2. *The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.*

### Article 36

1. *The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.*

2. *The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.*

3. *In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.*

### Article 37

1. *Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.*

2. *If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.*

### Article 38

*Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.*

## Note

Article 33 (1) of the Charter of the United Nations expressly provides the framework for parties to settle their disputes by peaceful means. According to Article 33 (2) of the Charter, the Security Council shall call on the parties to settle their disputes by such peaceful means as provided for in Article 33 (1). The Council may recommend appropriate procedures or methods of adjustment for the settlement of disputes under Article 36 (1). According to Article 36 (2) and (3), the Council should take into consideration procedures for the settlement of the dispute already adopted by the parties and that legal disputes should as a general rule be referred by the parties to the International Court of Justice. Article 37 (2) envisages that, following a referral, the Council shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate. Article 38 provides that the Council may

make recommendations to the parties with a view to a pacific settlement of the dispute.

Section III examines the decisions of the Security Council in 2010 and 2011 in connection with its efforts aimed at the peaceful settlement of disputes within the framework of Chapter VI of the Charter. Subsection A covers the relevant decisions of the Council on thematic issues touching upon the provisions of Chapter VI of the Charter. Subsection B illustrates various ways in which the Council, in dealing with country-specific and regional situations, welcomed, encouraged or supported efforts in the peaceful settlement of disputes. Subsection C provides an overview of the Council's efforts towards the pacific settlement of disputes involving the Secretary-General. Subsection D briefly illustrates various ways in which the Council encouraged and supported efforts by regional organizations in the peaceful settlement of disputes, which are covered in detail in part VIII of the present Supplement.

### **A. Decisions of the Security Council on thematic issues relating to the pacific settlement of disputes**

During the two-year period 2010-2011, the Council adopted a number of decisions relating to the pacific settlement of disputes under thematic items including conflict prevention, preventive diplomacy, the Council's effective role in maintaining international peace and security, post-conflict peacebuilding, the rule of law, United Nations peacekeeping operations and women and peace and security. For the relevant provisions of the Council decisions, see table 5.

In three of those decisions, the Council included explicit references to Chapter VI and Articles 33 to 35 and 99 of the Charter. In a presidential statement of 29 June 2010, the Council reiterated its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter, emphasizing the key role of the International Court of Justice in adjudicating disputes between States.<sup>52</sup> In a presidential statement of 16 July 2010, the Council recalled Articles 33 and 34 of the Charter, and

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<sup>52</sup> [S/PRST/2010/11](#), second paragraph; adopted in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security.

reaffirmed its commitment to the settlement of disputes by peaceful means and the promotion of necessary preventive action in response to disputes or situations, the continuation of which is likely to endanger the maintenance of international peace and security. The Council also recalled that, in accordance with Articles 99 and 35, the Secretary-General or any Member State may bring to the attention of the Council any matter which is likely to endanger the maintenance of international peace and security.<sup>53</sup>

In other decisions, without explicitly citing Chapter VI or any Articles of the Charter, the Council stressed the importance of early warning, preventive deployment, mediation, practical disarmament and post-conflict peacebuilding, recognizing that those tools were interdependent and complementary components of a comprehensive conflict prevention strategy.<sup>54</sup> The Council also underlined that the coherent use of preventive diplomacy, peacemaking, peacekeeping and peacebuilding tools was important in creating the conditions for sustainable peace.<sup>55</sup> It also supported endeavours aimed at enhancing the preventive capacities of the Member States, the United Nations and regional and subregional organizations, and stressed the importance of developing early warning, assessment, mediation and response capabilities of those actors, as well as ensuring sound coordination among them.<sup>56</sup>

During the period under review, the Council also recognized the importance of the peaceful settlement of political disputes in a post-conflict State and of advancing the peace process and peaceful coexistence through inclusive dialogue, national reconciliation and reintegration.<sup>57</sup> The Council also stressed the role of United Nations peacekeepers in supporting efforts to promote political processes and peaceful settlement of disputes.<sup>58</sup> In a number of decisions, the Council

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<sup>53</sup> [S/PRST/2010/14](#), first and third paragraphs; adopted in connection with the maintenance of international peace and security.

<sup>54</sup> See, in connection with the maintenance of international peace and security, [S/PRST/2010/14](#), fourth paragraph, and [S/PRST/2011/18](#), ninth paragraph.

<sup>55</sup> See, in connection with the maintenance of international peace and security, [S/PRST/2010/18](#), fifth paragraph.

<sup>56</sup> [S/PRST/2010/18](#), seventh paragraph.

<sup>57</sup> See, in connection with post-conflict peacebuilding, [S/PRST/2010/7](#), fourth paragraph.

<sup>58</sup> See, in connection with United Nations peacekeeping operations, [S/PRST/2011/17](#), third paragraph.

frequently stressed the role of women and the importance of their participation in the prevention and resolution of conflicts.<sup>59</sup>

With regard to the role of the Secretary-General in the pacific settlement of disputes, the Council repeatedly paid tribute to the efforts of the Secretary-General in using his good offices and dispatching his representatives to facilitate durable and comprehensive

settlements, and encouraged him to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for the purpose of enhancing mediation and its support activities.<sup>60</sup> In one decision, the Council underlined the importance of the regular briefings it received on swift and timely preventive efforts undertaken by the Organization, and further called upon the Secretary-General to continue that good practice.<sup>61</sup>

<sup>59</sup> See, in connection with women and peace and security, resolution 1960 (2010), fifteenth preambular paragraph; S/PRST/2010/22, seventh paragraph; and S/PRST/2011/20, thirteenth paragraph. In connection with the maintenance of international peace and security, see S/PRST/2010/14, fifth paragraph; S/PRST/2010/18, eighteenth paragraph; and S/PRST/2011/18, thirteenth paragraph. For more information, see part I, sect. 33, with regard to mainstreaming of issues relating to women and peace and security in the decisions of the Security Council.

<sup>60</sup> See, in connection with the maintenance of international peace and security, S/PRST/2010/18, eighth paragraph; and S/PRST/2011/18, seventh paragraph. In connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, see S/PRST/2010/11, fourth paragraph.

<sup>61</sup> See, in connection with the maintenance of international peace and security, S/PRST/2011/18, eighth paragraph.

Table 5

**Decisions of the Security Council under thematic items relating to the pacific settlement of disputes**

*Decision and date*

*Provision*

**Maintenance of international peace and security: optimizing the use of preventive diplomacy tools — prospects and challenges in Africa**

S/PRST/2010/14  
16 July 2010

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations. The Council recalls Articles 33 and 34 of the Charter and reaffirms its commitment to the settlement of disputes by peaceful means and the promotion of necessary preventive action in response to disputes or situations, the continuation of which is likely to endanger the maintenance of international peace and security (first paragraph)

The Council recalls that the prevention of conflict remains a primary responsibility of Member States. As such, actions undertaken by United Nations entities within the framework of conflict prevention must be designed to support and complement, as appropriate, the conflict prevention roles of national Governments (second paragraph)

The Council notes that, consistent with its functions in relation to international peace and security, it seeks to remain engaged in all stages of the conflict cycle and in exploring ways of preventing the escalation of disputes into armed conflict or a relapse into armed conflict, and recalls that, in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State may bring to the attention of the Council any matter which is likely to endanger the maintenance of international peace and security (third paragraph)

The Council recalls that early warning, preventive diplomacy, preventive deployment, mediation, practical disarmament measures and post-conflict peacebuilding are interdependent and complementary components of a comprehensive conflict prevention strategy. The Council notes the importance of creating and maintaining peace through inclusive dialogue, reconciliation and reintegration (fourth paragraph)

The Council reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts and all related decision-making processes with regard to conflict resolution and peacebuilding, in line with resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#) (fifth paragraph)

The Council encourages the development of peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter and reiterates its support for the efforts of regional and subregional organizations, in particular the African Union, the Economic Community of West African States, the Southern African Development Community, the East African Community, the Intergovernmental Authority on Development and the Economic Community of Central African States, as regards conflict prevention. The Council acknowledges the need for closer and more operational cooperation between the United Nations and regional and subregional organizations in Africa to build national and regional capacities in relation to the preventive diplomacy tools of mediation, information-gathering and analysis, early warning, prevention and peacemaking, and in this context the Council recognizes the important role that regional United Nations offices, such as the United Nations Office for West Africa, can play and stresses the valuable contribution of mediation capacities such as the Council of Elders, the Panel of the Wise and the good offices of the Secretary-General and his special envoys, and of regional and subregional organizations, to ensuring the coherence, synergy and collective effectiveness of their efforts (ninth paragraph)

The Security Council underlines the importance of continually engaging the potential and existing capacities and capabilities of the United Nations Secretariat, regional and subregional organizations as well as national Governments in preventive diplomacy efforts, including mediation, and welcomes the promotion of regional approaches to the peaceful settlement of disputes (tenth paragraph)

The Council further reiterates its support for the work of the Peacebuilding Commission and recognizes the need for greater coordination with the Commission. The Council further recognizes the need for greater coherence with all relevant United Nations entities in relation to the most effective use of preventive diplomacy tools at their disposal. The Council recognizes the important role of the United Nations Integrated Peacebuilding Offices in supporting national efforts to prevent conflicts and in addressing cross-border threats. The Council also recognizes the value that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa continues to add to the process of embedding preventive diplomacy practices into the conflict management architecture of the Organization. In this connection, the Council recalls the role of the Special Adviser to the Secretary-General on the Prevention of Genocide in matters relating to the prevention and resolution of conflict. The Council emphasizes the need for the full engagement of all relevant actors, including civil society, to sustain the momentum and perspective for a meaningful preventive diplomacy framework (eleventh paragraph)

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Decision and date

Provision

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**Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security**

[S/PRST/2010/18](#)  
23 September 2010

The Council welcomes the considerable progress made in refining and strengthening the United Nations preventive diplomacy, peacemaking, peacekeeping and peacebuilding capabilities in recent years, and pledges to continue to contribute to the adaptation of these tools to changing circumstances. The Council also underlines that the relationship between these tools is not always sequential and that it is necessary to use them in a comprehensive, integrated and flexible manner (fourth paragraph)

The Council stresses that the comprehensive and coherent use of preventive diplomacy, peacemaking, peacekeeping and peacebuilding tools is important in creating the conditions for sustainable peace. The Council undertakes to provide the necessary political support to ensure this overarching objective (fifth paragraph)

The Council calls upon Member States to resolve differences peacefully and draws particular attention to the importance of preventive diplomacy as a cost-effective and efficient way of crisis management and conflict resolution. The Council encourages and reaffirms its support for endeavours aimed at enhancing the preventive capacities of the Member States, the United Nations, and regional and subregional organizations. The Council stresses, in particular, the importance of developing early warning, assessment, mediation and response capabilities of these actors, as well as ensuring a sound coordination among them (seventh paragraph)

The Council pays tribute to the efforts undertaken by the Secretary-General in using his good offices, his Representatives, Special Envoys and mediators, as well as by regional and subregional organizations to help to facilitate durable and comprehensive settlements, and undertakes to continue to support their work (eighth paragraph)

The Council further commits to following closely existing and potential conflict situations that may affect international peace and security, engaging with parties undertaking preventive efforts, encouraging the steps taken to de-escalate tension and build confidence, and supporting efforts aimed at mobilizing the necessary expertise and capabilities available in and to the United Nations. The Council also recognizes the importance of enhancing efforts, including coordination among bilateral and multilateral donors, to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools (ninth paragraph)

The Council recognizes that a comprehensive and integrated strategy for peacemaking, peacekeeping and peacebuilding should involve all relevant actors, taking into account the unique circumstances of each conflict situation. The Council further acknowledges that sustainable peace and security can best be achieved through effective collaboration among all concerned parties on the basis of their expertise (sixteenth paragraph)

The Council also reaffirms the important role of women in all aspects of the prevention and resolution of conflicts, as well as in peacekeeping and peacebuilding, and recognizes that a concerted and determined approach that addresses the root causes of conflicts also requires a systematic and comprehensive approach to women and peace and security issues. The Council, in this regard, looks forward to marking the 10th anniversary of resolution [1325 \(2000\)](#) by taking action on a comprehensive set of indicators on the basis of recommendations of the Secretary-General (eighteenth paragraph)

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### Maintenance of international peace and security: conflict prevention

[S/PRST/2011/18](#)  
22 September 2011 The Council reaffirms its primary responsibility for the maintenance of international peace and security, acting in accordance with the purposes and principles of the Charter of the United Nations. The Council further expresses its determination to enhance the effectiveness of the United Nations in preventing the eruption of armed conflicts, their escalation or spread when they occur, and their resurgence once they end (third paragraph)

The Council reaffirms that actions undertaken within the framework of conflict prevention by the United Nations should support and complement, as appropriate, the conflict prevention roles of national Governments (sixth paragraph)

The Council pays tribute to the efforts undertaken by the Secretary-General in using his good offices, and dispatching representatives, special envoys and mediators, to help to facilitate durable and comprehensive settlements. The Council encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for the purpose of enhancing mediation and its support activities, and recalls in this regard General Assembly resolution [65/283](#) of 22 June 2011, as well as the report of the Secretary-General of 8 April 2009. The Council further encourages concerned parties to act in good faith when engaging with prevention and mediation efforts, including those undertaken by the United Nations (seventh paragraph)

The Council encourages the Secretary-General to continue improving coherence and consolidation within the United Nations system, with a view to maximizing the impact of swift and timely preventive efforts undertaken by the Organization. The Council underlines the importance of the regular briefings it receives on such efforts and further calls upon the Secretary-General to continue this good practice (eighth paragraph)

The Council recalls that a comprehensive conflict prevention strategy should include, inter alia, early warning, preventive deployment, mediation, peacekeeping, practical disarmament, accountability measures as well as post-conflict peacebuilding, and recognizes that these components are interdependent, complementary and non-sequential (ninth paragraph)

The Council emphasizes that an effective preventive diplomacy framework requires the active involvement of civil society, especially youth, and other relevant actors, such as academia and the media. The Council also reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts in line with resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#) and [1889 \(2009\)](#) and the statements by its President of 13 and 26 October 2010 (thirteenth paragraph)

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### Post-conflict peacebuilding

[S/PRST/2010/7](#)  
16 April 2010 The Council highlights the importance of the peaceful settlement of political disputes in a post-conflict State and addressing the sources of violent conflict as essential elements for achieving sustainable peace. The Council recognizes the importance of advancing the peace process and peaceful co-existence through inclusive dialogue, reconciliation and reintegration. The Council reaffirms that ending impunity is essential if a society recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future. The Council underlines the importance of holding free, fair and transparent elections for sustainable peace (fourth paragraph)

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Decision and date

Provision

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The Council recognizes the importance of pursuing political stability and security alongside socio-economic development for the consolidation of peace. The Council stresses the importance of delivering early peace dividends, including the provision of basic services, in order to help to instil confidence and commitment to the peace process. The Council recognizes that the reintegration of refugees, internally displaced persons and former combatants, in coordination with security sector reform and disarmament, demobilization and reintegration, should not be seen in isolation, but should be carried out in the context of a broader search for peace, stability and development, with special emphasis on the revival of economic activities. The Council notes in this regard that high levels of youth unemployment can be a major challenge to sustainable peacebuilding (sixth paragraph)

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

[S/PRST/2010/11](#)  
29 June 2010

The Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes between States and the value of its work and calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute (second paragraph)

The Council calls upon States to resort also to other dispute settlement mechanisms, including international and regional courts and tribunals which offer States the possibility of settling their disputes peacefully, contributing thus to the prevention or settlement of conflict (third paragraph)

The Council emphasizes the importance of the activities of the Secretary-General in promoting mediation and in the pacific settlement of disputes between States, recalls in this regard the report of the Secretary-General of 8 April 2009 on enhancing mediation and its support activities, and encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for this purpose (fourth paragraph)

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**United Nations peacekeeping operations**

[S/PRST/2010/2](#)  
12 February 2010

The Council underlines that an advanced peace process is an important factor in achieving successful transition from a peacekeeping operation to other configurations of United Nations presence. It also highlights the importance of a host State protecting its population, managing political disputes peaceably and providing for basic services and long-term development (third paragraph)

The Council stresses the importance of considering early peacebuilding in its own deliberations and of ensuring coherence between peacemaking, peacekeeping and peacebuilding to achieve effective transition strategies. The Council looks forward to discussing further the implementation of this integrated approach and requests the Secretary-General to intensify his efforts in this regard (eleventh paragraph)

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| <i>Decision and date</i>                         | <i>Provision</i>   |
|--|--|
| <a href="#">S/PRST/2011/17</a><br>26 August 2011 | <p>The Council stresses the role of the United Nations peacekeepers in supporting efforts to promote political processes and peaceful settlements of disputes. The Council underlines the need for precise, full and effective implementation of mandates and its intention to continue to review and monitor such implementation on a regular basis. The Council recognizes the role of regional organizations in peacekeeping in accordance with Chapter VIII of the Charter (third paragraph)</p> <p>The Council expresses its commitment to continuing to improve its consideration and reflection of early peacebuilding tasks in the mandates and composition of peacekeeping operations. In this context, the Council notes with appreciation the contribution that peacekeepers and peacekeeping missions make to early peacebuilding and recognizes the need to integrate mission expertise and experience into the development of peacebuilding strategies (tenth paragraph)</p> |

### **Women and peace and security**

|  |   |
|--|---|
| <a href="#">S/PRST/2010/22</a><br>26 October 2010          | <p>The Council notes with grave concern that women and girls are disproportionately affected by conflict, and that women's participation at all stages of peace processes and in the implementation of peace accords remains too low, despite the vital role of women in the prevention and resolution of conflicts and in rebuilding their societies. The Council recognizes the need to facilitate the full and effective participation of women in these areas and stresses that the full and effective participation of women is very important for the sustainability of peace processes (seventh paragraph)</p>   |
| <a href="#">Resolution 1960 (2010)</a><br>16 December 2010 | <p>Recognizing the efforts of the Secretary-General to address the underrepresentation of women in formal peace processes, the lack of mediators and ceasefire monitors with proper training in dealing with sexual violence, and the lack of women as chief or lead peace mediators in United Nations-sponsored peace talks, and encouraging further such efforts (fifteenth preambular paragraph)</p>   |
| <a href="#">S/PRST/2011/20</a><br>28 October 2011          | <p>The Council welcomes the commitments and efforts of Member States, regional organizations and the Secretary-General to implement its resolutions on women and peace and security. The Council, however, remains concerned about the persistence of gaps and challenges that seriously hinder the implementation of resolution <a href="#">1325 (2000)</a>, including the continued low number of women in formal institutions of conflict prevention and resolution, particularly in preventive diplomacy and mediation efforts (fifth paragraph)</p> <p>The Council recalls the statement by its President of 22 September 2011 on preventive diplomacy, in which it, inter alia, recognized the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterated its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts. The Council recalls General Assembly resolution <a href="#">65/283</a> on strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution and the encouragement it contains to promote equal, full and effective participation of women in all forums and at all levels of the peaceful settlement of disputes, conflict prevention and resolution, particularly at the decision-making level (eleventh paragraph)</p> |

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Decision and date

Provision

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The Council encourages efforts by Member States, the United Nations Secretariat, United Nations field missions, United Nations agencies, funds and programmes, international financial institutions and regional and subregional organizations to, as appropriate, provide support and strengthen the capacities of relevant government institutions and women's organizations engaged in issues related to armed conflict or post-conflict situations. The Council underlines the importance of the participation of women in conflict prevention and resolution efforts, including in the negotiation and implementation of peace agreements, as well as international dialogues, contact groups, engagement conferences and donor conferences in support of conflict resolution. In this regard, the Council reiterates the need to support, as appropriate, local women's peace initiatives, processes for conflict resolution and initiatives that involve women in implementation mechanisms of the peace agreements, including through the local-level presence of United Nations field missions (twelfth paragraph)

The Council acknowledges the significant contribution that women can have in conflict prevention and mediation efforts and encourages Member States and international and regional organizations to take measures to increase the number of women involved in mediation efforts and the number of women in representative roles in regional and international organizations. The Council therefore stresses the importance of creating enabling conditions for women's participation during all stages of peace processes and for countering negative societal attitudes regarding full and equal participation of women in conflict resolution and mediation (thirteenth paragraph)

The Council encourages negotiating parties and mediation teams to adopt a gender perspective in negotiating and implementing peace agreements and to facilitate increased representation of women in peacebuilding forums. In this regard, the Council requests the Secretary-General and relevant United Nations entities to assist, as appropriate, in enabling regular consultations between women's groups and relevant participants in conflict mediation and peacebuilding processes. The Council also requests the Secretary-General to ensure that regular briefings are provided to his mediators and their teams on gender issues relevant to peace agreement provisions and specific obstacles to full and equal political participation of women (fifteenth paragraph)

The Council recognizes the need for more systematic attention to and implementation of women and peace and security commitments in its own work and expresses its willingness to ensure that measures to enhance women's engagement in conflict prevention and resolution and peacebuilding are advanced in its work, including on preventive diplomacy. The Council welcomes the intention of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to incorporate a gender perspective in its work (sixteenth paragraph)

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## **B. Recommendations relating to procedures, methods or terms of the pacific settlement of disputes**

Chapter VI of the Charter contains various provisions according to which the Council may make recommendations to the parties to a dispute or situation. Under Article 33 (2) of the Charter, the

Council shall call upon the parties to settle their disputes by such peaceful means as provided for in Article 33 (1). Article 36 (1) states that the Council may "recommend appropriate procedures or methods of adjustment". Under Article 37 (2) the Council shall "recommend such terms of settlement as it may consider appropriate", and Article 38 provides that it may "make recommendations to the parties with a view

to a pacific settlement of the dispute". This subsection provides an overview of recommendations of the Council for the peaceful settlement of disputes addressed to the parties, including endorsements of peace agreements and support for peace processes and other mechanisms for conflict resolution. Instances of such recommendations found in Council decisions are set out in table 6. In contrast to earlier volumes of the *Repertoire*, resolutions in which the Council determined threats to international peace and security in accordance with Article 39, including those explicitly adopted under Chapter VII, are not examined here, as they are covered in part VII.

During the period under review, the Council often encouraged the parties to participate in dialogues, peace processes and negotiations for the peaceful resolution of the situation, which were facilitated by the United Nations, through the Secretary-General and his representatives, regional and subregional organizations and/or regional leaders. The Council frequently stressed the importance of implementing peace and ceasefire agreements by the parties, including through their participation in the subsequent peace processes, national reconciliation, consultative processes and/or political dialogues. In some cases, the Council called upon the parties, including non-State actors, to join or expedite the peace process. With regard to the situation in Darfur, on two occasions the Council stated its willingness to consider measures against any party whose actions undermined the peace on the ground.<sup>62</sup>

*Africa.* Concerning Guinea, the Council welcomed the Joint Declaration of Ouagadougou of 15 January 2010<sup>63</sup> and called for its implementation by all Guinean stakeholders.<sup>64</sup> With regard to the Central African Republic, the Council welcomed and supported ongoing efforts aimed at national reconciliation based on the Libreville Comprehensive Peace Agreement of 21 June 2008 and called upon the parties to remain committed to the Agreement and the national reconciliation process.<sup>65</sup> The Council also called upon the politico-military groups to join the political peace process<sup>66</sup> and all

remaining armed groups to join the Agreement without delay.<sup>67</sup> The Council welcomed the ceasefire agreements between the Government and the Convention des patriotes pour la justice et la paix, the last armed group not party to the Agreement, signed on 12 June 2011, and between the Convention des patriotes pour la justice et la paix and the Union des forces démocratiques pour le rassemblement, signed on 8 October 2011.<sup>68</sup> With regard to Somalia, the Council repeatedly welcomed the consultative process facilitated by the Special Representative of the Secretary-General, and urged all Somali stakeholders to participate constructively in the consultative meetings in line with the spirit of the Djibouti Agreement.<sup>69</sup> The Council welcomed the signing of the Kampala Accord on 9 June 2011 by the President of the Transitional Federal Government of Somalia and the Speaker of the Transitional Federal Parliament of Somalia, facilitated by the President of Uganda, Yoweri Museveni, and the Special Representative of the Secretary-General for Somalia, and called upon the signatories to honour their obligations. It further called upon the transitional federal institutions to build broad-based representative institutions through an inclusive political process.<sup>70</sup> On Guinea-Bissau, recalling the events of 1 April 2010 in that country, the Council stressed the need to conduct a genuine and inclusive political dialogue and welcomed the efforts made by regional leaders, in particular the President of Cape Verde, Pedro Pires, to engage in a constructive dialogue with the leadership of that country. The Council further called upon the Government and all political stakeholders to work together to consolidate peace and stability, to use legal and peaceful means to resolve differences and to intensify efforts for such a political dialogue and national reconciliation.<sup>71</sup> With regard to Burundi, the Council encouraged the efforts of the Government to create a space for all political parties and to continue improving dialogue between all actors, including civil society.<sup>72</sup> Concerning Sierra Leone, the Council urged the Government to accelerate the promotion of national

<sup>62</sup> See, in connection with the reports of the Secretary-General on the Sudan, [S/PRST/2010/24](#), tenth paragraph; and [S/PRST/2010/28](#), eighth paragraph.

<sup>63</sup> [S/2010/34](#), annex.

<sup>64</sup> [S/PRST/2010/3](#), third and fourth paragraphs.

<sup>65</sup> [S/PRST/2010/26](#), first paragraph; and [resolution 2031 \(2011\)](#), third preambular paragraph and para. 6.

<sup>66</sup> [S/PRST/2010/26](#), first paragraph.

<sup>67</sup> [Resolution 2031 \(2011\)](#), third preambular paragraph.

<sup>68</sup> *Ibid.*, tenth preambular paragraph.

<sup>69</sup> [S/PRST/2011/6](#), third paragraph; [S/PRST/2011/10](#), fourth and fifth paragraphs; and [S/PRST/2011/13](#), fourth paragraph.

<sup>70</sup> [S/PRST/2011/13](#), second and third paragraphs.

<sup>71</sup> [S/PRST/2010/15](#), first and eighth paragraphs; [resolutions 1949 \(2010\)](#), para. 4; and [2030 \(2011\)](#), paras. 4 and 14.

<sup>72</sup> [Resolutions 1959 \(2010\)](#), fourth preambular paragraph; and [2027 \(2011\)](#), fifth preambular paragraph.

unity and reconciliation.<sup>73</sup> On Western Sahara, the Council called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations and to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith.<sup>74</sup> Regarding the Sudan and South Sudan, the Council repeatedly urged the parties to implement the Comprehensive Peace Agreement, underscoring that the full and timely implementation of the Agreement was essential to peace and security in the region.<sup>75</sup> The Council also requested that the parties refrain from unilateral action and avoid resorting to violence, provocation and inflammatory rhetoric, and that they show restraint and choose the path of dialogue.<sup>76</sup> On the situation in Abyei, the Council continuously urged the parties to reach agreement, including through negotiations under the auspices of the African Union High-level Implementation Panel,<sup>77</sup> and expressed its determination that the future status of Abyei should be resolved by negotiations between the parties in a manner consistent with the Comprehensive Peace Agreement and not by the unilateral actions of either party.<sup>78</sup> With regard to Blue Nile and Southern Kordofan States, the Council welcomed the start of the popular consultations in Blue Nile State and stressed the importance of inclusive, timely and credible popular consultation processes in the two States, in accordance with the Comprehensive Peace Agreement, while calling for all parties to refrain from unilateral action pending the outcome of the negotiations about post-Agreement political and security arrangements.<sup>79</sup> Concerning Darfur, the Council repeatedly reaffirmed its support for the African Union-United Nations-led peace process for Darfur hosted by Qatar, and strongly urged all rebel movements to join the peace process, particularly the

Doha peace process.<sup>80</sup> Recognizing the potential complementary role of a Darfur-led political process to the Doha process, the Council called upon the parties to contribute to the creation of an enabling environment necessary for a Darfur-based political process.<sup>81</sup>

*Asia.* Following the attack of 26 March 2010 which had led to the sinking of the Republic of Korea naval ship *Cheonan*, the Council called for appropriate and peaceful measures to be taken against those responsible for the incident, aimed at the peaceful settlement of the issue in accordance with the Charter and all other relevant provisions of international law. The Council also called for full adherence to the Korean Armistice Agreement<sup>82</sup> and encouraged the settlement of outstanding issues on the Korean peninsula by peaceful means to resume direct dialogue and negotiation through appropriate channels as soon as possible.<sup>83</sup> With regard to Nepal, stressing the importance of the implementation of the Comprehensive Peace Agreement and subsequent agreements, the Council called upon the Government and the Unified Communist Party of Nepal (Maoist) to implement the agreement reached on 13 September 2010 and called upon all political parties to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise.<sup>84</sup> On 14 January 2011, the day before the United Nations Mission in Nepal completed its mandate, the Council called upon the caretaker Government and all political parties to redouble their efforts, to continue to work together in a spirit of consensus to fulfil the commitments they had made in the agreements and to resolve expeditiously the outstanding issues of the peace process, which the Council would continue to

<sup>73</sup> Resolution 1941 (2010), para. 9.

<sup>74</sup> Resolutions 1920 (2010), paras. 3 and 4; and 1979 (2011), para. 4.

<sup>75</sup> S/PRST/2010/24, second, fourth, ninth and seventeenth paragraphs; and S/PRST/2011/3, fourth paragraph.

<sup>76</sup> S/PRST/2010/24, fourth paragraph; S/PRST/2010/28, seventh paragraph; and S/PRST/2011/12, sixth and tenth paragraphs.

<sup>77</sup> S/PRST/2010/24, fifth paragraph; S/PRST/2010/28, third paragraph; S/PRST/2011/3, sixth paragraph; and S/PRST/2011/8, second paragraph.

<sup>78</sup> S/PRST/2011/12, seventh paragraph.

<sup>79</sup> S/PRST/2011/3, sixth paragraph; S/PRST/2011/8, third paragraph; and S/PRST/2011/12, eleventh paragraph.

<sup>80</sup> S/PRST/2010/24, tenth paragraph; S/PRST/2010/28, eighth paragraph; S/PRST/2011/3, tenth paragraph; and S/PRST/2011/8, tenth paragraph.

<sup>81</sup> S/PRST/2011/8, eleventh paragraph. The Doha peace process had resulted in the signing on 14 July 2011 of the Agreement between the Government of the Sudan and the Liberation and Justice Movement for the Adoption of the Doha Document for Peace in Darfur, as endorsed by the All Darfur Stakeholders Conference held in Doha as the basis for a final settlement of the Darfur conflict (see S/2011/449, enclosure).

<sup>82</sup> See S/3079.

<sup>83</sup> S/PRST/2010/13, fourth and tenth paragraphs.

<sup>84</sup> Resolutions 1909 (2010), fourth preambular paragraph and para. 5; 1921 (2010), fourth preambular paragraph and para. 5; and 1939 (2010), fourth preambular paragraph and paras. 4 and 5.

support.<sup>85</sup> Concerning Timor-Leste, the Council urged all parties to continue to work together and engage in political dialogue while welcoming their commitment to foster national dialogue.<sup>86</sup>

*Europe.* In connection with Cyprus, throughout the period under review, the Council welcomed the progress made in the fully fledged negotiations and the prospect of further decisive progress in the near future towards a comprehensive and durable settlement.<sup>87</sup> The Council expressly called upon the two leaders to intensify the momentum of the negotiations to reach an enduring, comprehensive and just settlement based on a bicomunal, bizonal federation with political equality and to engage in the process in a constructive and open manner.<sup>88</sup>

*Middle East.* Following the “flotilla incident” of 31 May 2010 involving a military operation by Israel in international waters against the convoy sailing to Gaza, the Council underlined that the only viable solution to the Israeli-Palestinian conflict was an

agreement negotiated between the parties. The Council voiced concern that the incident had taken place during the proximity talks which it supported, and urged all parties to act with restraint.<sup>89</sup> Regarding the Syrian Arab Republic, the Council stressed that the only solution to the current crisis was “through an inclusive and Syrian-led political process” with the aim of effectively addressing the legitimate aspirations and concerns of the population.<sup>90</sup> On Yemen, stressing that the best solution to the current crisis was “through an inclusive and Yemeni-led political process of transition” that met the legitimate demands and aspirations of the Yemeni people for change, the Council noted the signing of the Gulf Cooperation Council initiative by some opposition parties and the General People’s Congress as well as the commitment by the President of Yemen to immediately sign the initiative. The Council called upon all parties to commit themselves to the implementation of a political settlement on the basis of that initiative.<sup>91</sup> Concerning Iraq, the Council called upon the parties to participate in an inclusive political dialogue and underscored the importance of participation by all communities in Iraq.<sup>92</sup>

<sup>85</sup> S/PRST/2011/1, second and fourth paragraphs.

<sup>86</sup> Resolutions 1912 (2010), para. 2; and 1969 (2011), fourth preambular paragraph and para. 2.

<sup>87</sup> Resolutions 1930 (2010), fourth, fifth and sixth preambular paragraphs and para. 2; 1953 (2010), fourth and sixth preambular paragraphs and para 1; and 1986 (2011), fourth and sixth preambular paragraphs and para. 1.

<sup>88</sup> Resolutions 1930 (2010), para. 3; 1953 (2010), fifth preambular paragraph and para. 2; 1986 (2011), fifth preambular paragraph and para. 3; and 2026 (2011), fifth preambular paragraph and para. 3.

<sup>89</sup> S/PRST/2010/9, fifth and sixth paragraphs.

<sup>90</sup> S/PRST/2011/16, sixth paragraph.

<sup>91</sup> Resolution 2014 (2011), fifteenth preambular paragraph and paras. 4 and 7.

<sup>92</sup> S/PRST/2010/23, second paragraph; S/PRST/2010/27, ninth paragraph; resolutions 1936 (2010), sixth preambular paragraph; and 2001 (2011), sixth preambular paragraph.

Table 6

**Decisions on recommendations relating to methods, procedures or terms of the pacific settlement of disputes**

| <i>Decision and date</i> | <i>Provision</i> |
|--------------------------|------------------|
|--------------------------|------------------|

**Africa**

**Peace consolidation in West Africa (Guinea)**

|                                   |   |
|-----------------------------------|---|
| S/PRST/2010/3<br>16 February 2010 | The Council welcomes the Joint Declaration of Ouagadougou of 15 January 2010, which, consistent with the proposals made on 6 January 2010 by the interim President, General Sékouba Konaté, provides, in particular, for the establishment of a National Unity Government led by a civilian Prime Minister designated by the opposition, the holding of elections within six months, the commitment that the Head of State of the transition, the members of the Conseil national pour la démocratie et le développement, the Prime Minister, the members of the National Unity Government and the defence and security forces in active service will not stand in the forthcoming presidential elections (third paragraph) |
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Decision and date

Provision

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The Council welcomes further the appointment on 21 January 2010 of Mr. Jean-Marie Doré as Prime Minister and the designation of a National Unity Government on 15 February 2010. It calls upon all Guinean stakeholders to implement the Joint Declaration of Ouagadougou in full and to engage actively in the transition towards the restoration of the normal constitutional order through the holding of elections within six months. It calls upon the international community to bring its support to the Guinean authorities led by interim President Sékouba Konaté and Prime Minister Jean-Marie Doré, including with regard to comprehensive security and justice sector reform, upon request from the Guinean authorities (fourth paragraph)

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### The situation in Burundi

Resolution 1959  
(2010)  
16 December 2010

Encouraging the efforts of the Government of Burundi to create a space for all political parties and to continue improving dialogue between all actors, including civil society (fourth preambular paragraph)

*Same provision in resolution 2027 (2011), fifth preambular paragraph*

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### The situation in the Central African Republic

S/PRST/2010/26  
14 December 2010

The Security Council supports the ongoing efforts aimed at national reconciliation in the Central African Republic and welcomes the progress achieved so far. It calls upon the politico-military groups that have not joined the political peace process to do so (first paragraph)

Resolution 2031  
(2011)  
21 December 2011

Welcoming ongoing efforts aimed at national reconciliation in the Central African Republic based on the Libreville Comprehensive Peace Agreement of 21 June 2008, calling upon its signatories to remain committed to the Agreement, and calling upon all remaining armed groups to join the Agreement without delay (third preambular paragraph)

Welcoming the ceasefire agreement signed between the Government of the Central African Republic and the Convention des patriotes pour la justice et la paix and the ceasefire agreement signed between the Convention des patriotes pour la justice et la paix and the Union des forces démocratiques pour le rassemblement under the auspices of the Government and the National Mediator and with the support of the United Nations, the African Union, the Mission for the Consolidation of Peace in the Central African Republic and the Government of Chad (tenth preambular paragraph)

Calls upon the Government of the Central African Republic and all armed groups to remain committed to the national reconciliation process by fully observing the recommendations of the inclusive political dialogue that ended in 2008, and demands that all armed groups cooperate with the Government in the disarmament, demobilization and reintegration process (para. 6)

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### The situation in Guinea-Bissau

S/PRST/2010/15  
22 July 2010

The Security Council recalls its previous statements and resolutions on Guinea-Bissau and further recalls the events of 1 April 2010. The Council notes the efforts of the Government of Guinea-Bissau towards achieving stability in the country, but expresses concern at the current security situation and threats to constitutional order. The Council stresses the critical importance of the President, Government, political leaders, armed forces and people of Guinea-Bissau meeting their responsibilities to work towards national reconciliation, maintaining stability and constitutional order, fighting impunity and respecting the rule of law (first paragraph)

The Council acknowledges the plans of the National Assembly to convene a national conference on the theme “Conflicts in Guinea-Bissau: causes, prevention, resolution and consequences”, scheduled for January 2011 and underscores the need to conduct a genuine and inclusive political dialogue aimed at ensuring effective functioning of State institutions and national reconciliation. The Council welcomes, in that regard, efforts made by regional leaders, in particular President Pedro Pires of Cape Verde, to engage in a constructive dialogue with the leadership of Guinea-Bissau (eighth paragraph)

Resolution 1949  
(2010)  
23 November 2010

Urges the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)

Resolution 2030  
(2011)  
21 December 2011

Calls upon the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country, to use legal and peaceful means to resolve differences and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, including the national conference on reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)

Calls upon all national stakeholders, including political, military and civil society actors, to fully participate in the national conference on reconciliation and to ensure that a follow-up mechanism to implement the recommendations of the national conference is put in place (para. 14)

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### **The situation in Sierra Leone**

Resolution 1941  
(2010)  
29 September 2010

Urges the Government of Sierra Leone to accelerate the promotion of national unity and reconciliation (para. 9)

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### **The situation in Somalia**

S/PRST/2011/6  
10 March 2011

The Council welcomes the work of Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia, to support the Somali people in reaching agreement on post-transitional arrangements in consultation with the international community. It strongly urges the transitional federal institutions to engage in this process in a more constructive, open and transparent manner that promotes broader political dialogue and participation in line with the spirit of the Djibouti Agreement. The Council requests the Secretary-General to assess, in his regular reports delivered to the Council before the end of the transitional period, the respect for these principles. These principles are essential for future cooperation between the international community and the transitional federal institutions. The Council notes that the transitional period will end in August 2011. The Council regrets the decision by the Transitional Federal Parliament to extend its mandate unilaterally and without carrying out necessary reforms and urges the transitional federal institutions to refrain from any further unilateral action (third paragraph)

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| <i>Decision and date</i>                       | <i>Provision</i>  |
|--|---|
| <a href="#">S/PRST/2011/10</a><br>11 May 2011  | <p>The Council notes that the transitional period will end in August 2011. It commends the work of the Special Representative to facilitate the consultative process among Somalis in their efforts to reach an agreement on post-transitional arrangements, in consultation with the international community and within the framework of the Djibouti Agreement. In this regard, it welcomes the high-level consultative meeting held in Nairobi on 12 and 13 April 2011. The Council welcomes the participation of a wide range of Somali stakeholders and partners. It deeply regrets the failure of the Transitional Federal Government to participate in this consultative meeting and urges the Transitional Federal Government to engage fully, constructively and without further delay in the consultative process facilitated by the Special Representative, and to support his efforts to move the peace process forward (fourth paragraph)</p> <p>The Council welcomes the upcoming consultative meeting to be held in Mogadishu, which will further the debate generated at the high-level consultative meeting held in Nairobi. The Council urges all Somali stakeholders to participate in this meeting and play a role in finalizing arrangements for ending the transition in August 2011. It calls upon the international community, the United Nations and international organizations to fully support this meeting (fifth paragraph)</p>   |
| <a href="#">S/PRST/2011/13</a><br>24 June 2011 | <p>The Council welcomes the signing of the Kampala Accord on 9 June 2011, and commends the leadership shown by President Museveni and the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, in facilitating this agreement (second paragraph)</p> <p><i>See also resolution <a href="#">2023 (2011)</a>, third preambular paragraph</i></p> <p>The Council calls upon the signatories to the Kampala Accord to honour their obligations. It takes note of the appointment of the new Prime Minister of the Transitional Federal Government and looks forward to the prompt appointment of a new Cabinet. It calls upon the signatories to ensure cohesion, unity and focus on the completion of the transitional tasks set out in the Djibouti Agreement and the Transitional Federal Charter. It calls upon the transitional federal institutions to build broad-based representative institutions through a political process ultimately inclusive of all, taking into account the need to ensure the participation of women in public life (third paragraph)</p> <p>In this regard, and recalling the Council's meetings with Somali parties in Nairobi on 25 May 2011, the Council calls upon the transitional federal institutions to consult widely with other Somali groups, including local and regional administrations, and to work closely with the countries of the region, regional organizations and the wider international community. It welcomes the upcoming consultative meeting, with the participation of the transitional federal institutions and all Somali stakeholders, which should agree on a road map of key tasks and priorities to be delivered over the next 12 months, with clear timelines and benchmarks, to be implemented by the transitional federal institutions. The Council notes that future support to the transitional federal institutions will be contingent upon completion of these key tasks. The Council urges all Somali stakeholders to participate constructively and responsibly in this meeting (fourth paragraph)</p> |

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### Reports of the Secretary-General on the Sudan

[S/PRST/2010/24](#)

16 November 2010

The Council reaffirms its strong commitment to the sovereignty, independence, peace and stability of the Sudan and to a peaceful and prosperous future for all Sudanese people, and underlines its support for the full and timely implementation by the Sudanese parties of the Comprehensive Peace Agreement, including the holding of the referendums on the self-determination of the people of Southern Sudan and on the status of Abyei and of the popular consultations in Southern Kordofan and Blue Nile, and for a peaceful, comprehensive and inclusive resolution of the situation in Darfur (second paragraph)

The Council recalls that the Sudanese parties have full responsibility for the implementation of the Comprehensive Peace Agreement, reaffirms its support for and encourages their further efforts to that end and welcomes the leadership of the African Union and the support provided by the African Union High-level Implementation Panel on the Sudan, under the leadership of President Thabo Mbeki, and by the Intergovernmental Authority on Development. The Council recognizes the commitment of the parties to the implementation of the Agreement, remains actively seized of the matter and expresses its readiness to act as necessary in support of full implementation of the Agreement by the parties. The Council underlines the importance of close coordination between international actors involved in assisting the Sudanese peace processes (third paragraph)

The Council urges the parties to the Comprehensive Peace Agreement, while working to make unity attractive and recognizing the right to self-determination of the people of Southern Sudan, to take urgent action to implement their commitment, reaffirmed at the high-level meeting on the Sudan, held in New York on 24 September 2010, to ensure peaceful, credible, timely and free referendums that reflect the will of the people of Southern Sudan and Abyei, as provided for in the Agreement. In this regard, the Council welcomes the start of registration for the Southern Sudan referendum on 15 November 2010 and encourages further efforts to ensure that the referendums are held on 9 January 2011 in accordance with the Agreement and as scheduled in the timeline published for the Southern Sudan referendum by the Southern Sudan Referendum Commission. The Council is concerned by the continued delays in releasing to the Commission the full funding needed for preparations to continue to move forward. The Council calls upon the parties and all Member States to respect the outcome of credible referendums, held in accordance with the Agreement, that reflect the will of the people of Southern Sudan and Abyei. It requests all parties to refrain from unilateral action and to implement the Agreement (fourth paragraph)

The Council underlines the importance of the parties to the Comprehensive Peace Agreement making rapid progress on a way forward for Abyei's referendum, on outstanding Agreement issues and on resolving critical post-referendum issues in a peaceful, mutually beneficial manner, including the border, security, citizenship, debts, assets, currency and natural resources. In this context, the Council welcomes progress in the negotiations, led by President Mbeki, towards a "Framework for Resolving Outstanding Issues Relating to the Implementation of the Comprehensive Peace Agreement and the Future Relations of North and South Sudan", on which agreement was reached on 13 November 2010. The Council urges the parties to resume negotiations on Abyei expeditiously and to reach agreement on all outstanding issues without further delay (fifth paragraph)

*Decision and date*

*Provision*

The Council underlines the need for the parties to the Comprehensive Peace Agreement to promote calm, including by providing immediate and ongoing reassurance to people of all nationalities in the Sudan, including Southerners in the North and Northerners in the South, that their rights, safety and property will be respected whatever the outcome of the referendums. The Council calls for an immediate end to statements threatening the security of vulnerable populations. The Council also emphasizes that the protection of civilians is primarily the responsibility of the Sudanese authorities. The Council urges the parties to work actively with local leaders to mitigate tensions in Abyei and other border areas (sixth paragraph)

The Council underlines that, whatever the outcome of the referendums, continued cooperation between the parties to the Comprehensive Peace Agreement will remain essential for managing the transition process, implementing the post-referendum arrangements and maintaining peace and prosperity, and stresses the mutual benefits of partnership in this regard. The Council encourages the international community to support these efforts. The Council urges the parties to the Agreement to respect their obligations (ninth paragraph)

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions, and all parties immediately to cease hostilities and engage constructively in negotiations with a view to finding a lasting peace in Darfur. The Council expresses concern about attacks on civilians by militias and calls for all support to such groups to cease. The Council expresses its willingness to consider measures against any party whose actions undermine peace in Darfur (tenth paragraph)

The Council underlines that full and timely implementation of the Comprehensive Peace Agreement is essential to peace and stability in the Sudan and the region and to future cooperation between the Sudan and the international community, and recognizes that enduring cooperation between the parties will be essential for the benefit of all Sudanese people. The Council affirms that the core objective of the international community and all stakeholders in the Sudan is the peaceful coexistence of the people of the Sudan, democratic governance, the rule of law, accountability, equality, respect, human rights, justice and economic development, in particular the establishment of the conditions for conflict-affected communities to build strong, sustainable livelihoods (final paragraph)

[S/PRST/2010/28](#)  
16 December 2010

The Security Council welcomes the reaffirmations by the Sudanese parties of their commitment to full and timely implementation of the Comprehensive Peace Agreement, and reaffirms its strong support for the efforts of the parties in this regard. The Council welcomes the conclusion of a peaceful registration process for the Southern Sudan referendum in the Sudan, and encourages the parties to continue this forward momentum towards peaceful and credible referendums on 9 January 2011 that reflect the will of the people. The Council strongly urges the parties to the Agreement to promptly fulfil their remaining commitments to finance the Southern Sudan Referendum Commission and the Southern Sudan Referendum Bureau (first paragraph)

The Council notes with deep concern the absence of an agreement on Abyei. The Council strongly urges the parties to calm rising tensions in Abyei, to urgently reach agreement on Abyei and other outstanding Comprehensive Peace Agreement issues, and to resolve critical post-referendum issues, including the border, security, citizenship, debts, assets, currency and natural resources. The Council welcomes the work of the African Union High-level Implementation Panel on the Sudan led by the former President of South Africa, Mr. Thabo Mbeki, and its continuing efforts in this regard (third paragraph)

The Council underlines that, whatever the outcome of the referendums, continued cooperation between the parties to the Comprehensive Peace Agreement will remain essential. The Council stresses the importance of the parties abiding by the commitments recorded in the statement by the African Union High-level Implementation Panel of 15 November 2010, including to find peaceful solutions to all outstanding matters, to never to resort to war again, and that neither party should take any action, or support any group, that would undermine the security of the other. The Council is deeply concerned about the recent military incidents in the Kiir River Valley and the subsequent displacement of civilians, and urges all parties to exercise restraint, avoiding escalation (seventh paragraph)

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by the Government of Qatar. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions. The Council reiterates the importance of increased participation of women in the Sudanese peace processes. The Council reiterates its deep concern about the increase in violence and insecurity in Darfur, including recently in Khor Abeche, such as ceasefire violations, attacks by rebel groups, increased inter tribal fighting, attacks on humanitarian personnel and peacekeepers and aerial bombardment by the Government of the Sudan. The Council recalls the importance it attaches to an end to impunity, and to justice for crimes committed in Darfur. The Council reiterates its willingness to consider measures against any party whose actions undermine peace in the Sudan (eighth paragraph)

[S/PRST/2011/3](#)  
9 February 2011

The Council welcomes the work of the Secretary-General's Panel on the Referenda in the Sudan led by former President Benjamin Mkapa. The Council praises the parties to the Comprehensive Peace Agreement for their commitment to the Agreement, as illustrated by their support for a timely and credible referendum process. The Council underlines that full and timely implementation of the Agreement is essential to peace and stability in the Sudan and the region and to future cooperation between northern and southern Sudan and the international community (fourth paragraph)

The Council reaffirms its support for the work of the African Union High-level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki, and notes the commitments made by the parties to the Comprehensive Peace Agreement at the Presidency meeting of 27 January 2011, and encourages them to continue to strive for a timely agreement on the implementation of outstanding Agreement issues. The Council urges the parties to reach quickly an agreement on Abyei and other critical issues, including border demarcation, security arrangements, citizenship, debts, assets, currency, wealth-sharing and natural resource management. The Council welcomes the start of the popular consultation process in Blue Nile State and stresses the importance of inclusive, timely and credible popular consultations processes in Blue Nile and Southern Kordofan States, in accordance with the Agreement (sixth paragraph)

Decision and date

Provision

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council welcomes the presence of the Justice and Equality Movement and the Liberation and Justice Movement in Doha, and strongly urges all other rebel movements to join the peace process without further delay or preconditions, and all parties to engage with a view to concluding urgently a comprehensive agreement (tenth paragraph)

S/PRST/2011/8  
21 April 2011

The Security Council reaffirms its support for the continued negotiations between the parties to the Comprehensive Peace Agreement, including under the auspices of the African Union High-level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki. Noting that the conclusion of the Comprehensive Peace Agreement interim period on 9 July 2011 is soon approaching, the Council urges the parties, meeting at the highest level, as necessary, to reach agreement on outstanding Agreement issues and post-Agreement arrangements. The Council also encourages the parties to engage with the United Nations on the future of the United Nations presence in the Sudan (first paragraph)

The Council reiterates its deep concern over increased tensions, violence and displacement in the Abyei Area. The Council calls upon both parties to implement and adhere to recent security agreements by withdrawing from the Abyei Area all forces other than the Joint Integrated Units and Joint Integrated Police Units allowed under those agreements and to urgently reach an agreement on Abyei's post-Comprehensive Peace Agreement status. The Council affirms that it is the responsibility of the parties to the Agreement, including during their negotiations under the auspices of the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, to reach agreement on the status of Abyei. In this regard, the Council acknowledges the ruling of 22 July 2009 by the Permanent Court of Arbitration at The Hague, which defines the borders of Abyei (second paragraph)

The Council welcomes the start of the popular consultations process in Blue Nile State and the rescheduled gubernatorial and state assembly elections on 2 to 4 May 2011 in Southern Kordofan State. The Council expresses its concern about recent violence in Southern Kordofan and underscores the responsibility of all parties to avoid inflammatory rhetoric and to ensure peaceful and credible elections. The Council also stresses the importance of inclusive, timely and credible popular consultations processes, in accordance with the Comprehensive Peace Agreement. The Council urges both parties to reach a security agreement regarding the future of the tens of thousands of troops from the Sudan People's Liberation Army from Southern Kordofan and Blue Nile States. The Council also urges the parties to reach agreement on security arrangements and to determine the future status of Southerners currently serving in the Sudanese Armed Forces (third paragraph)

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, and the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Bassolé. The Council further reaffirms its support for the principles guiding the negotiations. The Council strongly urges all other rebel movements to join the peace process without further delay or preconditions. The Council urges the parties in Doha to make the necessary concessions to quickly reach a ceasefire and political agreement and looks forward to the outcome of the upcoming All Darfur Stakeholders Conference in Doha. The Council believes this conference should be fully representative of all of Darfur's populations and interest groups. The Council reiterates the importance of increased participation of women in the Sudanese peace processes (tenth paragraph)

The Council recognizes the potential complementary role that a Darfur-based political process could play to ensure the participation and support of the people of Darfur and better enable them to be involved in the implementation of the outcome of the Doha peace process. The Council is nonetheless concerned that important aspects of the enabling environment necessary for a Darfur-based political process are not in place, including (1) the civil and political rights of participants such that they can exercise their views without fear of retribution, (2) freedom of speech and assembly to permit open consultations, (3) freedom of movement of participants and the African Union-United Nations Hybrid Operation in Darfur, (4) proportional participation among Darfurians, (5) freedom from harassment, arbitrary arrest and intimidation, and (6) freedom from interference by the Government or armed movements. The Council calls upon the Government of the Sudan and the armed movements to contribute to the creation of such an enabling environment for a Darfur-based political process, working closely with the Operation as appropriate, and, in particular, calls upon the Government to fulfil its stated commitment to lift the state of emergency in Darfur (eleventh paragraph)

[S/PRST/2011/12](#)  
3 June 2011

The Council recalls the commitments made by Vice President Ali Osman Taha and First Vice President Salva Kiir that both parties shall remove any unconditional claims to Abyei in their draft national constitutions and urges the parties to avoid inflammatory rhetoric, especially from the leadership, which undermines the mutual commitment of the parties to resolve all remaining Comprehensive Peace Agreement and post-Agreement issues peacefully through negotiation. The Council again urges both parties to honour these commitments (sixth paragraph)

The Council expresses grave concern following the reports about the unusual, sudden influx of thousands of Misseriya into Abyei town and its environs that could force significant changes in the ethnic composition of the area. The Council condemns all unilateral actions meant to create facts on the ground that would prejudice the outcome of negotiations. The Council expresses its determination that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the Comprehensive Peace Agreement and not by the unilateral actions of either party (seventh paragraph)

The Council stresses that both parties will have much to gain if they show restraint and choose the path of dialogue, including ongoing high-level negotiations between the parties and negotiations under the auspices of the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, instead of resorting to violence or provocations (tenth paragraph)

The Council expresses deep concern about tensions in Blue Nile and Southern Kordofan States. The Council calls for discussions about post-Comprehensive Peace Agreement political and security arrangements for Blue Nile and Southern Kordofan States to resume immediately and for all parties to refrain from unilateral action pending the outcome of those negotiations. The Council stresses that Agreement structures intended to stabilize the security situation in Blue Nile and Southern Kordofan States, specifically the deployment of Joint Integrated Units, should continue until their expiration on 9 July 2011. The Council calls upon both parties to work to reduce tensions and promote calm in this sensitive region. The Council further underscores the need for the parties to respect the mandate of the Mission (eleventh paragraph)

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Decision and date

Provision

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### The situation concerning Western Sahara

Resolution 1920  
(2010)

30 April 2010

Inviting, in this context, the parties to demonstrate further political will towards a solution (sixth preambular paragraph)

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and the two rounds of informal talks held in Dürnstein, Austria, and in Westchester County, United States of America, and welcoming the progress made by the parties to enter into direct negotiations (seventh preambular paragraph)

Welcoming also the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks (tenth preambular paragraph)

*Same provision in resolution 1979 (2011), sixteenth preambular paragraph*

Recognizing that the consolidation of the status quo is not acceptable in the long term, and noting further that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects (eleventh preambular paragraph)

*Same provision in resolution 1979 (2011), seventeenth preambular paragraph*

Welcomes the commitment of the parties to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of the Secretary-General of 14 April 2008 that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations (para. 2)

Calls upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008) and 1871 (2009), and the success of negotiations, and affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context (para. 3)

Also calls upon the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect (para. 4)

*Same provision in resolution 1979 (2011), para. 6*

Resolution 1979  
(2011)

27 April 2011

Inviting, in this context, the parties to demonstrate further political will towards a solution, including by expanding upon their discussion of each other's proposals (eighth preambular paragraph)

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General, and the continued rounds of informal talks held in Manhasset, United States of America, and in Mellieha, Malta, and welcoming the progress made by the parties to enter into direct negotiations (ninth preambular paragraph)

Welcomes the commitment of the parties to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of the Secretary-General of 14 April 2008 that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations (para. 3)

Calls upon the parties to continue to show political will and to work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions [1754 \(2007\)](#), [1783 \(2007\)](#), [1813 \(2008\)](#), [1871 \(2009\)](#) and [1920 \(2010\)](#) and the success of negotiations, inter alia, by devoting attention to the ideas set out in paragraph 120 of the report of the Secretary-General of 1 April 2011 (para. 4)

## Asia

### Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council ([S/2006/920](#)) (Nepal)

Resolution [1909 \(2010\)](#)  
21 January 2010

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties (fourth preambular paragraph)

*Same provision in resolution [1921 \(2010\)](#), fourth preambular paragraph, and resolution [1939 \(2010\)](#), fourth preambular paragraph*

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008 between the political parties, as requested by the Government of Nepal (fifth preambular paragraph)

*Same provision in resolution [1921 \(2010\)](#), fifth preambular paragraph, and resolution [1939 \(2010\)](#), fifth preambular paragraph*

Calls upon all political parties in Nepal to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future (para. 5)

*Same provision in resolutions [1921 \(2010\)](#), para. 5, and [1939 \(2010\)](#), para. 5*

Resolution [1921 \(2010\)](#)  
12 May 2010

Expressing its concern at the recent tensions in Nepal, and calling upon all sides to resolve their differences through peaceful negotiation (seventh preambular paragraph)

Resolution [1939 \(2010\)](#)  
15 September 2010

Calling upon all sides to resolve their differences through peaceful negotiation, and noting in this regard the agreement between the caretaker Government of Nepal and the political parties reached on 13 September 2010, namely (i) documents prepared in the Special Committee will be finalized soon with an understanding to forge ahead on the peace process and the agreed documents will be implemented, (ii) the combatants of the Maoist army will be brought under the Special Committee and their total profile will be submitted to the Special Committee without delay, (iii) the remaining tasks of the peace process will be started from 17 September 2010 and will be completed by 14 January 2011, and (iv) the wish of the parties that the tenure of the United Nations Mission in Nepal shall be extended for four months as the last extension (eighth preambular paragraph)

| <i>Decision and date</i>   | <i>Provision</i>   |
|--|--|
|  | <p>Calls upon the Government of Nepal and the Unified Communist Party of Nepal (Maoist) to implement both the agreement reached on 13 September 2010 as well as a timetabled action plan with clear benchmarks for the integration and rehabilitation of Maoist army personnel, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel and its Technical Committee (para. 4)</p>   |
| <p><a href="#">S/PRST/2011/1</a><br/>14 January 2011</p>   | <p>The Council reaffirms its support for the peace process and calls upon the caretaker Government of Nepal and all political parties to redouble their efforts, to continue to work together in the spirit of consensus to fulfil the commitments that they made in the Comprehensive Peace Agreement and other agreements, and to resolve expeditiously the outstanding issues of the peace process. The Council encourages Nepal to complete its new constitution within the foreseen time frame to help it to build a better, more equitable and democratic future for its people (second paragraph)</p> <p>The Council will continue to be supportive of the peace process in Nepal (fourth paragraph)</p>  |
| <hr/> <p><b>Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters</b></p> |  |
| <p><a href="#">S/PRST/2010/13</a><br/>9 July 2010</p>  | <p>The Council deplores the loss of life and injuries, expresses its deep sympathy and condolences to the victims and their families and to the people and Government of the Republic of Korea, and calls for appropriate and peaceful measures to be taken against those responsible for the incident aimed at the peaceful settlement of the issue in accordance with the Charter of the United Nations and all other relevant provisions of international law (fourth paragraph)</p> <p>The Council calls for full adherence to the Korean Armistice Agreement and encourages the settlement of outstanding issues on the Korean peninsula by peaceful means to resume direct dialogue and negotiation through appropriate channels as early as possible, with a view to avoiding conflicts and averting escalation (tenth paragraph)</p> |
| <hr/> <p><b>The situation in Timor-Leste</b></p>   |  |
| <p>Resolution <a href="#">1912 (2010)</a><br/>26 February 2010</p>   | <p>Urges all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, advancement of protection of human rights and national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes (para. 2)</p>  |
| <p>Resolution <a href="#">1969 (2011)</a><br/>24 February 2011</p>   | <p>Taking note of the general stability through further improvements in the political and security situation, and welcoming the strong commitment of the leadership and other stakeholders in Timor-Leste to fostering national dialogue and peaceful and inclusive participation in democratic processes and their ongoing efforts to promote continued peace, stability and unity (fourth preambular paragraph)</p>  |



Urges all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, the promotion of protection of human rights and the advancement of national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes (para. 2)

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## Europe

### The situation in Cyprus

Resolution [1930 \(2010\)](#)

15 June 2010

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

Commending the political leadership shown by the Greek Cypriot and Turkish Cypriot leaders, and warmly welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008 (fourth preambular paragraph)

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

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the view of the Secretary-General that a solution is well within reach, and looking forward to decisive progress in the near future, building on the progress made to date, consistent with the hope expressed by the two sides on 21 December 2009 that, if possible, 2010 would be the year of solution (sixth preambular paragraph)

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

Urges full exploitation of this opportunity, including by intensifying the momentum of the negotiations, preserving the current atmosphere of trust and goodwill and engaging in the process in a constructive and open manner (para. 3)

Resolution [1953 \(2010\)](#)

14 December 2010

Welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008 (fourth preambular paragraph)

*Same provision in resolution [1986 \(2011\)](#), fourth preambular paragraph*

Decision and date

Provision

Expressing concern at the slow pace of progress in recent months, stressing that the status quo is unsustainable and that there now exists a unique opportunity to make decisive progress in a timely fashion, and strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach an enduring, comprehensive and just settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions (fifth preambular paragraph)

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the view of the Secretary-General that a solution is well within reach, and looking forward to decisive progress in the near future building on the progress made to date (sixth preambular paragraph)

*Same provision in resolution 1986 (2011), sixth preambular paragraph*

Welcomes the progress made so far in the fully fledged negotiations and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created (para. 1)

*Same provision in resolution 1986 (2011), para. 1*

Takes note of the recommendations contained in the report of the Secretary-General, and calls upon the two leaders: (a) to intensify the momentum of negotiations and engage in the process in a constructive and open manner, including by developing a practical plan for overcoming the major remaining points of disagreement in preparation for their meeting with the Secretary-General in January 2011; (b) to improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages; (c) to increase the participation of civil society in the process, as appropriate (para. 2)

Resolution 1986  
(2011)  
13 June 2011

Expressing concern at the continued slow pace of progress, stressing that the status quo is unsustainable, and strongly urging the leaders to increase the momentum of the negotiations, particularly on the core issues, to reach an enduring, comprehensive and just settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions (fifth preambular paragraph)

*See also resolution 2026 (2011), fifth preambular paragraph*

Recalls Security Council resolution 1953 (2010) of 14 December 2010, and calls upon the two leaders: (a) to intensify the momentum of negotiations, engage in the process in a constructive and open manner and work on reaching convergences on the remaining core issues in preparation for their meeting with the Secretary-General in July 2011; (b) to improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages; (c) to increase the participation of civil society in the process, as appropriate (para. 3)

*Decision and date*

*Provision*

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Resolution 2026  
(2011)  
14 December 2011

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the Secretary-General's view that a comprehensive settlement can be achieved, looking forward to decisive progress in the near future, leading up to the Secretary-General's meeting with the leaders in January 2012, and echoing the Secretary-General's expectation that "all internal aspects of a settlement will have been resolved by then so that we can move to a multilateral conference shortly thereafter" with the consent of the two sides (sixth preambular paragraph)

Welcomes the encouraging progress made so far in the fully fledged negotiations and the prospect of further decisive progress in the coming months towards a comprehensive and durable settlement that this has created (para. 1)

Recalls Security Council resolution 1986 (2011) of 13 June 2011, and calls upon the two leaders: (a) to intensify the momentum of negotiations, engage in the process in a constructive and open manner and work on reaching convergences on the remaining core issues in preparation for their meeting with the Secretary-General in January 2012 and for further work in the following months towards a settlement; (b) to improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages; (c) to increase the participation of civil society in the process, as appropriate (para. 3)

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## Middle East

### The situation in the Middle East, including the Palestinian question

S/PRST/2010/9  
1 June 2010

The Council underscores that the only viable solution to the Israeli-Palestinian conflict is an agreement negotiated between the parties and re-emphasizes that only a two-State solution, with an independent and viable Palestinian State living side by side in peace and security with Israel and its other neighbours, could bring peace to the region (fifth paragraph)

The Council expresses support for the proximity talks and voices concern that this incident took place while the proximity talks are under way and urges the parties to act with restraint, avoiding any unilateral and provocative actions, and all international partners to promote an atmosphere of cooperation between the parties and throughout the region (sixth paragraph)

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### The situation in the Middle East

S/PRST/2011/16  
3 August 2011

The Council reaffirms its strong commitment to the sovereignty, independence and territorial integrity of the Syrian Arab Republic. It stresses that the only solution to the current crisis in the Syrian Arab Republic is through an inclusive and Syrian-led political process, with the aim of effectively addressing the legitimate aspirations and concerns of the population, which will allow the full exercise of fundamental freedoms for the entire population, including freedom of expression and of peaceful assembly (sixth paragraph)

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| <i>Decision and date</i>                     | <i>Provision</i>  |
|--|---|
| Resolution 2014<br>(2011)<br>21 October 2011 | <p>Stressing that the best solution to the current crisis in Yemen is through an inclusive and Yemeni-led political process of transition that meets the legitimate demands and aspirations of the Yemeni people for change (fifteenth preambular paragraph)</p> <p>Demands that all sides immediately reject the use of violence to achieve political goals (para. 3)</p> <p>Reaffirms its view that the signature and implementation as soon as possible of a settlement agreement on the basis of the Gulf Cooperation Council initiative is essential for an inclusive, orderly and Yemeni-led process of political transition, notes the signing of the Gulf Cooperation Council initiative by some opposition parties and the General People's Congress, calls upon all parties in Yemen to commit themselves to implementation of a political settlement based upon this initiative, notes the commitment by the President of Yemen to immediately sign the Gulf Cooperation Council initiative and encourages him, or those authorized to act on his behalf, to do so and to implement a political settlement based upon it, and calls for this commitment to be translated into action, in order to achieve a peaceful political transition of power, as stated in the Gulf Cooperation Council initiative and the presidential decree of 12 September 2011, without further delay (para. 4)</p> <p>Urges all opposition groups to commit to playing a full and constructive part in the agreement and implementation of a political settlement on the basis of the Gulf Cooperation Council initiative, and demands that all opposition groups refrain from violence and cease the use of force to achieve political aims (para. 7)</p> |
| <hr/> <b>The situation concerning Iraq</b>   |   |
| Resolution 1936<br>(2010)<br>5 August 2010   | <p>Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and to develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity (sixth preambular paragraph)</p>   |
| S/PRST/2010/23<br>12 November 2010           | <p>The Council welcomes the inclusive political process and representative outcome and encourages Iraq's leaders to rededicate themselves to the pursuit of national reconciliation (second paragraph)</p>  |
| S/PRST/2010/27<br>15 December 2010           | <p>The Council underscores the important role of the [United Nations Assistance Mission for Iraq] in supporting the people and Government of Iraq to promote dialogue, ease tension and encourage a negotiated political agreement to the nation's disputed internal boundaries, and calls upon all relevant parties to participate in an inclusive dialogue to this end (final paragraph)</p>  |
| Resolution 2001<br>(2011)<br>28 July 2011    | <p>Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and to ensure stability and develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity (sixth preambular paragraph)</p>  |

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### C. Decisions involving the Secretary-General in the Council's efforts at the pacific settlement of disputes

Article 99 of the Charter provides that the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security, but the Charter does not otherwise describe or define the role of the Secretary-General in relation to matters of peace and security. The Council's efforts aimed at conflict prevention and the peaceful settlement of disputes however increasingly required the involvement of the Secretary-General, who, in coordination with the Council or at its request, facilitated peace efforts in various ways.

During the period under review, whenever the Council recognized the efforts of the Secretary-General for the pacific settlement of disputes, it most frequently expressed support for his good offices, including through his representatives, negotiations under his auspices, and assistance provided to the parties to a dispute. In some cases, the Council expressly requested the Secretary-General to assume an active role in the process of achieving a political settlement. For the relevant provisions of Council decisions, see table 7.

*Africa.* Concerning Côte d'Ivoire, the Council requested the Secretary-General, including through his Special Representative, to facilitate political dialogue between the Ivorian stakeholders in order to ensure peace in Côte d'Ivoire and respect for the outcome of the presidential elections of 31 October and 28 November 2010.<sup>93</sup> On Guinea-Bissau, the Council repeatedly requested the Secretary-General to support the efforts by the Government and all political stakeholders in that country for genuine and inclusive political dialogue and national reconciliation.<sup>94</sup> With regard to Libya, supporting the efforts of the Special Envoy of the Secretary-General to find a sustainable and peaceful solution to the crisis there, the Council noted the decision of the Secretary-General to send his Special Envoy to the country with the aim of facilitating dialogue to lead to the political reforms

necessary to find such solution.<sup>95</sup> Concerning Somalia, the Council repeatedly requested the Secretary-General, through his Special Representative, to extend his good offices and political support for the efforts to establish lasting peace and stability in the country and to facilitate reconciliation among all Somalis and the peace process in general,<sup>96</sup> and commended the leadership shown by the Special Representative of the Secretary-General in facilitating the Kampala Accord of 9 June 2011.<sup>97</sup> Concerning the Sudan, the Council reiterated its full support for the African Union-United Nations Joint Chief Mediator and the African Union-United Nations-led peace process for Darfur,<sup>98</sup> and welcomed the intention of the Secretary-General to develop a road map for the Darfur peace process.<sup>99</sup> The Council also commended the assistance provided to the parties by the Special Envoy of the Secretary-General for the Sudan and South Sudan and the Head of Mission for the United Nations Interim Security Force for Abyei.<sup>100</sup> With regard to Western Sahara, while taking note of the negotiation rounds held under the auspices of the Secretary-General, the Council affirmed its support for the work of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara, including the latter's visits to the region, facilitation of negotiations and consultations with the parties.<sup>101</sup>

*Asia.* With regard to Nepal, the Council echoed the call by the Secretary-General for all parties to move forward swiftly in the implementation of the agreements reached. Following the termination of the United Nations Mission in Nepal, on 15 January 2011, the Council acknowledged the efforts of the Representative of the Secretary-General in assisting the people of Nepal as they worked to complete the peace process, and welcomed the ongoing engagement of the

<sup>93</sup> Resolution 1962 (2010), para. 2.

<sup>94</sup> Resolutions 1949 (2010), para. 4; and 2030 (2011), para. 4.

<sup>95</sup> Resolution 1973 (2011), para. 2.

<sup>96</sup> Resolutions 1910 (2010), para. 18; 1964 (2010), paras. 4 and 18; and 2010 (2011), paras. 19 and 27; and S/PRST/2011/10, third paragraph.

<sup>97</sup> S/PRST/2011/13, second paragraph.

<sup>98</sup> Resolutions 1935 (2010), para. 11; 1945 (2010), tenth preambular paragraph; S/PRST/2010/24, tenth paragraph; S/PRST/2011/3, tenth paragraph; and S/PRST/2011/8, tenth paragraph.

<sup>99</sup> Resolution 2003 (2011), para. 9.

<sup>100</sup> Resolutions 2024 (2011), third preambular paragraph; and 2032 (2011), eighth preambular paragraph.

<sup>101</sup> Resolutions 1920 (2010), twelfth preambular paragraph and para. 3; and 1979 (2011), eighteenth preambular paragraph and para. 5.

Secretary-General in support of the peace process.<sup>102</sup> Concerning Timor-Leste, the Council reaffirmed its full support for the continued efforts of the Special Representative of the Secretary-General aimed at addressing critical political and security-related issues facing the country.<sup>103</sup>

*Europe.* Concerning Cyprus, the Council welcomed the continued efforts of the Special Adviser to and the Special Representative of the Secretary-General in assisting the parties in the conduct of fully fledged

<sup>102</sup> Resolutions 1909 (2010), eighth preambular paragraph; and 1921 (2010), eighth preambular paragraph; and S/PRST/2011/1, first and third paragraphs.

<sup>103</sup> Resolutions 1912 (2010), para. 2; and 1969 (2011), para. 2.

negotiations aimed at reaching a comprehensive settlement, as well as the efforts of the Secretary-General to stimulate progress through his meetings with the two leaders.<sup>104</sup>

*Middle East.* The Council requested the Secretary-General to continue his good offices with regard to Yemen, including through visits to Yemen by his Special Adviser.<sup>105</sup>

<sup>104</sup> Resolutions 1930 (2010), nineteenth preambular paragraph; 1953 (2010), seventh and twentieth preambular paragraphs; 1986 (2011), seventh and twentieth preambular paragraphs; and 2026 (2011), twentieth preambular paragraph.

<sup>105</sup> Resolution 2014 (2011), sixth preambular paragraph and para. 11.

Table 7

**Decisions involving the Secretary-General in the Council's efforts at the pacific settlement of disputes**

*Decision and date*

*Provision*

**Africa**

**The situation in Côte d'Ivoire**

Resolution 1962 (2010)  
20 December 2010 Requests the Secretary-General, including through his Special Representative for Côte d'Ivoire, to facilitate, as appropriate, political dialogue between the Ivorian stakeholders in order to ensure peace in Côte d'Ivoire and respecting the outcome of the presidential election as recognized by the Economic Community of West African States and the African Union (para. 2)

**The situation in Guinea-Bissau**

Resolution 1949 (2010)  
23 November 2010 Urges the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)

Resolution 2030 (2011)  
21 December 2011 Calls upon the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country, to use legal and peaceful means to resolve differences and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, including the national conference on reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)

Decision and date

Provision

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### The situation in Libya

Resolution [1973 \(2011\)](#)  
17 March 2011

Welcoming the appointment by the Secretary-General of his Special Envoy to the Libyan Arab Jamahiriya, Mr. Abdel-Elah Mohamed Al-Khatib, and supporting his efforts to find a sustainable and peaceful solution to the crisis in the Libyan Arab Jamahiriya (nineteenth preambular paragraph)

Stresses the need to intensify efforts to find a solution to the crisis which responds to the legitimate demands of the Libyan people, and notes the decisions of the Secretary-General to send his Special Envoy to the Libyan Arab Jamahiriya and of the Peace and Security Council of the African Union to send its Ad Hoc High-level Committee on Libya to the Libyan Arab Jamahiriya with the aim of facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution (para. 2)

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### The situation in Somalia

Resolution [1910 \(2010\)](#)  
28 January 2010

Requests the Secretary-General, through his Special Representative and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia, taking into account the recommendations contained in his report of 31 December 2009 (para. 18)

*Same provision in resolution [1964 \(2010\)](#), para. 18*

Resolution [1964 \(2010\)](#)  
22 December 2010

Requests the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community (para. 4)

[S/PRST/2011/6](#)  
10 March 2011

The Council welcomes the work of Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia, to support the Somali people in reaching agreement on post-transitional arrangements in consultation with the international community. It strongly urges the transitional federal institutions to engage in this process in a more constructive, open and transparent manner that promotes broader political dialogue and participation in line with the spirit of the Djibouti Agreement. The Council requests the Secretary-General to assess, in his regular reports delivered to the Council before the end of the transitional period, the respect for these principles. These principles are essential for future cooperation between the international community and the transitional federal institutions. The Council notes that the transitional period will end in August 2011. The Council regrets the decision by the Transitional Federal Parliament to extend its mandate unilaterally and without carrying out necessary reforms and urges the transitional federal institutions to refrain from any further unilateral action (third paragraph)

[S/PRST/2011/10](#)  
11 May 2011

The Council expresses its support for the work of Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia, the United Nations and the African Union to promote peace and reconciliation in Somalia (third paragraph)

| <i>Decision and date</i>                                    | <i>Provision</i>   |
|---|--|
| <a href="#">S/PRST/2011/13</a><br>24 June 2011              | The Council welcomes the signing of the Kampala Accord on 9 June 2011, and commends the leadership shown by President Museveni and the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, in facilitating this agreement (second paragraph)   |
| Resolution <a href="#">2010 (2011)</a><br>30 September 2011 | <p>Requests the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community, including, as appropriate, support to reconciliation and peace efforts at the local level (para. 19).</p> <p>Requests the Secretary-General, through his Special Representative for Somalia and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia taking into account the recommendations contained in his report of 31 December 2009, and stresses the importance that the United Nations Political Office for Somalia and other United Nations offices and agencies work transparently and coordinate with the international community (para. 27)</p> |

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#### **Reports of the Secretary-General on the Sudan**

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|---|---|
| Resolution <a href="#">1935 (2010)</a><br>30 July 2010    | Reiterates that there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of the African Union-United Nations Hybrid Operation in Darfur are essential to re-establishing peace, and reaffirms its full support for the work of the Joint Chief Mediator, Mr. Djibril Yipènè Bassolé, and the African Union-United Nations-led political process for Darfur (para. 11)   |
| Resolution <a href="#">1945 (2010)</a><br>14 October 2010 | Commending the efforts of, and reiterating its full support for, the African Union-United Nations Hybrid Operation in Darfur, the African Union-United Nations Joint Chief Mediator for Darfur, the United Nations Secretary-General, the League of Arab States, the African Union High-level Implementation Panel on the Sudan and the leaders of the region to promote peace and stability in Darfur, and expressing its strong support for the political process under the African Union-United Nations-led mediation (tenth preambular paragraph) |



| <i>Decision and date</i>                                   | <i>Provision</i>   |
|--|--|
| <a href="#">S/PRST/2010/24</a><br>16 November 2010         | The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions, and all parties immediately to cease hostilities and engage constructively in negotiations with a view to finding a lasting peace in Darfur. The Council expresses concern about attacks on civilians by militias and calls for all support to such groups to cease. The Council expresses its willingness to consider measures against any party whose actions undermine peace in Darfur (tenth paragraph)   |
| <a href="#">S/PRST/2011/3</a><br>9 February 2011           | The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council welcomes the presence of the Justice and Equality Movement and the Liberation and Justice Movement in Doha, and strongly urges all other rebel movements to join the peace process without further delay or preconditions, and all parties to engage with a view to concluding urgently a comprehensive agreement (tenth paragraph)  |
| <a href="#">S/PRST/2011/8</a><br>21 April 2011             | The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, and the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Bassolé. The Council further reaffirms its support for the principles guiding the negotiations. The Council strongly urges all other rebel movements to join the peace process without further delay or preconditions. The Council urges the parties in Doha to make the necessary concessions to quickly reach a ceasefire and political agreement and looks forward to the outcome of the upcoming All Darfur Stakeholders Conference in Doha. The Council believes this conference should be fully representative of all of Darfur's populations and interest groups. The Council reiterates the importance of increased participation of women in the Sudanese peace processes (tenth paragraph) |
| Resolution <a href="#">2003 (2011)</a><br>29 July 2011     | Welcomes the intention of the Secretary-General to develop a road map for the Darfur peace process, and requests the Secretary-General, in this regard, to work in close consultation with the African Union, also consulting, as appropriate, all Sudanese stakeholders and the Implementation Follow-up Commission, and taking into account paragraphs 6, 7 and 8 [of the resolution], and requests the Secretary-General to report to the Council on the road map in his next 90-day report (para. 9)   |
| Resolution <a href="#">2024 (2011)</a><br>14 December 2011 | Commending the assistance provided to the parties by the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the Head of Mission for the United Nations Interim Security Force for Abyei, Lieutenant General Tadesse Werede Tesfay (third preambular paragraph)<br><br><i>Same provision in resolution <a href="#">2032 (2011)</a>, eighth preambular paragraph</i>   |

Decision and date

Provision

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### **The situation concerning Western Sahara**

Resolution [1920 \(2010\)](#)  
30 April 2010 Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, and also welcoming his recent visit to the region and ongoing consultations with the parties and neighbouring States (twelfth preambular paragraph)

Calls upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions [1754 \(2007\)](#), [1783 \(2007\)](#), [1813 \(2008\)](#) and [1871 \(2009\)](#), and the success of negotiations, and affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context (para. 3)

Resolution [1979 \(2011\)](#)  
27 April 2011 Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, and welcoming his ongoing consultations with the parties and neighbouring States (eighteenth preambular paragraph)

Affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context, and welcomes the intensified pace of meetings and contacts (para. 5)

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### **Asia**

#### **Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)**

Resolution [1909 \(2010\)](#)  
21 January 2010 Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, noting the assessment of the Secretary-General that the United Nations Mission in Nepal is well placed to assist in the monitoring of the management of arms and armed personnel in accordance with the agreement of 25 June 2008 between the political parties, and recognizing the ability of the Mission to assist the parties in this, as requested, in order to achieve a durable solution (eighth preambular paragraph)

*Same provision in resolution [1921 \(2010\)](#), eighth preambular paragraph*

[S/PRST/2011/1](#)  
14 January 2011 As the United Nations Mission in Nepal completes its preparations for its departure on 15 January 2011, the Security Council expresses its appreciation and thanks to the Representative of the Secretary-General in Nepal, Ms. Karin Landgren, and the Mission team for their efforts in assisting the people of Nepal as they work to complete the peace process (first paragraph)

The Council welcomes the ongoing engagement of the Secretary-General and United Nations bodies as they continue to be supportive of the peace process and the people of Nepal (third paragraph)

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### The situation in Timor-Leste

Resolution [1912 \(2010\)](#) Urges all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, advancement of protection of human rights and national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes (para. 2)

*Same provision in resolution [1969 \(2011\)](#), para. 2*

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## Europe

### The situation in Cyprus

Resolution [1930 \(2010\)](#) Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus, with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, expressing its appreciation for the work of Mr. Tayé-Brook Zerihoun as the Special Representative of the Secretary-General in Cyprus, and welcoming the appointment of Ms. Lisa Buttenheim as the new Special Representative of the Secretary-General (nineteenth preambular paragraph)

Resolution [1953 \(2010\)](#) Welcoming the efforts of the Secretary-General to stimulate progress during his meeting with the two leaders on 18 November 2010 and his intention to meet with the two leaders in January 2011, and noting his intention to submit to the Council in February 2011 an updated assessment on the state of the process (seventh preambular paragraph)

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, and the efforts of Ms. Lisa Buttenheim as the Special Representative of the Secretary-General in Cyprus (twentieth preambular paragraph)

*Same provision in resolutions [1986 \(2011\)](#), twentieth preambular paragraph, and [2026 \(2011\)](#), twentieth preambular paragraph*

Resolution [1986 \(2011\)](#) Welcoming the efforts of the Secretary-General to stimulate progress during his meeting with the two leaders on 26 January 2011 and his intention to meet with the two leaders in July 2011, and noting his intention to submit to the Council in July 2011 an updated assessment on the state of the process (seventh preambular paragraph)

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## Middle East

### The situation in the Middle East

Resolution [2014 \(2011\)](#) Welcoming further the continuing efforts of the good offices of the Secretary-General, including the visits to Yemen by the Special Adviser to the Secretary-General on Yemen (sixth preambular paragraph)

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Requests the Secretary-General to continue his good offices, including through visits by his Special Adviser on Yemen, and to continue to urge all Yemeni stakeholders to implement the provisions of the present resolution, and encourage all States and regional organizations to contribute to this objective (para. 11)

#### D. Decisions involving regional and subregional organizations

During the period under review, the Council not only called upon the parties to a conflict to cooperate with regional and subregional organizations,<sup>106</sup> but also frequently expressed its support and appreciation for the peace efforts undertaken by regional arrangements,

<sup>106</sup> See, for example, in connection with peace and security in Africa, resolution 2023 (2011), para. 2; and, in connection with the reports of the Secretary-General on the Sudan, resolution 1945 (2010), fifth preambular paragraph; and S/PRST/2011/12, eighth paragraph.

including such efforts by the Secretary-General in conjunction with them.<sup>107</sup> Decisions and deliberations of the Council regarding the efforts undertaken by regional arrangements or agencies in the pacific settlement of disputes during the period under review are covered in detail in part VIII of this Supplement.

<sup>107</sup> See, for example, in connection with the reports of the Secretary-General on the Sudan, resolution 1935 (2010), eighth preambular paragraph; and resolution 1945 (2010), tenth preambular paragraph; in connection with the situation in Côte d'Ivoire, resolution 1975 (2011), fourth preambular paragraph; and, in connection with the situation in Somalia, S/PRST/2011/10, third paragraph.

### IV. Constitutional discussion bearing on the interpretation or application of the provisions of Chapter VI of the Charter

#### Note

Section IV features the main arguments raised in the deliberations of the Security Council with regard to the interpretation of specific provisions of Chapter VI of the Charter and Article 99, concerning the role of the Council and the Secretary-General in the peaceful settlement of disputes, and is divided into two subsections, namely, A. Referral of legal disputes to the International Court of Justice in the light of Article 36 (3); and B. Utilization of Article 99 by the Secretary-General, covering constitutional discussions held during the period under review.

During the period 2010-2011, explicit references were made to Articles 33 to 38<sup>108</sup> and 99<sup>109</sup> as well as

<sup>108</sup> In connection with the maintenance of international peace and security, S/PV.6322, p. 8 (Russian Federation); S/PV.6360, p. 28 (South Africa); S/PV.6360 (Resumption 1), p. 3 (Morocco); p. 5 (Gambia); and p. 13 (Pakistan); in connection with post-conflict peacebuilding, S/PV.6299 (Resumption 1), p. 34 (Papua New Guinea); in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, S/PV.6347, p. 5 (Under-Secretary-General for Legal Affairs); p. 8 (Mexico); p. 18 (United Kingdom); and p. 19 (Lebanon); S/PV.6347 (Resumption 1), p. 9 (Republic of Korea); p. 15 (Peru); and p. 16 (South Africa).

<sup>109</sup> In connection with children and armed conflict, S/PV.6581 (Resumption 1), p. 5 (Pakistan); and p. 6 (Thailand); and in connection with the maintenance of international peace and security, S/PV.6360, p. 9 (Brazil).

to Chapter VI of the Charter<sup>110</sup> during deliberations, most of which did not give rise to constitutional discussions.

### A. Referral of legal disputes to the International Court of Justice in the light of Article 36 (3)

Article 36 (3) of the Charter stipulates that the Security Council, in making recommendations under Article 36, should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court. During the period under review, speakers debated the role of the Court in the peaceful settlement of disputes and its relations with the Council with regard to legal disputes, in a thematic debate on the rule of law (case 2).

<sup>110</sup> In connection with the implementation of the note by the President of the Security Council, [S/PV.6300](#), p. 21 (Egypt); and p. 28 (Sierra Leone); [S/PV.6300 \(Resumption 1\)](#), p.5 (New Zealand); and p.27 (Pakistan); [S/PV.6672](#), p. 4 (Russian Federation); and pp. 12-13 (India); in connection with the maintenance of international peace and security, [S/PV.6360](#), p. 5 (Nigeria); p. 13 (Mexico); p. 23 (Lebanon); and p. 29 (Egypt); [S/PV.6360 \(Resumption 1\)](#), pp. 5-6 (Gambia); p. 6 (Australia); p. 13 (Pakistan); and p. 14 (Sierra Leone); [S/PV.6389](#), pp. 12-13 (Lebanon); and p. 20 (Mexico); [S/PV.6621](#), p. 5 (Colombia); [S/PV.6630](#), p. 6 (India); and [S/PV.6668](#), pp. 11-12 (Colombia); and p. 22 (United Kingdom); in connection with peace and security in Africa, [S/PV.6561](#), p. 12 (Colombia); in connection with the protection of civilians in armed conflict, [S/PV.6354 \(Resumption 1\)](#), p. 10 (India); in connection with the reports of the Secretary-General on the Sudan, [S/PV.6628](#), p. 4 (Under-Secretary-General for Peacekeeping Operations); in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, [S/PV.6347](#), p. 10 (Bosnia and Herzegovina); p. 13 (Nigeria); and p. 28 (Gabon); [S/PV.6347 \(Resumption 1\)](#), p. 8 (Australia); and p. 9 (Republic of Korea); in connection with the question concerning Haiti, [S/PV.6618](#), p. 21 (Haiti); and in connection with United Nations peacekeeping operations, [S/PV.6270 \(Resumption 1\)](#), p.5 (Pakistan); and [S/PV.6603](#), p. 19 (South Africa).

### Case 2

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

In a concept note for the thematic debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security held under the presidency of Mexico, it was pointed out that many disputes were claims about perceived legal rights, and it was therefore suggested that the Security Council should strive to help parties to a dispute to resolve it in accordance with the procedures set out in the Charter, emphasizing the recommendation that legal disputes should be referred to the International Court of Justice as stated in Article 36 (3) of the Charter.<sup>111</sup>

At the 6347th meeting, on 29 June 2010, the Deputy Secretary-General emphasized the special role of the Court in the peaceful settlement of disputes before intractable conflict and post-conflict situations arose.<sup>112</sup> The Under-Secretary-General for Legal Affairs said that the General Assembly, the Security Council and the Court all had a responsibility to contribute to the peaceful settlement of disputes, but the fullest use had not been always made of the organic link between those bodies and the procedural means made available to them by the Charter to coordinate and complement their respective action. Recalling Articles 33 and 36 (3) of the Charter, under which recommendations for the settlement of disputes included judicial settlement and referral of legal disputes to the Court, she encouraged the Council to follow up on the recommendation of the then President of the Court in 2006 to bring those tools to life and make them a central policy of the Council.<sup>113</sup>

Several speakers acknowledged that the Court was an important mechanism in the peaceful settlement of disputes, contributing to the maintenance of international peace and security.<sup>114</sup> The representative of Bosnia and Herzegovina, saying that Chapter VI of

<sup>111</sup> [S/2010/322](#), p. 4.

<sup>112</sup> [S/PV.6347](#), p. 3.

<sup>113</sup> *Ibid.*, p. 5.

<sup>114</sup> *Ibid.*, p. 10 (Bosnia and Herzegovina); p. 13 (Nigeria); p. 14 (France); p. 16 (Brazil); p. 17 (Austria); p. 18 (United Kingdom); p. 19 (Lebanon); p. 22 (Russian Federation); p. 23 (Japan); p. 25 (United States); p. 26 (Turkey); and [S/PV.6347 \(Resumption 1\)](#), p. 2 (Denmark); p. 10 (Argentina); p. 13 (Norway); p. 14 (Peru); p. 16 (South Africa); and p. 19 (Germany).

the Charter referred to the Court as the principal organ for settlement of disputes that were by their nature concerned with supposed legal rights, expressed the opinion that the Council should place stronger emphasis on the Court as one of the central tools in maintaining peace and security, since the enforcement of the Court's judgments lay ultimately with the Council.<sup>115</sup> In the context of the boundary dispute between her country and Cameroon concerning the Bakassi peninsula, the representative of Nigeria acknowledged that the mechanism of the Court proved to be a crucial part of the pacific dispute settlement armoury of the United Nations under Chapter VI of the Charter.<sup>116</sup>

The representative of Norway said that the Court provided an "underused" opportunity for peaceful conflict resolution between States and urged the Council to help the parties to a dispute to refer their disputes to the Court so that the trend towards greater utilization of the Court would continue.<sup>117</sup> The representative of Germany said that the Council could further encourage States to make use of the existing judicial institutions, particularly the Court.<sup>118</sup> The representative of South Africa stated that the Council could recommend to parties that disputes be referred to the Court in the spirit of Article 36 of the Charter, while noting that the referral of a particular dispute to the Court would depend on the consent of the States concerned. He pointed out that the Council's role in the pacific settlement of disputes was not limited to encouraging parties to a dispute to refer it for adjudication; it also had a role in the enforcement of the decisions of the Court in accordance with Article 94 (2).<sup>119</sup> The representative of Mexico expressed the view that the Court's potential had not been fully exploited, although he noted the tendency towards more frequent recourse to the Court in recent years, in particular through special arrangements between parties.<sup>120</sup> The representative of the Russian Federation hoped that the Court would not lose its standing as the standard-bearer of international justice and held that it was a unique organ that had the final say on the most ambiguous international legal issues.<sup>121</sup>

<sup>115</sup> S/PV.6347, p. 10.

<sup>116</sup> Ibid., p. 13.

<sup>117</sup> S/PV.6347 (Resumption 1), p. 13.

<sup>118</sup> Ibid., p. 19.

<sup>119</sup> Ibid., p. 16.

<sup>120</sup> S/PV.6347, p. 8.

<sup>121</sup> Ibid., pp. 22-23.

By the presidential statement adopted at the meeting, the Council expressed support for the peaceful settlement of disputes and reiterated its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter. The Council emphasized the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work, and called upon States that had not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.<sup>122</sup>

## B. Utilization of Article 99 by the Secretary-General

Under Article 99 of the Charter the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security. In the discussions on optimizing the use of preventive diplomacy tools, speakers encouraged the Secretary-General to utilize Article 99 and strengthen the effectiveness of his good offices (case 3). In another debate, the Council engaged in discussing the role of the Secretary-General and the Secretariat in conflict prevention, with a particular focus on early warning mechanisms (case 4).

### Case 3 Maintenance of international peace and security: optimizing the use of preventive diplomacy tools — prospects and challenges in Africa

At its 6360th meeting, on 16 July 2010, on the topic of optimizing the use of preventive diplomacy tools under the item entitled "Maintenance of international peace and security", the Council adopted a presidential statement in which it recalled that, in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State may bring to the attention of the Council any matter which is likely to endanger the maintenance of international peace and security, and stressed the valuable contribution of mediation capacities such as, among others, the good offices of the Secretary-General and his special envoys,

<sup>122</sup> S/PRST/2010/11, second paragraph.

to ensuring the coherence, synergy and collective effectiveness of their efforts.<sup>123</sup>

Speaking on behalf of the Secretary-General, the Deputy Secretary-General noted that the term “preventive diplomacy” had been first coined by former Secretary-General Dag Hammarskjöld and that since his time the good offices of successive Secretaries-General had helped in the peaceful resolution of inter-State wars, civil conflicts, electoral disputes, border disputes and questions of autonomy and independence.<sup>124</sup>

A number of speakers recognized the important role of the good offices of the Secretary-General and his representatives in conflict prevention and resolution.<sup>125</sup> The representative of Mexico considered it a challenge for the Council to provide all necessary support to strengthening and facilitating ongoing mediation exercises, including the preventive diplomacy efforts of the Secretary-General in his role as a mediator and by offering his good offices to parties to a conflict, as well as through his special representatives and special envoys.<sup>126</sup> The representative of Japan said that the Secretary-General’s good offices and preventive diplomacy had frequently proved effective because they could be launched swiftly and flexibly at his initiative and within his authority under the Charter. To ensure their maximum effect, he suggested that the United Nations should expand a reserve of experienced United Nations envoys and mediators who would act on behalf of the Secretary-General. Noting the importance of drawing the attention of the Council to early warning signs, he suggested that the Secretary-General might provide Council members with a regular political and security briefing focusing on potential risks of conflicts.<sup>127</sup> The representative of France considered it important that the Council received regular briefings, as soon as it considered necessary, from the Secretariat on zones of fragility so as to be in a position to use, as soon as possible and in coordinated manner, all of the tools available to it to prevent the exacerbation of a tense situation, tools such as mediation, good offices,

condemnation and even sanctions.<sup>128</sup> The representative of the United Kingdom shared the view that the Council should hear, as a matter of course, from the Secretary-General and his senior staff when they had visited regions where potential conflict was a concern, and said that the Council must be ready to draw on the Secretariat’s early warning analysis and reporting on emerging conflicts. He further suggested that the Secretary-General should offer regular advice to the Council on potential emerging conflicts, a sort of “horizon-scanning” exercise.<sup>129</sup> The representative of Benin underscored the importance of the regular reports submitted to the Council on the challenges facing some regions in Africa and advocated an increase in the number of visits by the Secretary-General to countries in precarious situations, as he represented the collective conscience of the international community.<sup>130</sup>

Recognizing the recent active engagement of the Secretary-General and his representatives in resolving regional conflicts, the representative of China said that the Council should continue to support the Secretary-General in his active role.<sup>131</sup> Other speakers called for the Council to provide additional support to the efforts by the Secretariat in conflict prevention, through such means as fact-finding missions and mediation.<sup>132</sup> The representative of Brazil maintained that enhanced prevention activities by the Council required a strong capacity in the Secretariat to identify, assess and provide early warning on disputes. She said the Secretary-General should make full use of Article 99 of the Charter and that further recourse to fact-finding missions and confidence-building measures in the early stages of a dispute might foster its peaceful settlement.<sup>133</sup>

#### **Case 4 Maintenance of international peace and security: conflict prevention**

At the 6621st meeting, on 22 September 2011, on the topic of conflict prevention under the item entitled “Maintenance of international peace and security”, a

<sup>123</sup> S/PRST/2010/14, third and ninth paragraphs.

<sup>124</sup> S/PV.6360, pp. 5-6.

<sup>125</sup> Ibid., pp. 11-12 (Japan); p. 20 (United States); p. 22 (Turkey); p.23 (Lebanon); p. 27 (Austria); p. 28 (South Africa); p. 31 (Germany); S/PV.6360 (Resumption 1), p. 5 (Gambia); p. 9 (Republic of Korea); and p. 10 (Senegal).

<sup>126</sup> S/PV.6360, p. 13.

<sup>127</sup> Ibid., pp. 11-12.

<sup>128</sup> Ibid., p. 15.

<sup>129</sup> Ibid., p. 18.

<sup>130</sup> S/PV.6360 (Resumption 1), p. 16.

<sup>131</sup> S/PV.6360, p. 15.

<sup>132</sup> Ibid., p. 19 (Bosnia and Herzegovina); p. 20 (United States); p. 22 (Turkey); p. 23 (Lebanon); S/PV.6360 (Resumption 1), p. 4 (Morocco); and p. 6 (Australia).

<sup>133</sup> S/PV.6360, pp. 9-10.

number of speakers commended the work of the Organization in preventive diplomacy, as reflected in the report of the Secretary-General dated 26 August 2011,<sup>134</sup> particularly through the good offices of the Secretary-General including the use of his special envoys, utilization of regional offices and early warning mechanisms.<sup>135</sup>

The representative of France said that the concept, means of action and expectations of preventive diplomacy had broadened in scope, and that the assessments undertaken by the Department of Political Affairs and the information provided by mediators and Special Representatives of the Secretary-General were invaluable, since they shed light on local situations, which were always complex.<sup>136</sup> The representative of the United States stated that the United Nations was well placed to provide early warning of potential concerns but there were limits to its knowledge and information-gathering capabilities. It must therefore work closely with other capable actors such as Governments, regional organizations and non-governmental organizations, based on their comparative advantages, so as to draw upon all sources of information. She further held that intensive diplomatic efforts by the Secretary-General, his senior envoys and key staff in the field could “pull adversaries back from the brink”, especially when backed by a united international community. She strongly supported the robust use of the Secretary-General’s good offices and special political missions to avert war.<sup>137</sup> The representative of the Russian

Federation expressed the view that a significant role belonged to the Secretariat, which must be responsible for monitoring and analysing situations in different regions, forecasting the development of crises, planning and expeditiously informing the Council about potential outbreaks of conflict. He shared the opinion of the Secretary-General about the importance of interaction with representatives of civil society, parliaments, business groups and academics so as to keep a hand on the pulse of, and monitor on a regular basis, the development of potential conflict situations.<sup>138</sup>

The representative of Colombia opined that the Charter provided all the proper tools to strengthen preventive diplomacy, such as direct negotiations, good offices, mediation, fact-finding, conciliation, arbitration and judicial settlement, as well as the possibility to call upon parties to settle their disputes by pacific means and to suggest and recommend procedures for adjustment. He considered it would not be ideal to resort to Chapter VII of the Charter, and therefore urged the Council to put those instruments provided for in Chapter VI into practice.<sup>139</sup>

By a presidential statement adopted at the meeting, the Council paid tribute to the efforts undertaken by the Secretary-General in using his good offices, and dispatching representatives, special envoys and mediators, to help to facilitate durable and comprehensive settlements. It encouraged the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for the purpose of enhancing mediation and its support activities.<sup>140</sup>

<sup>134</sup> S/2011/552.

<sup>135</sup> S/PV.6621, p. 6 (South Africa); pp. 7-8 (Nigeria); p. 13 (United Kingdom); pp. 13-14 (France); p. 15 (United States); p. 22 (Bosnia and Herzegovina); and pp. 22-24 (Russian Federation).

<sup>136</sup> Ibid., pp. 13-14.

<sup>137</sup> Ibid., p. 15.

<sup>138</sup> Ibid., pp. 23-24.

<sup>139</sup> Ibid., p. 5.

<sup>140</sup> S/PRST/2011/18, seventh paragraph.





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**United Nations**


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

**Supplement 2010-2011**

**Volume II**



United Nations • New York, 2016

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**Department of Political Affairs**

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

**Supplement 2010-2011**

**Volume II**



United Nations • New York, 2016

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## Introduction

The present publication constitutes the seventeenth supplement to the *Repertoire of the Practice of the Security Council*, 1946-1951, which was issued in 1954. It covers the proceedings of the Security Council from the 6255th meeting, held on 6 January 2010, to the 6699th meeting, held on 22 December 2011. The original *Repertoire* and previous supplements may be consulted at [www.un.org/en/sc/repertoire](http://www.un.org/en/sc/repertoire).

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

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

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

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

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

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

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

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

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

The *Repertoire* is based on published documents of the Security Council. Symbols of United Nations documents are composed of letters combined with figures. Security Council documents are indicated by a symbol such as [S/2011/297](#). References to the verbatim records of meetings of the Council are given in the form [S/PV.6494](#), meetings being numbered consecutively, starting with the first meeting in 1946. As in previous recent supplements, reference is made in this Supplement only to the provisional verbatim records of Security Council meetings, as the practice of publishing the meeting records in the *Official Records* has been discontinued.



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The resolutions and other decisions adopted by the Security Council, including statements and notes issued by the President of the Council and relevant exchanges of letters between the President and the Secretary-General, are published in the yearly volumes of *Resolutions and Decisions of the Security Council*. Resolutions are identified by a number followed by the year of adoption in parentheses, for example, resolution 1969 (2011). References to the statements by the President on behalf of the Council are given in the form of S/PRST/2011/5, for example.

Readers who wish to consult the full record of a meeting or the text of a Security Council document referred to in the *Repertoire* may do so on the official United Nations Documentation Centre website, [www.un.org/en/documents/](http://www.un.org/en/documents/). Security Council documents can be accessed on the website by selecting “Official Document System (ODS)” or one of the direct links to specific categories of documents. The volumes of *Resolutions and Decisions* may be accessed by symbol (S/INF/65 for 2009/10, S/INF/66 for 2010/11, S/INF/67 for 2011/12).

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## Members of the Security Council, 2010-2011

|             |   |             |   |
|-------------|---|-------------|---|
| <b>2010</b> | Austria   | <b>2011</b> | Bosnia and Herzegovina                                  |
|             | Bosnia and Herzegovina                                  |             | Brazil  |
|             | Brazil  |             | China   |
|             | China   |             | Colombia  |
|             | France  |             | France  |
|             | Gabon   |             | Gabon   |
|             | Japan   |             | Germany   |
|             | Lebanon   |             | India   |
|             | Mexico  |             | Lebanon   |
|             | Nigeria   |             | Nigeria   |
|             | Russian Federation                                      |             | Portugal  |
|             | Turkey  |             | Russian Federation                                      |
|             | Uganda  |             | South Africa  |
|             | United Kingdom of Great Britain<br>and Northern Ireland |             | United Kingdom of Great Britain<br>and Northern Ireland |
|             | United States of America                                |             | United States of America                                |



## **Part VII**

### **Actions with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter)**



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## Introductory note

Part VII deals with action taken by the Security Council with respect to threats to the peace, breaches of the peace or acts of aggression, within the framework of Chapter VII of the Charter (Articles 39 to 51).

The period under review was marked by a considerably expanded scope of Council action in response to threats or breaches of the peace, and Chapter VII of the Charter was invoked in a large number of decisions of the Council. Of the 53 resolutions adopted by the Council in 2010, 32 were adopted “acting under Chapter VII of the Charter” (60.3 per cent), while in 2011, 43 of the 66 resolutions were adopted “acting under Chapter VII” (65.2 per cent). Most of the resolutions concerned the mandates of United Nations and regional peacekeeping missions or multinational forces, and the imposition, extension, modification or termination of sanctions measures.

During the period under review, the Council determined several new and ongoing threats to regional and/or international peace and security. Determinations of new threats under Article 39 of the Charter included the sinking of the Republic of Korea naval ship the *Cheonan*;<sup>1</sup> events following the newly established independence of South Sudan;<sup>2</sup> actions involving Eritrea with respect to the situation in Somalia;<sup>3</sup> and events concerning the situation in Libya.<sup>4</sup> Ongoing threats to international peace and security included the situations in Afghanistan, Bosnia and Herzegovina, Chad, the Central African Republic, Côte d’Ivoire, the Democratic Republic of the Congo, Haiti, Lebanon, Liberia, Libya, Somalia and the Sudan. With respect to the situation in Afghanistan, the Council also recognized the threat posed by illicit drug production, trade and trafficking to international peace and stability. Previously, such a determination had been made only in the context of Africa. In its consideration of thematic issues, the Council reaffirmed that the non-proliferation of nuclear, chemical and biological weapons (including in the context of the Democratic People’s Republic of Korea) and terrorism in all its forms continued to constitute threats to international peace and security.

The Council imposed new sanctions measures, of the type provided for under Article 41, against Libya, while the remaining measures imposed against Sierra Leone were terminated. The Council also took unprecedented action in amending the sanctions regime in relation to the Taliban and Al-Qaida, by separating the regime into two: one to target individuals associated with the Taliban who threatened peace and stability in Afghanistan, and another to focus exclusively on Al-Qaida and its associates. Although the scope and effect of the sanctions measures

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<sup>1</sup> See [S/PRST/2010/13](#).

<sup>2</sup> South Sudan gained its independence on 9 July 2011 and was formally admitted as a member of the United Nations on 14 July 2011. In its decisions adopted under the item “Reports of the Secretary-General on the Sudan”, the Council determined that “the situation faced by South Sudan”, “the current situation in Abyei”, “the current situation in Abyei and along the border between the Sudan and South Sudan” and “the situation along the border between the Sudan and South Sudan” all constituted threats to international peace and security.

<sup>3</sup> Resolutions [2002 \(2011\)](#) and [2023 \(2011\)](#).

<sup>4</sup> The official name of the country in the United Nations was changed from “Libyan Arab Jamahiriya” to “Libya” from 16 September 2011 at the request of the National Transitional Council of Libya.



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did not change, the Council continued to improve its due process procedures with the establishment of the Office of the Ombudsperson. Sanctions measures were also extended or modified in connection with Côte d'Ivoire, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Iran (Islamic Republic of), Liberia, Somalia and Eritrea, and the Sudan. In addition, the Council imposed new judicial measures in connection with the situation in Libya by referring it to the International Criminal Court, while the tribunals for Lebanon, Rwanda and the former Yugoslavia continued to function.

The Council adopted several resolutions by which it authorized United Nations peacekeeping missions and multinational forces, including those deployed by regional organizations to carry out enforcement actions under Article 42. Regarding the situation in Libya, the Council authorized Member States, acting nationally or through regional organizations or arrangements, to take all necessary measures to protect civilians and civilian-populated areas under threat of attack in the country. The Council also authorized Member States to take all measures necessary to enforce compliance with the no-fly zone and to carry out strict implementation of the arms embargo to inspect in their territory vessels and aircraft bound to or from Libya.

During the period under review, the Council also adopted several resolutions by which it authorized United Nations peacekeeping missions, as well as multinational forces, to undertake enforcement actions. With respect to United Nations peacekeeping missions, the Council authorized enforcement action for the newly established missions in Abyei and in South Sudan (the United Nations Interim Security Force for Abyei (UNISFA) and the United Nations Mission in South Sudan (UNMISS), respectively). Furthermore, the Council reauthorized enforcement action for the United Nations Operation in Côte d'Ivoire (UNOCI), the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Interim Force in Lebanon (UNIFIL) and the United Nations Mission in the Sudan (UNMIS). The United Nations Mission in the Central African Republic and Chad (MINURCAT) completed its mandate in December 2010.

Regarding multinational forces, the Council authorized the use of "all necessary measures" within the framework of Chapter VII of the Charter for operations undertaken by: the Member States participating in the International Security Assistance Force (ISAF), deployed in Afghanistan; the European Union military mission (EUFOR) and the North Atlantic Treaty Organization (NATO) presence in Bosnia and Herzegovina; and the African Union in Somalia. The Council also extended the authorization of French forces to use all means necessary to support UNOCI.

The present part is divided into 10 sections, each of which focuses on selected material to highlight the interpretation and application of the provisions of Chapter VII of the Charter by the Council in its deliberations and decisions. Sections I to IV cover material related to Articles 39 to 42, which regulate the Council's power to determine threats to international peace and security and to take the appropriate actions in response to those threats, including the imposition of sanctions measures or the authorization of the use of force. Sections V and VI focus on Articles 43 to 47, regarding the provision of armed forces. Sections VII and VIII

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address, respectively, the obligations of Member States under Articles 48 and 49, while sections IX and X address, respectively, the practice of the Council with respect to Articles 50 and 51. Each section contains subsections on discussions held within the Council regarding the proper interpretation and implementation of the articles governing the Council's primary responsibility to maintain international peace and security.

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## I. Determination of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39 of the Charter

### Article 39

*The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.*

### Note

Section I concerns the practice of the Security Council with regard to the determination of the existence of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39. It provides information as to when the Council determined the existence of a threat and examines instances in which the existence of a threat was debated. The section is divided into two subsections: subsection A gives an overview of the relevant decisions of the Council, while subsection B presents case studies reflecting the arguments advanced during the Council's deliberations in connection with the adoption of some of the resolutions reflected in subsection A.

### A. Decisions of the Security Council relating to Article 39

During the period under review, the Council did not explicitly invoke Article 39 of the Charter in any of its decisions or determine the existence of any breach of the peace or act of aggression. However, the Council adopted numerous resolutions in which it determined, or expressed concern at, the existence of threats to the peace.

#### New threats

During the period under review, the Council adopted six resolutions in which it determined the existence of new threats to "regional" and/or "international peace and security".

Following the newly established independence of South Sudan and the ensuing developments in the region, the Council determined for the first time that "the situation faced by South Sudan", "the current situation in Abyei", "the current situation in Abyei and along the border between the Sudan and South Sudan" and "the situation along the border between the Sudan and South Sudan" all constituted threats to international peace and security. "The situation faced by South Sudan" was determined to be a threat to international peace and security in the same resolution in which the Council welcomed the new State's independence. That was the first time that it had been mentioned, even though the Council stated that the situation continued to constitute a threat.

Regarding Eritrea, the Council, under its consideration of peace and security in Africa, determined that the failure of Eritrea to fully comply with resolutions [1844 \(2008\)](#), [1862 \(2009\)](#) and [1907 \(2009\)](#), in addition to its actions undermining peace and reconciliation in Somalia and the Horn of Arica region, as well as the dispute between Djibouti and Eritrea, constituted a "threat to international peace and security".

Regarding Libya, the Council, by its resolution [1970 \(2011\)](#), authorized measures under Article 41, including referral of the situation to the International Criminal Court and various sanctions measures, without making an explicit determination of a new threat to international or regional peace and security under Article 39. The Council expressed grave concern at the situation in Libya, condemned the violence and use of force against civilians and deplored the "gross and systematic violation of human rights". Consequently, "mindful of its primary responsibility for the maintenance of international peace and security" and "acting under Chapter VII of the Charter", the Council authorized the measures. Subsequently, in resolution [1973 \(2011\)](#), the Council determined that the situation in Libya "continued to constitute a threat to international peace and security", authorizing States, in accordance with Article 42, to establish a no-fly zone and to take "all necessary measures" to protect civilians in Libya (see table 1).

Table 1

**Determination of new threats to regional or international peace and security in 2010-2011**

| <i>Decision and date</i>                             | <i>Provision</i>  |
|--|---|
| <b>Peace and security in Africa</b>                  |   |
| Resolution 2023 (2011)<br>5 December 2011            | Determining that the failure of Eritrea to fully comply with resolutions 1844 (2008), 1862 (2009) and 1907 (2009) and its actions undermining peace and reconciliation in Somalia and the Horn of Africa region as well as the dispute between Djibouti and Eritrea constitute a threat to international peace and security (thirteenth preambular paragraph) |
| <b>The situation in Libya</b>                        |   |
| Resolution 1973 (2011)<br>17 March 2011              | Determining that the situation in the Libyan Arab Jamahiriya continues to constitute a threat to international peace and security (twenty-first preambular paragraph)   |
| <b>Reports of the Secretary-General on the Sudan</b> |   |
| Resolution 1990 (2011)<br>27 June 2011               | Recognizing that the current situation in Abyei demands an urgent response and constitutes a threat to international peace and security (final preambular paragraph)  |
| Resolution 1996 (2011)<br>8 July 2011                | Determining that the situation faced by South Sudan continues to constitute a threat to international peace and security in the region (eighteenth preambular paragraph)  |
| Resolution 2024 (2011)<br>14 December 2011           | Recognizing the urgent need for the Sudan and South Sudan to commence the process of border normalization, and recognizing further that the situation along the border between the Sudan and South Sudan constitutes a threat to international peace and security (final preambular paragraph)  |
| Resolution 2032 (2011)<br>22 December 2011           | Recognizing that the current situation in Abyei and along the border between the Sudan and South Sudan constitutes a threat to international peace and security (final preambular paragraph)  |

**Continuing threats**

During the period under review, the Council determined that the situations in Afghanistan and Lebanon continued to constitute threats to “international peace and security”. It also determined that the situations in Côte d’Ivoire, the Democratic Republic of the Congo, Haiti and Liberia all continued to pose a threat to “international peace and security in the region”. With regard to Bosnia and Herzegovina, the Council determined that the situation “in the region” continued to constitute a threat to international peace and security. Regarding the developments in the Sudan, the Council determined that “the situation in the Sudan” and “the situation in the region” continued to constitute threats to “international peace and security” and “international peace and security in the region”.

In a number of resolutions regarding the Central African Republic and Chad, the Council expressed its serious concern about the security situation in the Central African Republic and determined that the situation “in the region on the border” between the Central African Republic, Chad and the Sudan continued to constitute a threat to “international peace and security in the region”.

In several resolutions adopted during the period, a number of elements of the situation in Somalia and Eritrea were deemed as continuing threats to the peace by the Council. In its resolutions 1910 (2010) and 1972 (2011), the Council determined that the situation in Somalia continued to constitute a threat to “international peace and security in the region”, while in resolution 1916 (2010), the Council condemned the flow of weapons and ammunition supplies to and

through Somalia and Eritrea in violation of the Somalia arms embargo and the Eritrea arms embargo as a “serious threat to peace and stability in the region”. In the same resolution and, later, in resolution 2002 (2011), the Council determined that the situation in Somalia, as well as the actions of Eritrea undermining peace and reconciliation in Somalia and the dispute between Djibouti and Eritrea, continued to constitute a threat to “international peace and security in the region”. In its resolution 1950 (2010), the Council determined that incidents of piracy and armed robbery at sea off the coast of Somalia exacerbated the situation in the country and continued to constitute a threat to international peace and security “in the region”.

In all of the above-mentioned instances, following the determination of the existence of a threat to the peace, the Council, in the same resolutions, took measures in accordance with Articles 40, 41 or 42 of the Charter in order to maintain or restore international peace and security, such as imposing provisional measures on parties to a conflict in order to prevent an aggravation of the situation, imposing and/or extending sanctions measures, or authorizing United Nations,

regional or multinational peacekeeping operations under Chapter VII of the Charter, which sometimes included the use of force.<sup>5</sup>

In a number of decisions adopted under thematic items, the Council reaffirmed that the proliferation of nuclear, chemical and biological weapons and their means of delivery continued to pose a threat to “international peace and security”, including in the context of the Democratic People’s Republic of Korea and Iran (Islamic Republic of). The Council, in its resolution 1977 (2011), also reaffirmed its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, “in conformity with its primary responsibilities, as provided for in the Charter of the United Nations”.

In 2010 and 2011, the Council reaffirmed, as it did during the previous period under review, that terrorism in all its forms and manifestations constituted “one of the most serious threats to international peace and security” (see tables 2 and 3).

<sup>5</sup> For more information, see sects. II-IV of the present part.

Table 2

**Decisions adopted under country-specific items in which the Council referred to continuing threats to the peace in 2010-2011**

| <i>Decision and date</i>                       | <i>Provision</i>  |
|--|---|
| <b>The situation in the Middle East</b>        |   |
| Resolution 1937 (2010)<br>30 August 2010       | Determining that the situation in Lebanon continues to constitute a threat to international peace and security (final preambular paragraph)<br><br><i>Same provision in resolution 2004 (2011), final preambular paragraph</i>                  |
| <b>The situation in Afghanistan</b>            |   |
| Resolution 1943 (2010)<br>13 October 2010      | Determining that the situation in Afghanistan still constitutes a threat to international peace and security (twenty-ninth preambular paragraph)<br><br><i>Same provision in resolution 2011 (2011), thirty-ninth preambular paragraph</i>      |
| <b>The situation in Bosnia and Herzegovina</b> |   |
| Resolution 1948 (2010)<br>18 November 2010     | Determining that the situation in the region continues to constitute a threat to international peace and security (twenty-fifth preambular paragraph)<br><br><i>Same provision in resolution 2019 (2011), twenty-fifth preambular paragraph</i> |

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Decision and date

Provision

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### **The situation in Chad, the Central African Republic and the subregion**

Resolution 1913 (2010) Determining that the situation in the region continues to constitute a threat to international peace and security (final preambular paragraph)

12 March 2010

*Same provision in resolution 1922 (2010), final preambular paragraph*

Resolution 1923 (2010) Determining that the situation in the region of the border between the Sudan, Chad and the Central African Republic constitutes a threat to international peace and security (final preambular paragraph)

25 May 2010

### **The situation in Côte d'Ivoire**

Resolution 1911 (2010) Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region (eleventh preambular paragraph)

28 January 2010

*Same provision in resolutions 1924 (2010), third preambular paragraph; 1933 (2010), tenth preambular paragraph; 1946 (2010), seventh preambular paragraph; 1951 (2010), fifth preambular paragraph; 1962 (2010), nineteenth preambular paragraph; 1980 (2011), tenth preambular paragraph; and 2000 (2011), twentieth preambular paragraph*

Resolution 1975 (2011) Determining that the situation in Côte d'Ivoire continues to constitute a threat to international peace and security (fourteenth preambular paragraph)

30 March 2011

### **The situation concerning the Democratic Republic of the Congo**

Resolution 1925 (2010) Aware of the persistent challenges to the stability of the Democratic Republic of the Congo, and determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region (eighteenth preambular paragraph)

28 May 2010

Resolution 1952 (2010) Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region (thirteenth preambular paragraph)

29 November 2010

*Same provision in resolution 2021 (2011), twelfth preambular paragraph*

Resolution 1991 (2011) Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region (seventeenth preambular paragraph)

28 June 2011

### **The question concerning Haiti**

Resolution 1944 (2010) Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far (twenty-second preambular paragraph)

14 October 2010

*Same provision in resolution 2012 (2011), twenty-eighth preambular paragraph*

### **The situation in Liberia**

Resolution 1938 (2010) Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region (nineteenth preambular paragraph)

15 September 2010

*Same provision in resolution 2008 (2011), eighteenth preambular paragraph*

| <i>Decision and date</i>                                   | <i>Provision</i>  |
|--|---|
| Resolution <a href="#">1961 (2010)</a><br>17 December 2010 | Determining that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region (tenth preambular paragraph) |
| Resolution <a href="#">2025 (2011)</a><br>14 December 2011 | Determining that, despite significant progress, the situation in Liberia continues to constitute a threat to international peace and security in the region (thirteenth preambular paragraph)                   |

### **The situation in Somalia**

|  |   |
|--|---|
| Resolution <a href="#">1910 (2010)</a><br>28 January 2010  | Determining that the situation in Somalia constitutes a threat to international peace and security in the region (nineteenth preambular paragraph)<br><br><i>Same provision in resolution <a href="#">1964 (2010)</a>, twenty-first preambular paragraph</i>  |
| Resolution <a href="#">1916 (2010)</a><br>19 March 2010    | Determining that the situation in Somalia, Eritrea's actions undermining peace and reconciliation in Somalia, as well as the dispute between Djibouti and Eritrea continue to constitute a threat to international peace and security in the region (eleventh preambular paragraph)<br><br><i>Same provision in resolution <a href="#">2002 (2011)</a>, fifteenth preambular paragraph</i>  |
| Resolution <a href="#">1950 (2010)</a><br>23 November 2010 | Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region (twentieth preambular paragraph)<br><br><i>Same provision in resolutions <a href="#">1976 (2011)</a>, eighteenth preambular paragraph, <a href="#">2015 (2011)</a>, seventeenth preambular paragraph, and <a href="#">2020 (2011)</a>, twenty-seventh preambular paragraph</i> |
| Resolution <a href="#">1972 (2011)</a><br>17 March 2011    | Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region (eighth preambular paragraph)<br><br><i>Same provision in resolution <a href="#">2010 (2011)</a>, twenty-fourth preambular paragraph</i>   |

### **Reports of the Secretary-General on the Sudan**

|   |   |
|---|---|
| Resolution <a href="#">1919 (2010)</a><br>29 April 2010 | Determining that the situation in the Sudan continues to constitute a threat to international peace and security (sixteenth preambular paragraph)<br><br><i>Similar provision in resolutions <a href="#">1945 (2010)</a>, fifteenth preambular paragraph, and <a href="#">1982 (2011)</a>, third preambular paragraph</i> |
| Resolution <a href="#">1935 (2010)</a><br>30 July 2010  | Determining that the situation in the Sudan constitutes a threat to international peace and security (fourteenth preambular paragraph)<br><br><i>Same provision in resolution <a href="#">2003 (2011)</a>, eighteenth preambular paragraph</i>  |
| Resolution <a href="#">1978 (2011)</a><br>27 April 2011 | Determining that the situation in the region continues to constitute a threat to international peace and security (final preambular paragraph)  |

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Table 3

**Decisions adopted under thematic items in which the Council referred to continuing threats to the peace in 2010-2011**

| <i>Decision and date</i>  | <i>Provision</i>  |
|---|---|
| <b>Non-proliferation</b>  |   |
| Resolution 1984 (2011)<br>9 June 2011                                       | Determining that the proliferation of weapons of mass destruction, as well as their means of delivery, continues to constitute a threat to international peace and security (sixth preambular paragraph)  |
| <b>Non-proliferation/Democratic People's Republic of Korea</b>              |   |
| Resolution 1928 (2010)<br>7 June 2010                                       | Determining that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, continues to constitute a threat to international peace and security (third preambular paragraph)   |
|   | <i>Same provision in resolution 1985 (2011), sixth preambular paragraph</i>   |
| <b>Non-proliferation of weapons of mass destruction</b>                     |   |
| Resolution 1977 (2011)<br>20 April 2011                                     | Reaffirming also that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security (second preambular paragraph)   |
| <b>Threats to international peace and security caused by terrorist acts</b> |   |
| Resolution 1963 (2010)<br>20 December 2010                                  | Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level (first preambular paragraph)  |
| Resolution 1988 (2011)<br>17 June 2011                                      | Reaffirming that the situation in Afghanistan still constitutes a threat to international peace and security, and expressing its strong concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade, and the strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel (third preambular paragraph) |
|   | Recognizing also that, notwithstanding the evolution of the situation in Afghanistan and progress in reconciliation, the situation in Afghanistan remains a threat to international peace and security, and reaffirming the need to combat this threat by all means, in accordance with the Charter of the United Nations and international law, including applicable human rights, refugee and humanitarian law, stressing in this regard the important role that the United Nations plays in this effort (eighth preambular paragraph)  |



| <i>Decision and date</i>                                       | <i>Provision</i>   |
|--|--|
| <p>Resolution <a href="#">1989 (2011)</a><br/>17 June 2011</p> | <p>Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims and the destruction of property and greatly undermining stability (second preambular paragraph)</p> <p>Noting with concern the continued threat to international peace and security posed by Al-Qaida and other individuals, groups, undertakings and entities associated with it, reaffirming its resolve to address all aspects of that threat, and considering the deliberations of the Committee on the recommendation of its Analytical Support and Sanctions Monitoring Team, in its eleventh report to the Committee (see <a href="#">S/2011/245</a>), that Member States treat listed Taliban and listed individuals and entities of Al-Qaida and its affiliates differently (eighteenth preambular paragraph)</p> |

## B. Discussion relating to Article 39

During the period under review, several issues regarding the interpretation of Article 39 and the determination of threats to international peace and security arose in the Council's debates.

In two separate open debates, the Council discussed the impact of HIV/AIDS and of climate change on international peace and security (cases 1 and 2, respectively). In connection with its discussion on threats to international peace and security, the Council heard a briefing by the Executive Director of the United Nations Office on Drugs and Crime and deliberated on the threat to the international community posed by the production, trafficking and consumption of illicit drugs (case 3). In response to an incident involving an Israeli attack on a Turkish-operated flotilla bound for Gaza, the Council met to discuss its potential destabilizing effect on the situation in the Middle East, with some States arguing that the incident could be classified as an "act of aggression" (case 4). In its consideration of peace and security in Africa, the Council deliberated on the impact of piracy off the Gulf of Guinea on international navigation, security and the economic development of States in the region (case 5). Under the item "Women and peace and security", the Council members discussed sexual violence as a threat to international peace and security and considered whether it was appropriate to discuss situations that were not on its agenda in that context (case 6). Under the item "The promotion and strengthening of the rule of law in the maintenance of

international peace and security", the Council discussed the International Criminal Court's definition of "acts of aggression" (case 7).

### Case 1 Maintenance of international peace and security

#### *Impact of HIV/AIDS epidemic on international peace and security*

At its 6547th meeting, on 7 June 2011, following the issuance of a concept paper,<sup>6</sup> the Council held a high-level debate on the impact of HIV/AIDS on international peace and security and the need for peacekeeping and peacebuilding operations and efforts to better take into account the challenges of HIV/AIDS during post-conflict and reconstruction phases. In its resolution [1983 \(2011\)](#), unanimously adopted at the same meeting, the Council recognized that HIV posed one of the most formidable challenges to the development, progress and stability of societies and required an exceptional and comprehensive global response. The representative of Gabon said that the debate offered the Council an opportunity to consider progress made since the adoption of resolution [1308 \(2000\)](#) and to take stock of future challenges as the HIV/AIDS pandemic remained a threat to collective security.<sup>7</sup> The representative of Nigeria pointed out that the debate was a demonstration of the Council's

<sup>6</sup> [S/2011/340](#).

<sup>7</sup> [S/PV.6547](#), pp. 2-3.

commitment to an issue that was pivotal to the development and security of Africa in particular and of the world more generally.<sup>8</sup> The representative of Brazil viewed the debate as an opportunity for the Council to underline its readiness to address HIV/AIDS in the context of international peace and security, by focusing on the impact of HIV/AIDS on aspects related to its agenda, including conflict and post-conflict situations, peacekeeping operations, and sexual violence in situations of conflict.<sup>9</sup>

The representative of France stated that the terrible consequences of AIDS were not only social and human, but also economic, and referred to the obstacles that it posed to countries attempting to recover from conflict.<sup>10</sup> The representative of Germany said that HIV/AIDS affected whole societies, and sometimes even regional and international security, and that threats to international peace and security were multifaceted and thus required comprehensive responses.<sup>11</sup> The representative of the United States of America said that, in the twenty-first century, threats to peace and security stemmed not only from traditional armed conflicts but also from more diffuse dangers, including the spread of lethal diseases.<sup>12</sup> The representative of the United Kingdom of Great Britain and Northern Ireland was of the view that the adoption of resolution 1983 (2011) sent a strong message that the epidemic still had a serious impact on international peace and security and believed that the Council had an obligation to vulnerable communities to consider whether it could make a contribution to efforts to combat the spread of the disease.<sup>13</sup>

The representative of India described HIV/AIDS as a global challenge with widespread implications for societies on economic, social, legal and moral fronts,<sup>14</sup> while the representative of China described it as posing a serious threat to human life.<sup>15</sup> The representative of South Africa described the impact of HIV/AIDS on the maintenance of international peace and security as an issue of “critical global concern”,<sup>16</sup> to which the

representative of Bosnia and Herzegovina added that world peace depended not only on securing borders but also on securing people against threats and risks to their security. In his view, resolution 1983 (2011) was a clear expression of the Council’s collective will to enhance its responsibility to maintain international peace and security.<sup>17</sup>

## Case 2 Maintenance of international peace and security

### *Impact of climate change*

At its 6587th meeting, on 20 July 2011, following the issuance of a concept paper,<sup>18</sup> the Council considered the impact of climate change on international peace and security. During the debate, it was generally acknowledged that climate change presented a serious global challenge, with most speakers calling for international cooperation to tackle the problem in a holistic and preventive manner. Several speakers affirmed that the Council had the responsibility to discuss the issue, as climate change presented a potential threat to international peace and security.<sup>19</sup> The representative of the United States noted the negative impact of climate change on peace and security as it amplified pressure on scarce resources and on vulnerable communities, citing, for example, the impact of drought and desertification on the conflict and humanitarian situation in Darfur. In that regard, she urged the Council to be prepared to respond to a full range of crises exacerbated by the effects of climate change.<sup>20</sup> The representative of France underlined the “immense destabilizing potential” of climate change, which could multiply the threats to peace and security in the most fragile regions and States.<sup>21</sup> The representative of the United Kingdom stressed that, while it was important to respect the different roles, functions and mandates of the various United Nations bodies dealing with climate change, the

<sup>8</sup> Ibid., p. 6.

<sup>9</sup> Ibid., p. 16.

<sup>10</sup> Ibid., p. 8.

<sup>11</sup> Ibid., pp. 19-20.

<sup>12</sup> Ibid., p. 9.

<sup>13</sup> Ibid., pp. 12-13.

<sup>14</sup> Ibid., p. 15.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid., p. 7.

<sup>17</sup> Ibid., p. 18.

<sup>18</sup> S/2011/408.

<sup>19</sup> S/PV.6587, p. 7 (United States); pp. 9-10 (Bosnia and Herzegovina); p. 14 (Colombia); p. 15 (France); p. 23 (Nauru); p. 25 (Australia); S/PV.6587 (Resumption 1), pp. 3-4 (Luxembourg); p. 6 (New Zealand); p. 8 (Chile); p. 17 (Canada); pp. 18-19 (Papua New Guinea); p. 22 (Belgium); pp. 26-27 (Palau); pp. 32-33 (Kenya); p. 36 (Fiji); and p. 40 (Spain).

<sup>20</sup> S/PV.6587, pp. 6-7.

<sup>21</sup> Ibid., p. 15.

Council should consider emerging threats in the maintenance of international peace and security to better fulfil its responsibility to prevent future conflict.<sup>22</sup> Speaking on behalf of the Pacific small island developing States, the representative of Nauru compared the “dangerous and potentially catastrophic” impacts of climate change to the threat posed by nuclear proliferation or terrorism as it threatened to destabilize the societies and political institutions therein.<sup>23</sup>

Some speakers contended that climate change, while in itself not presenting a threat to international peace and security, had an exacerbating impact on other situations that did pose threats to international peace and security.<sup>24</sup> The representative of Brazil, for example, while acknowledging the links between climate change and development and between security and development, was of the view that the possible security implications of climate change were far less obvious. In her view, environmental impacts did not threaten international peace and security on their own, but the adverse effects of climate change could, in certain circumstances, contribute to aggravating existing threats to international peace and security.<sup>25</sup> The representative of the United Kingdom said that the effects of climate change would be felt most keenly in areas of the world already experiencing stress from shortages of food, water and energy and that, in that context, climate change must be seen as a threat multiplier, exacerbating existing tensions and increasing the likelihood of conflict,<sup>26</sup> a view that the representative of the European Union echoed.<sup>27</sup>

Some speakers offered more measured support for the Council’s consideration of the impact of climate change, agreeing that it was linked to issues of peace and security, while also signalling the need for a clear distinction between the debate in the Council and the

international climate negotiations.<sup>28</sup> The representative of Portugal did not see the Council as the appropriate forum for climate change negotiations or for discussions on mitigating measures for environmental vulnerabilities but acknowledged the Council’s role to recognize and deal with new challenges in the context of their impact on international stability, peace and security.<sup>29</sup> The representative of Mexico was of the view that climate change was “far from being a threat to international peace and security in the traditional sense” but that the debate would lead to greater efforts in the framework of the international climate negotiations.<sup>30</sup>

A number of speakers held the view that climate change had to be addressed in other bodies of the United Nations and questioned whether the Council was the appropriate forum in which to discuss the implications of climate change. They contended that there was no direct link between climate change and security, stressing that the issue of climate change was essentially a development issue.<sup>31</sup> For instance, the representative of China, while acknowledging that climate change might affect security, emphasized that it was fundamentally a sustainable development issue.<sup>32</sup> The representative of the Russian Federation expressed his scepticism about the “repeated attempts” to place the issue of the threat posed by climate change to international peace and security on the Council’s agenda, which would not bring any added value and would merely politicize the issue and increase disagreement among countries.<sup>33</sup> The representative of India stated that the existential threat to island States or the emergence of food insecurity as a result of climate change could not be resolved or remedied by the

<sup>22</sup> Ibid., p. 12.

<sup>23</sup> Ibid., pp. 22-23.

<sup>24</sup> Ibid., p. 7 (United States); p. 8 (Brazil); pp. 11-12 (United Kingdom); p. 14 (Colombia); p. 16 (Lebanon); p. 18 (Gabon); pp. 24-25 (Australia); and p. 29 (El Salvador and European Union); [S/PV.6587 \(Resumption 1\)](#), p. 4 (Luxembourg); p. 13 (Ireland); p. 21 (Kazakhstan); pp. 22-23 (Belgium); and p. 28 (Barbados, speaking on behalf of the Caribbean Community).

<sup>25</sup> [S/PV.6587](#), p. 8.

<sup>26</sup> Ibid., p. 11.

<sup>27</sup> Ibid., p. 29.

<sup>28</sup> Ibid., p. 20 (Portugal); [S/PV.6587 \(Resumption 1\)](#); pp. 9-10 (Mexico); and p. 17 (Iceland).

<sup>29</sup> [S/PV.6587](#), p. 20.

<sup>30</sup> [S/PV.6587 \(Resumption 1\)](#), pp. 9-10.

<sup>31</sup> [S/PV.6587](#), p. 9 (China); p. 13 (Russian Federation); p. 16 (Lebanon); p. 17 (South Africa); pp. 19-20 (India); p. 26 (Egypt, on behalf of the Non-Aligned Movement); and p. 27 (Argentina, on behalf of the Group of 77 and China); [S/PV.6587 \(Resumption 1\)](#), pp. 4-5 (Costa Rica); pp. 10-11 (Ecuador); p. 11 (Cuba); p. 16 (Singapore); p. 19 (Islamic Republic of Iran); p. 20 (Kuwait, on behalf of the Group of Arab States); p. 23 (Peru); p. 24 (Bangladesh); pp. 25-26 (Plurinational State of Bolivia); p. 28 (Barbados, on behalf of the Caribbean Community); p. 31 (Philippines); and p. 35 (Bolivarian Republic of Venezuela).

<sup>32</sup> [S/PV.6587](#), p. 9.

<sup>33</sup> Ibid., p. 13.

Council under Article 39 of the Charter and therefore required a broader approach anchored in development, adaptive capacity, risk assessment and institutional build-up.<sup>34</sup> The representatives of Egypt (on behalf of the Non-Aligned Movement) and Argentina (on behalf of the Group of 77) both cited the need for the Council to respect the delineation of responsibilities of the principle organs of the United Nations as provided for in the Charter of the United Nations and to avoid any encroachment on the spheres of competence of those organs and agencies.<sup>35</sup>

During the debate, the Council adopted a presidential statement,<sup>36</sup> in which the Council expressed its concern that possible adverse effects of climate change might, in the long run, aggravate certain existing threats to international peace and security. The Council also expressed its concern that possible security implications of loss of territory of some States caused by sea level rise might arise, in particular in small low-lying island States.

In the same statement, the Council reaffirmed its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security but also recognized the responsibility for sustainable development issues, including climate change, conferred upon the General Assembly and the Economic and Social Council.

### Case 3 Threats to international peace and security

#### *Briefing by the Executive Director of the United Nations Office on Drugs and Crime*

At its 6277th meeting, on 24 February 2010, following the issuance of a concept paper,<sup>37</sup> the Council heard briefings by the Secretary-General and the Executive Director of the United Nations Office on Drugs and Crime and deliberated on transnational threats to international peace and security posed by drug trafficking, organized crime and terrorism. In his briefing, the Secretary-General stated that transnational issues, including drug trafficking and organized crime, were increasingly present on the Council's agenda,

clearly reflecting the gravity of the threats, and called upon the Council to address other emerging threats, such as cybercrime, money-laundering, environmental crime and the dumping of hazardous waste. He also called for early and common action, in order to prevent drug trafficking and organized crime from threatening international peace and security.<sup>38</sup>

During the discussion, the representative of Lebanon stated that transnational organized crime and drug trafficking had long-term negative impacts on peace, security and economic development and should be tackled in a synchronized manner on multiple fronts.<sup>39</sup> The representative of Turkey said that international organized criminal networks posed considerable risks and threats to the entire international community, which undermined State authority, fuelled corruption, hampered economic development and weakened the rule of law, creating tension and conflict among countries. He saw the Council's role and responsibility in monitoring the impact of those threats on international peace and security, particularly in areas and issues of which the Council was seized.<sup>40</sup> The representative of China stated that the Council should focus on issues that threatened peace and security brought about by armed conflict and should hence focus on drug trafficking and related organized crime faced by countries in conflict or post-conflict situations, so as to help to address the problem of armed conflict.<sup>41</sup> The representative of the Russian Federation directed the Council's attention to the drug threat from Afghanistan, which he stated was "global in nature and as acute as ever", and added that the situation in Afghanistan posed a threat to international peace and security that required action by the Council.<sup>42</sup>

The representative of Nigeria pointed to the West African subregion, which she noted was fast emerging as a "major warehouse and transit point" for illicit drugs, and where activities of the drug cartels constituted a major threat not only to the subregion's fledgling democratic structures but also to good governance and the rule of law, constituting serious impediments to subregional efforts to promote human prosperity, development and peacebuilding.<sup>43</sup> The

<sup>34</sup> Ibid., p. 19.

<sup>35</sup> Ibid., p. 26 (Egypt, on behalf of the Non-Aligned Movement); and p. 27 (Argentina, on behalf of the Group of 77 and China).

<sup>36</sup> S/PRST/2011/15.

<sup>37</sup> S/2010/94.

<sup>38</sup> S/PV.6277, pp. 2-3.

<sup>39</sup> Ibid., p. 11.

<sup>40</sup> Ibid., p. 6.

<sup>41</sup> Ibid., p. 10.

<sup>42</sup> Ibid., p. 12.

<sup>43</sup> Ibid., p. 14.

representative of the United States said that, in the recent past, the topic of the meeting might not have been included in the agenda of the Council. However, organized crime and drug trafficking and the consequences that followed in the wake of such large-scale crime and corruption were “precisely the type of threat to global security and stability” that the Council was required to confront in the interconnected modern world. Comparing drug trafficking to global terrorism, pandemic disease and climate change, she added that the issue was a transnational security threat that, by definition, could not be tackled by any one country alone.<sup>44</sup> A number of countries called for greater political commitment and international cooperation to address the threat posed by transnational crime, including by encouraging universal adherence to and accurate implementation of the relevant United Nations conventions, in particular the Convention against Transnational Organized Crime and its Protocols.<sup>45</sup>

Following the debate, the Council adopted a presidential statement,<sup>46</sup> in which it noted with concern the serious threats posed in some cases by drug trafficking and transnational organized crime to international security in different regions of the world. The Council noted that transnational crimes may threaten the security of countries on its agenda and expressed its intention to consider such threats, as appropriate.

**Case 4**  
**The situation in the Middle East, including the Palestinian question**

*Letter dated 31 May 2010 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council (S/2010/266)*

*Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/2010/267)*

On 31 May 2010, following requests from the representatives of Lebanon and Turkey, the Council convened an emergency meeting to discuss an incident

<sup>44</sup> Ibid., p. 16.

<sup>45</sup> Ibid., p. 6 (Turkey); p. 8 (Mexico); p. 9 (Uganda); pp. 15-16 (Japan); p. 17 (United States); pp. 19-20 (Austria); and p. 21 (France).

<sup>46</sup> S/PRST/2010/4.

that had occurred earlier that day, involving the Israeli interception of a multinational convoy of ships that had resulted in a number of fatalities. The Minister for Foreign Affairs of Turkey stated that the actions by Israel constituted a grave breach of international law tantamount to “banditry and piracy”, further characterizing that country’s actions as an “act of aggression” that could not be deemed legitimate or legal, calling upon the Council to react strongly and adopt a presidential statement strongly condemning the actions.<sup>47</sup> The representative of Nigeria added that the Council should be united in the message that it sent out whenever there was a clear threat to peace and security.<sup>48</sup> The representative of Lebanon stated that the “aggression” perpetrated against unarmed innocents should be firmly condemned and that an investigation should immediately take place to identify the perpetrators.<sup>49</sup> A number of representatives condemned the actions as violations of international law, the law of the sea and/or international humanitarian law, including the Geneva Conventions, thereby constituting international crimes.<sup>50</sup> The representative of Palestine strongly condemned the “flagrant aggression” by Israel as a direct consequence of the international community’s silence and inability to put an end to its previous violations of international law, international humanitarian law and human rights law.<sup>51</sup>

In response, the representative of Israel stated that the flotilla was in fact acting under the guise of humanitarian aid to send “a message of hate and to implement violence” and defended the Israeli soldiers’ actions as “self-defence”. He justified the legitimacy of the Israeli maritime blockade as a recognized measure under international law.<sup>52</sup>

On 1 June 2010, the Council adopted a presidential statement<sup>53</sup> in which it condemned the act, without explicitly determining whether the situation constituted either an act of aggression or a threat to international or regional peace.

<sup>47</sup> S/PV.6325, pp. 4-5.

<sup>48</sup> Ibid., p. 9.

<sup>49</sup> Ibid., p. 12.

<sup>50</sup> Ibid., p. 11 (Gabon and Bosnia and Herzegovina); and p. 12 (Lebanon).

<sup>51</sup> Ibid., p. 13.

<sup>52</sup> Ibid., p. 14.

<sup>53</sup> S/PRST/2010/9.

**Case 5**  
**Peace and security in Africa**

*Piracy in the Gulf of Guinea*

At its 6633rd meeting, on 19 October 2011, the Council convened an open debate, following the issuance of a concept paper,<sup>54</sup> to discuss the impact of piracy in the Gulf of Guinea on peace and security in Africa. In his briefing, the Secretary-General informed Council members that the threat of piracy in the Gulf of Guinea had continued to grow, with new cases of piracy and armed robbery aboard vessels along the West African coast, posing significant potential consequences for economic development and security and having a negative impact on West Africa's trade with the rest of the world. He explained his decision to deploy an assessment mission to the region to examine the scope of the threat.<sup>55</sup> The representative of the Economic Community of West African States echoed the Secretary-General's comments, informing members that piracy and other criminal acts had become prevalent, threatening local and international movements of ships and their cargo transiting Benin, Ghana, Guinea, Nigeria and Togo.<sup>56</sup>

All speakers agreed that the issue had become a significant cause for concern for countries in the region and that a comprehensive response was required in order to strengthen the region's defence capabilities and prevent the situation from becoming even more dangerous.<sup>57</sup> The representative of the Russian Federation said that, although there had been isolated attacks on vessels in the Gulf of Guinea in the past, the attacks of the past year off the coasts of Benin, Ghana, Nigeria and Togo had shown all the hallmarks of a well-functioning criminal enterprise that threatened the security of maritime shipping and the economic well-being of coastal States.<sup>58</sup> The representative of Portugal noted that the effects of piracy were felt far beyond the mere realm of security, disrupting trade and economic activity vital to coastal States. Most importantly, in his view, piracy affected countries with very different levels of institutional capacity to address

the problem and could not be solved by isolated measures on the part of individual States.<sup>59</sup>

Urging the United Nations to pay particular attention to the issue, the representative of China noted that, in recent years, there had been an increase in both the number of piracy attacks and the level of violence involved, which threatened the economic activity in the region and the shipping security and therefore posed a threat to peace and security in the region.<sup>60</sup> The representative of the United States expressed the view that piracy attacks, whether within territorial waters or on the high seas, threatened regional and maritime security and the safety of seafarers and impeded economic growth across West and Central Africa.<sup>61</sup>

Many speakers also considered the links between piracy and other branches of organized crime, including drug trafficking and the trade in illicit arms in West Africa. The representative of France noted that the transnational threat of piracy had been compounded by the rise in trafficking activity along the West African coast, for example in drugs, migrant smuggling and illegal fishing. An ever-growing number of hostage-taking incidents and the rising costs of maritime trade and extraction activities threatened the growth, development and, in turn, stability of States in the Gulf of Guinea.<sup>62</sup> The representative of the United States recognized that illicit maritime trafficking in goods, drugs and persons undermined governance and unravelled the fabric of fragile societies.<sup>63</sup> The representative of Benin opined that threats coming from scourges such as maritime piracy and the growth in unlawful activities that threatened the security of States constituted a genuine threat to international peace and security. He stated that, if left unaddressed, the situation in the Gulf of Guinea could seriously jeopardize the tremendous investments made by the international community in both establishing durable peace and fostering economic development in the subregion. In his view, the situation in the "zone of lawlessness" off the coast of West and Central Africa could seriously affect the ability of States to meet their primary responsibility to protect people and goods in their territory and to secure safe traffic in their

<sup>54</sup> S/2011/644.

<sup>55</sup> S/PV.6633, pp. 2-3.

<sup>56</sup> *Ibid.*, p. 3.

<sup>57</sup> *Ibid.*, p. 9 (Brazil); p. 13 (India); p. 15 (South Africa); p. 16 (Bosnia and Herzegovina); p. 19 (Gabon); p. 20 (Nigeria); and p. 21 (Benin).

<sup>58</sup> *Ibid.*, p. 9.

<sup>59</sup> *Ibid.*, p. 10.

<sup>60</sup> *Ibid.*, p. 12.

<sup>61</sup> *Ibid.*, p. 17.

<sup>62</sup> *Ibid.*, pp. 7-8.

<sup>63</sup> *Ibid.*, p. 17.

territorial waters and thereby constituted a serious threat to peace and security in the region.<sup>64</sup>

Some speakers compared the threat posed by piracy in the Gulf of Guinea to that posed by piracy off the coast of Somalia.<sup>65</sup> The representative of India pointed out that, although the two situations were different in proportion at the present stage, it was quite possible that the failure of the international community to act decisively against piracy off the coast of Somalia could have spawned a new surge in piracy in the Gulf of Guinea.<sup>66</sup>

At its 6645th meeting, on 31 October 2011, the Council adopted resolution [2018 \(2011\)](#), in which it expressed its deep concern about the threat that piracy and armed robbery at sea in the Gulf of Guinea posed to international navigation, security and the economic development of States in the region. The Council also expressed its concern about the threat that piracy and armed robbery at sea posed to the safety of seafarers and other persons, including through their being taken as hostages.

#### **Case 6 Women and peace and security**

At its 6453rd meeting, on 16 December 2010, the Council engaged in an open debate to consider the item “Women and peace and security”. The Council unanimously adopted resolution [1960 \(2010\)](#), in which it reaffirmed that sexual violence, when used or commissioned as a tactic of war or as a part of a widespread or systematic attack against civilian populations, could significantly exacerbate and prolong situations of armed conflict and might impede the restoration of international peace and security. Following the adoption of the resolution, a number of speakers classified sexual violence as a tactic of warfare and a threat to peace and security.<sup>67</sup> The representative of Finland, speaking on behalf of Denmark, Finland, Iceland, Norway and Sweden,

stated that sexual violence not only posed a threat to the health and lives of the victims and their communities but was also “a serious impediment to peace, security and development”.<sup>68</sup> The representative of Austria was of the view that the extremely negative effect of sexual violence on peace processes, reconciliation and post-conflict reconstruction clearly made the crime a “security threat”.<sup>69</sup> The representative of China said that the Council needed to pay close attention to situations that posed threats to international peace and security and to make full use of existing mechanisms, such as the Special Representative of the Secretary-General on Sexual Violence in Conflict and the United Nations Entity for Gender Equality and the Empowerment of Women, to create synergy.<sup>70</sup> The representative of Italy considered conflict-related sexual violence a threat to security and an impediment to peacebuilding in many parts of the world and not only in the crisis areas of the Council’s agenda.<sup>71</sup> Conversely, the representative of the Russian Federation said that, from the standpoint of the Council’s purposes under the Charter, its attention must be focused only on those conflicts that were a threat to peace and security. Consequently, in his opinion, the instruments adopted by the Council in resolution [1960 \(2010\)](#) must also be used in that context.<sup>72</sup>

At the 6642nd meeting, on 28 October 2011, following the issuance of the report of the Secretary-General<sup>73</sup> and a concept paper by the Nigerian presidency,<sup>74</sup> the Council continued its consideration of the item, with a focus on the implementation of resolution [1325 \(2000\)](#). The representative of Lebanon stated that, since the adoption of that resolution, awareness of the threat that sexual violence constituted to peace and security had increased but that the benefits of resolution [1325 \(2000\)](#) had yet to reach most women in conflict and fragile settings.<sup>75</sup> The representative of China said that the Council should, in accordance with its Charter mandate, focus its attention on situations that threatened international peace and security and called upon relevant United Nations

<sup>64</sup> *Ibid.*, pp. 21-22.

<sup>65</sup> *Ibid.*, p. 13 (India); p. 14 (United Kingdom); p. 15 (South Africa); p. 16 (Bosnia and Herzegovina and Germany); p. 17 (United States); and p. 18 (Lebanon).

<sup>66</sup> *Ibid.*, p. 13.

<sup>67</sup> [S/PV.6453](#), p. 11 (United Kingdom); p. 20 (Gabon); p. 23 (Austria); p. 29 (Italy); and p. 34 (Finland, on behalf of Denmark, Finland, Iceland, Norway and Sweden); [S/PV.6453 \(Resumption 1\)](#), p. 3 (Portugal); and p. 12 (Chile).

<sup>68</sup> [S/PV.6453](#), p. 34.

<sup>69</sup> *Ibid.*, p. 23.

<sup>70</sup> *Ibid.*, p. 18.

<sup>71</sup> *Ibid.*, p. 29.

<sup>72</sup> *Ibid.*, p. 21.

<sup>73</sup> [S/2011/598](#).

<sup>74</sup> [S/2011/654](#).

<sup>75</sup> [S/PV.6642](#), p. 19.

organs to collaborate while working in their respective spheres of competence.<sup>76</sup> The representative of the Russian Federation remarked that attention should be given only to those situations that represented a threat to international peace and security. Issues of violence, he posited, should be considered in the Council only as they related to themes of maintaining peace and security and in strict relation to those situations that were on the Council's agenda. In his view, "artificially linking" gender issues exclusively to the Council contradicted its mandate and led to imbalances in system-wide coordination.<sup>77</sup>

#### Case 7

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

At the 6347th meeting, on 29 June 2010, following the issuance of a concept paper,<sup>78</sup> the Council met to consider the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security", including a discussion on the role of the International Criminal Court in that regard. Stressing the link between justice and international peace and security, several speakers welcomed the decision by the States parties to the Court to include a definition of the crime of aggression in the Rome Statute, as well as the

<sup>76</sup> Ibid., p. 22.

<sup>77</sup> Ibid.

<sup>78</sup> S/2010/322.

conditions under which the Court could exercise jurisdiction over that crime.<sup>79</sup> In annex I to resolution RC/Res.6 of the Court, adopted in Kampala on 11 June 2010, "act of aggression" was defined as "the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations". The representative of Liechtenstein welcomed the development, noting that, once formally activated, it would give the Council a new policy option to address the most serious forms of the illegal use of force in contravention of the Charter.<sup>80</sup> The representative of South Africa stated that the main issue under consideration in Kampala was the role of the Council regarding the determination of a crime of aggression, with a number of representatives expressing concern about leaving such a determination exclusively in the hands of the Council. While some had advanced legal arguments to support such a view, he noted that there was also an underlying perception that the Council could not faithfully fulfil that mandate and would, for political reasons unrelated to the maintenance of international peace and security, prevent the Court from exercising jurisdiction over that crime.<sup>81</sup>

<sup>79</sup> S/PV.6347, p. 8 (Mexico); p. 11 (Uganda); p. 16 (Brazil); p. 17 (Austria); and p. 24 (Japan); S/PV.6347 (Resumption 1), p. 2 (Denmark); p. 3 (Switzerland); p. 7 (Liechtenstein); p. 9 (Republic of Korea); p. 11 (Argentina); p. 15 (Peru); and p. 17 (South Africa).

<sup>80</sup> S/PV.6347 (Resumption 1), p. 7.

<sup>81</sup> Ibid., p. 17.

## II. Provisional measures to prevent the aggravation of a situation in accordance with Article 40 of the Charter

### Article 40

*In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.*

### Note

Section II covers the practice of the Security Council in relation to Article 40 of the Charter, regarding provisional measures with which the Council called upon the parties to comply in order to prevent an aggravation of the situation.

Article 40 was explicitly referred to in one meeting of the Council: at the 6528th meeting, on 4 May 2011, under the item entitled "The situation in Libya", the representative of Colombia said that the work being carried out by the International Criminal



Court with regard to the situation in Libya was of the utmost importance for ensuring the full and effective implementation of resolution 1970 (2011) and thus deserved full support. He reminded Council members that they were there owing to a decision adopted by the Council under Article 40 of the Charter, which, he stated, was clearly binding in nature vis-à-vis all States Members of the Organization.<sup>82</sup>

### Decisions of the Security Council relating to Article 40

During the period under review, the Council did not adopt any decision explicitly citing Article 40 of the Charter. However, in a number of instances, having determined the existence of a threat to the peace, the Council adopted decisions under Chapter VII of the Charter without expressly referring to Article 40, which may be of relevance to the interpretation and application of Article 40 by the Council (see table 4).

It should be noted that the present section generally does not include demands and calls made by the Council in situations where it had already adopted measures under Article 41 or Article 42 of the Charter. However, it includes cases in which provisional measures were adopted simultaneously with measures under Article 41 or Article 42. For example, on 26 February 2011, the Council, expressing grave concern at the situation in Libya and condemning the

violence and use of force against Libyan civilians, and acting under Chapter VII, adopted resolution 1970 (2011), in which it, inter alia, demanded an immediate end to the violence, urged the Libyan authorities to act with the utmost restraint, respect human rights and international humanitarian law, ensure the safe passage of humanitarian and medical supplies and humanitarian agencies and workers into the country, and immediately lift restrictions on all forms of media.<sup>83</sup> In the same resolution, the Council imposed measures under Article 41 of the Charter, by referring the situation in Libya to the International Criminal Court and imposing an arms embargo against the country and a travel ban and asset freeze against certain individuals, as designated by the Committee established by the Council in the same resolution.<sup>84</sup>

During the period under review, the Council adopted a number of decisions in which it called upon the parties to comply with measures to prevent an aggravation of the situation, including: (a) fulfilment of commitments under a peace agreement; (b) cessation of violence and human rights abuses; (c) prevention of recruitment and use of child soldiers; (d) compliance with obligations under international human rights and humanitarian law; (e) facilitation of evacuations; (f) creation of conditions necessary for the unimpeded delivery of humanitarian assistance; and (g) lifting of restrictions on the media (see table 4).

<sup>82</sup> S/PV.6528, p. 9.

<sup>83</sup> Resolution 1970 (2011), paras. 1-2.

<sup>84</sup> Ibid., paras. 4, 9, 15, 17 and 24.

Table 4

#### Calls upon parties to comply with a measure to prevent an aggravation of the situation

| <i>Type of measure</i>  | <i>Decision and date</i>                   | <i>Provision</i>  |
|---|--|---|
| <b>The situation in Libya</b>   |  |   |
| Cessation of violence and human rights abuses   | Resolution 1970 (2011)<br>26 February 2011 | Demands an immediate end to the violence, and calls for steps to fulfil the legitimate demands of the population (para. 1)  |
| Compliance with obligations under international humanitarian law; facilitation of evacuations; creation of conditions necessary for |  | Urges the Libyan authorities:<br><br>(a) To act with the utmost restraint, respect human rights and international humanitarian law, and allow immediate access for international human rights monitors;<br><br>(b) To ensure the safety of all foreign nationals and their assets and facilitate the departure of those wishing to leave the country; |

| <i>Type of measure</i>  | <i>Decision and date</i> | <i>Provision</i>  |
|---|--------------------------|---|
| the unimpeded delivery of humanitarian assistance; lifting of restrictions on the media |                          | (c) To ensure the safe passage of humanitarian and medical supplies, and humanitarian agencies and workers, into the country; and<br><br>(d) To immediately lift restrictions on all forms of media (para. 2) |

### **Reports of the Secretary-General on the Sudan**

|  |  |   |
|--|--|---|
| Fulfilment of commitments under peace agreement  | Resolution <a href="#">1990 (2011)</a><br>27 June 2011 | Calls upon the Government of the Sudan and the Government of Southern Sudan or its successor urgently to fulfil their commitment under the Comprehensive Peace Agreement <sup>a</sup> to resolve peacefully the final status of Abyei, and calls upon them to consider in good faith proposals that the African Union High-level Implementation Panel on the Sudan shall make to resolve this matter (para. 9)  |
| Creation of conditions necessary for the unimpeded delivery of humanitarian assistance | Resolution <a href="#">1996 (2011)</a><br>8 July 2011  | Calls upon all parties to allow, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need and the delivery of humanitarian assistance, in particular to internally displaced persons and refugees (para. 8)   |
| Cessation of violence and human rights abuses  |  | Demands that all parties, in particular rebel militias and the Lord's Resistance Army, immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, in particular gender-based violence, including rape and other forms of sexual abuse, as well as all violations and abuses against children in violation of applicable international law, such as their recruitment and use, killing and maiming and abduction, with a view to specific and time-bound commitments to combat sexual violence in accordance with resolution <a href="#">1960 (2010)</a> and violence and abuses against children (para. 9) |
| Prevention of recruitment and use of child soldiers                                    |  | Calls upon the Government of the Republic of South Sudan and the Sudan People's Liberation Army to renew the action plan (signed by the United Nations and the Sudan People's Liberation Army on 20 November 2009) to end the recruitment and use of child soldiers that expired in November 2010, and requests the Mission to advise and assist the Government in this regard; and further requests the Secretary-General to strengthen child protection in United Nations system activities in the Republic of South Sudan and ensure continued monitoring and reporting of the situation of children (para. 10)  |
| Compliance with obligations under international human rights and humanitarian law      |  | Calls upon the authorities of the Republic of South Sudan to combat impunity and to hold accountable all perpetrators of human rights and international humanitarian law violations, including those committed by illegal armed groups or elements of the Republic of South Sudan Security Forces (para. 13)  |

| <i>Type of measure</i> | <i>Decision and date</i> | <i>Provision</i>   |
|------------------------|--------------------------|--|
|                        |                          | Calls upon the Government of the Republic of South Sudan to end prolonged, arbitrary detention and to establish a safe, secure and humane prison system through the provision of advice and technical assistance, in cooperation with international partners, and requests the Mission to advise and assist the Government in this regard (para. 14) |

<sup>a</sup> S/2005/78, annex.

### III. Measures not involving the use of armed force in accordance with Article 41 of the Charter

#### Article 41

*The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.*

#### Note

Section III covers decisions of the Security Council not involving the use of force, in accordance with Article 41 of the Charter. During the period under review, the Council imposed new measures under Chapter VII, of the type provided for in Article 41, against Libya and expanded the measures against Eritrea and Iran (Islamic Republic of), while modifying the measures against Côte d'Ivoire, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Iraq, Liberia and the Sudan. The Council also decided to separate the measures imposed against Al-Qaida and associated individuals and entities from those against the Taliban and associated individuals and entities, thereby dividing one sanctions regime into two separate ones. The Council terminated the remaining measures imposed under Article 41 against Sierra Leone. During the two-year period, the Council imposed judicial measures under Article 41 of the Charter by referring the situation in Libya to the International Criminal Court, and the tribunals for

Rwanda, the former Yugoslavia and Lebanon continued to function.

The section is divided into two subsections: subsection A outlines the decisions of the Security Council imposing, modifying or terminating measures under Article 41 of the Charter. It is organized under two main headings, dealing with decisions on thematic issues and country-specific decisions, respectively. Subsection B is also organized under two headings, highlighting the salient issues that were raised in the Council's deliberations in connection with Article 41 of the Charter, either in connection with thematic items or in the context of country-specific items.

#### A. Decisions of the Security Council relating to Article 41

##### Decisions on thematic issues relating to Article 41

During the period under review, the Council adopted several decisions on thematic issues that contained provisions concerning sanctions measures and their implementation (see table 5). Such decisions were taken in relation to the items "Children and armed conflict", "Protection of civilians in armed conflict", "The promotion and strengthening of the rule of law" and "Women and peace and security". In those decisions, the Council, respectively, expressed its readiness to adopt targeted and graduated sanctions measures against persistent perpetrators of violations and abuses against children; reiterated its willingness to respond to situations where civilians, particularly women and children, were being targeted, through consideration of appropriate measures; reiterated the

need for targeted sanctions in support of clear objectives so as to minimize possible adverse consequences; and affirmed its intention, when establishing or renewing sanctions regimes, to consider

targeted measures against parties that committed rape and other forms of sexual violence against women and girls in situations of armed conflict.

Table 5  
Decisions on thematic issues relating to Article 41

| <i>Decision</i>  | <i>Provision</i>  |
|--|---|
| <b>Children and armed conflict</b>                             |   |
| <p><a href="#">S/PRST/2010/10</a><br/>16 June 2010</p>         | <p>The Council expresses deep concern that certain parties persist in committing violations and abuses against children, and expresses its readiness to adopt targeted and graduated measures against persistent perpetrators, taking into account the relevant provisions of its resolutions <a href="#">1539 (2004)</a>, <a href="#">1612 (2005)</a> and <a href="#">1882 (2009)</a>. To this end, the Council invites:</p> <p>(a) Its Working Group on Children and Armed Conflict to exchange pertinent information with relevant sanctions committees, in particular through communication of the relevant recommendations of the Working Group;</p> <p>(b) Its relevant sanctions committees to consider inviting more regularly the Special Representative of the Secretary-General for Children and Armed Conflict to brief them on specific information contained in the reports of the Secretary-General;</p> <p>(c) The Special Representative to share specific information contained in the reports of the Secretary-General with relevant sanctions committee expert groups (tenth paragraph)</p> |
| <p>Resolution <a href="#">1998 (2011)</a><br/>12 July 2011</p> | <p>Expresses deep concern that certain parties persist in committing violations and abuses against children, and expresses its readiness to adopt targeted and graduated measures against persistent perpetrators, taking into account the relevant provisions of resolutions <a href="#">1539 (2004)</a>, <a href="#">1612 (2005)</a> and <a href="#">1882 (2009)</a> (para. 9 (b))</p> <p>Expresses its intention, when establishing, modifying or renewing the mandate of relevant sanctions regimes, to consider including provisions pertaining to parties to armed conflict that engage in activities in violation of applicable international law relating to the rights and protection of children in armed conflict (para. 9 (e))</p> <p><i>Similar provision in presidential statement <a href="#">S/PRST/2010/10</a>, eleventh paragraph</i></p>   |
| <b>Protection of civilians in armed conflict</b>               |   |
| <p><a href="#">S/PRST/2010/25</a><br/>22 November 2010</p>     | <p>The Council remains committed to addressing the impact of armed conflict on civilians, in particular women and children. The Council expresses its deep regret that civilians continue to account for the vast majority of casualties in situations of armed conflict, including as a result of deliberate targeting, indiscriminate or disproportionate attacks and sexual and gender-based violence, as well as other acts that violate applicable international law. The Council demands that all relevant parties immediately put an end to such practices and reaffirms its readiness to adopt appropriate measures (seventh paragraph)</p>   |

### The promotion and strengthening of the rule of law

[S/PRST/2010/11](#)  
29 June 2010

The Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council reiterates the need to ensure that sanctions are carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences and are implemented by Member States. The Council remains committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions. In this context, the Council recalls the adoption of resolutions [1822 \(2008\)](#) and [1904 \(2009\)](#), including the appointment of an Ombudsperson and other procedural improvements in the Al-Qaida and Taliban sanctions regime (tenth paragraph)

### Women and peace and security

Resolution [1960 \(2010\)](#)  
16 December 2010

Encourages the Secretary-General to include in his annual reports submitted pursuant to resolutions [1820 \(2008\)](#) and [1888 \(2009\)](#) detailed information on parties to armed conflict that are credibly suspected of committing or being responsible for acts of rape or other forms of sexual violence, and to list in an annex to these annual reports the parties that are credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the Council agenda; and expresses its intention to use this list as a basis for more focused United Nations engagement with those parties, including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees (para. 3)

Reiterates its intention, when adopting or renewing targeted sanctions in situations of armed conflict, to consider including, where appropriate, designation criteria pertaining to acts of rape and other forms of sexual violence; and calls upon all peacekeeping and other relevant United Nations missions and United Nations entities, in particular the Security Council Working Group on Children and Armed Conflict, the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict, to share with relevant Security Council sanctions committees, including through relevant sanctions committee monitoring groups and groups of experts, all pertinent information about sexual violence (para. 7)

Requests the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence, including rape in situations of armed conflict and in post-conflict and other situations relevant to the implementation of resolution [1888 \(2009\)](#), as appropriate, and taking into account the specificity of each country, that ensure a coherent and coordinated approach at the field level, and encourages the Secretary-General to engage with United Nations actors, national institutions, civil society organizations, health-care service providers and women's groups to enhance data collection and analysis of incidents, trends, and patterns of rape and other forms of sexual violence to assist the consideration by the Council of appropriate actions, including targeted and graduated measures, while respecting fully the integrity and specificity of the monitoring and reporting mechanism implemented under Council resolutions [1612 \(2005\)](#) and [1882 \(2009\)](#) on children and armed conflict (para. 8)

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### Country-specific decisions relating to Article 41

The present subsection covers decisions adopted during the period under review by which the Council imposed, modified, strengthened or terminated sanction regimes in connection with country-specific items. It also touches upon the establishment of any subsidiary bodies of the Council tasked to oversee the implementation of the relevant sanctions measures, namely sanctions committees, monitoring groups and groups or panels of experts.

During 2010 and 2011, the Council authorized sanctions measures in connection with 10 existing country-specific situations<sup>85</sup> and 1 new country-specific situation.<sup>86</sup> Measures previously authorized in

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<sup>85</sup> Somalia and Eritrea, Sierra Leone, Iraq, Liberia, Democratic Republic of the Congo, Côte d'Ivoire, Sudan, Lebanon, Democratic People's Republic of Korea and Islamic Republic of Iran.

<sup>86</sup> Libya.

connection with the situation in Sierra Leone were terminated, while measures authorized in connection with the Taliban and associated individuals and entities were separated from those imposed on Al-Qaida and associated individuals and entities. An overview of all sanctions measures imposed during 2010 and 2011, as well as original mandating resolutions and selected resolutions adopted prior to that period, is provided in table 6.<sup>87</sup>

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<sup>87</sup> To assist the reader in understanding the scope of the mandatory measures contained in the decisions, short descriptions of the measures, such as "arms embargo" or "travel ban or restrictions", have been provided. Such descriptions are provided only as a convenience to readers and do not represent an interpretation of the decisions or serve as legal definitions of measures. The decisions of the Council adopted in connection with sanctions committees or other subsidiary bodies of the Council are described in further detail in part IX of the present Supplement.

**Table 6**  
**Overview of sanctions measures, 2010-2011**

|  | <i>Somalia and Eritrea</i>                         | <i>Sierra Leone<sup>a</sup></i>       | <i>Al-Qaida and associated individuals and entities</i> | <i>Iraq</i>  | <i>Liberia</i>                       | <i>Democratic Republic of the Congo</i> | <i>Côte d'Ivoire</i>                  | <i>Sudan</i>             | <i>Lebanon</i>           | <i>Democratic People's Republic of Korea</i> | <i>Islamic Republic of Iran</i>       | <i>Taliban and associated individuals and entities<sup>b</sup></i> | <i>Libya<sup>c</sup></i> |
|--|--|---------------------------------------|---|--|--------------------------------------|---|---------------------------------------|--------------------------|--------------------------|--|---------------------------------------|--|--------------------------|
| Original resolutions establishing measures, and selected resolutions containing changes to measures and adopted prior to 2010-2011 | 733 (1992); 751 (1992); 1844 (2008); 1907 (2009)   | 1132 (1997); 1171 (1998); 1306 (2000) | 1267 (1999); 1333 (2000); 1390 (2002); 1904 (2009)      | 661 (1990); 687 (1991); 707 (1991); 1483 (2003); 1546 (2004) | 788 (1992); 1521 (2003); 1532 (2004) | 1493 (2003); 1596 (2005); 1856 (2008)   | 1572 (2004); 1643 (2005); 1893 (2009) | 1556 (2004); 1591 (2005) | 1636 (2005); 1701 (2006) | 1718 (2006); 1874 (2009)                     | 1737 (2006); 1747 (2007); 1803 (2008) | 1988 (2011)  | 1970 (2011); 1973 (2011) |
| Resolutions adopted in 2010-2011   | 1916 (2010); 1972 (2011); 2002 (2011); 2023 (2011) | 1940 (2010)                           | 1989 (2011)   | 1956 (2010); 1957 (2010)                                     | 1961 (2010); 2025 (2011)             | 1925 (2010); 1952 (2010); 2021 (2011)   | 1946 (2010); 1975 (2011); 1980 (2011) | 1945 (2010)              | –                        | –  | 1929 (2010)                           | 1988 (2011); 1989 (2011)   | 1970 (2011); 1973 (2011) |
| <b>Sanctions measures</b>  |  |                                       |   |  |                                      |   |                                       |                          |                          |  |                                       |  |                          |
| Arms embargo   | X  |                                       | X   |  | X                                    | X                                       | X                                     | X                        | X                        | X  | X                                     | X  | X                        |
| Asset freeze   | X  |                                       | X   |  | X                                    | X                                       | X                                     | X                        | X                        | X  | X                                     | X  | X                        |
| Border/customs controls  |  |                                       |   |  |                                      | X                                       |                                       |                          |                          |  |                                       |  |                          |
| Cargo inspections  | X (Eritrea)  |                                       |   |  |                                      |   |                                       |                          |                          | X  | X                                     |  | X                        |
| Diamond embargo  |  |                                       |   |  |                                      |   | X                                     |                          |                          |  |                                       |  |                          |
| Diaspora tax ban   | X (Eritrea)  |                                       |   |  |                                      |   |                                       |                          |                          |  |                                       |  |                          |
| Financial services restrictions  |  |                                       |   |  |                                      |   |                                       |                          |                          | X  | X                                     |  |                          |
| Luxury goods embargo   |  |                                       |   |  |                                      |   |                                       |                          |                          | X  |                                       |  |                          |
| Measures on transport and aviation   |  |                                       |   |  |                                      | X                                       |                                       |                          |                          |  |                                       |  | X                        |
| Non-proliferation measures   |  |                                       |   | X  |                                      |   |                                       |                          |                          | X  | X                                     |  |                          |
| Mining sector restrictions   | X (Eritrea)  |                                       |   |  |                                      |   |                                       |                          |                          |  |                                       |  |                          |
| Petroleum embargo  |  |                                       |   | X  |                                      |   |                                       |                          |                          |  |                                       |  |                          |
| Prohibition of bunkering services  |  |                                       |   |  |                                      |   |                                       |                          |                          | X  | X                                     |  |                          |
| Restrictions on ballistic missiles   |  |                                       |   | X  |                                      |   |                                       |                          |                          |  |                                       |  |                          |
| Seizure of arms  | X  |                                       |   |  |                                      | X                                       | X                                     |                          |                          | X  |                                       |  | X                        |
| Travel ban or restrictions   | X  |                                       |   |  | X                                    | X                                       | X                                     | X                        | X                        | X  | X                                     | X  | X                        |

<sup>a</sup> The sanctions measures were terminated pursuant to resolution 1940 (2010) of 29 September 2010.

<sup>b</sup> New measures were imposed pursuant to resolution 1989 (2011) of 17 June 2011.

<sup>c</sup> New measures were imposed pursuant to resolution 1970 (2011) of 26 February 2011.

## Measures imposed against Somalia and Eritrea

### *Background*

In 1992, the Security Council imposed an arms embargo on Somalia and established a committee to oversee the implementation of the embargo. In 2008, by resolution 1844 (2008), the Council expanded the scope of the arms embargo to prohibit the direct or indirect supply to Somalia of technical advice, financial and other assistance and training related to military activities and imposed additional targeted sanctions, including a travel ban and an asset freeze on certain individuals that, inter alia, threatened the peace, security or stability of Somalia, violated the arms embargo or obstructed the delivery of humanitarian assistance to Somalia, as designated by the Committee. Exemptions to the embargo were also granted, including for supplies and technical assistance provided by States for the sole purpose of helping to develop security sector institutions, as well as with respect to efforts to combat piracy off the coast of Somalia.

In its resolution 1907 (2009), the Council expressed its grave concern at the findings that Eritrea had provided political, financial and logistical support to armed groups engaged in undermining peace and reconciliation in Somalia and regional stability. By that resolution, the Council decided to impose a ban on the sale or supply to and from Eritrea of arms and related materiel, technical assistance and training, as well as a targeted asset freeze, travel ban and arms embargo on individuals and entities that, inter alia, violated the arms embargo and/or provided support from Eritrea to armed opposition groups aimed at destabilizing the region, as designated by the Committee.

### *Developments during 2010 and 2011*

During the period under review, the Council made a number of modifications, exemptions and clarifications to the sanctions regime concerning Somalia and Eritrea. By resolutions 1916 (2010) and 1972 (2011), the Council authorized exemptions to the asset freeze imposed by resolution 1844 (2008) for financial resources necessary to ensure the timely delivery of humanitarian assistance to Somalia. While granting the temporary humanitarian exemption, the Council, in its resolution 1916 (2010) and, subsequently,

resolution 1972 (2011), requested the United Nations Resident and Humanitarian Coordinator to submit a periodic report on the implementation of the exemption and on any impediments to the delivery of humanitarian assistance in Somalia. The Council decided to review the effects of the humanitarian exemption to the asset freeze every 120 days based on all available information, including the report. By resolution 2002 (2011), the Council expanded the criteria for designation to include political or military leaders recruiting or using children in armed conflict; and individuals responsible for targeting civilians, including children and women, in situations of armed conflict. The Council also expanded the listing criteria to include those engaging in the misappropriation of financial resources, which undermined the ability of local authorities to deliver services in Somalia, and those individuals and entities engaged in all non-local commerce via Al-Shabaab-controlled ports.

By resolution 2023 (2011), the Council determined that the failure of Eritrea to fully comply with prior resolutions and its actions undermining peace and reconciliation in Somalia and the Horn of Africa region as well as the dispute between Djibouti and Eritrea constituted a threat to international peace and security. The Council expanded the measures against Eritrea to include the Eritrean mining sector and financial services, while also imposing a ban on a “diaspora tax”, prohibiting the use of extortion and other illicit means to collect taxes outside of Eritrea from its nationals or other individuals of Eritrean descent, and modified the cargo restrictions to apply only to cargo bound to or from Eritrea, with no mention of cargo bound to or from Somalia.

During the period under review, the Committee pursuant to resolutions 751 (1992) and 1907 (2009) continued to monitor the measures imposed.<sup>88</sup>

An overview of changes to the measures taken in connection with Somalia and Eritrea during the period under review is provided in table 7, while tables 8 and 9 provide further details on all provisions relating to those measures.

<sup>88</sup> For more information on the Committee, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.



Table 7  
 Changes to the measures taken in connection with Somalia and Eritrea, 2010-2011

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |                    |                    |                    |
|--|--|--|--------------------|--------------------|--------------------|
|  |  | <i>1916 (2010)</i>                           | <i>1972 (2011)</i> | <i>2002 (2011)</i> | <i>2023 (2011)</i> |
| <b>Provisions relating to sanctions measures</b>   |  |  |                    |                    |                    |
| Arms embargo                                       | 733 (1992)                               | Exemption                                    |                    | Modified           | Extended           |
| Assets freeze                                      | 1844 (2008)                              | Modified                                     | Modified           | Modified           |                    |
| Travel ban or restrictions                         | 1844 (2008)                              |  |                    | Modified           |                    |
| <b>Provisions relating to enforcement measures</b> |  |  |                    |                    |                    |
| Ban on diaspora tax                                | 2023 (2011)                              |  |                    |                    | New                |
| Cargo inspections                                  | 1907 (2009)                              |  |                    |                    | Modified           |
| Mining sector restrictions                         | 2023 (2011)                              |  |                    |                    | New                |
| Seizure of arms                                    | 1907 (2009)                              |  |                    |                    | Modified           |

 Table 8  
 Provisions relating to sanctions and enforcement measures

| <i>Decision</i>                                     | <i>Provision</i>  |
|---|---|
| <b>I. Provisions relating to sanctions measures</b> |   |
| <b>Arms embargo</b>                                 |   |
| Resolution 1916 (2010)<br>19 March 2010             | <b>Exemption</b><br>Decides that paragraphs 11 (b) and 12 of resolution 1772 (2007) also apply to supplies and technical assistance by international, regional and subregional organizations (para. 3)  |
| Resolution 2002 (2011)<br>29 July 2011              | Decides that the measures in paragraphs 1, 3 and 7 of resolution 1844 (2008) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee ... (para. 1)  |
| Resolution 2023 (2011)<br>5 December 2011           | Strongly condemning any acts by Eritrea that undermine peace, security and stability in the region, and calling upon all Member States to comply fully with the terms of the arms embargo imposed by paragraph 5 of resolution 733 (1992) of 23 January 1992, as elaborated on and amended by subsequent resolutions (twelfth preambular paragraph) |

*Decision*

*Provision*

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### **Asset freeze**

Resolution [1916 \(2010\)](#)  
19 March 2010

#### **Exemption**

Decides that, for a period of 12 months from the date of the resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations imposed on Member States in paragraph 3 of 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 specialized agencies or programmes, humanitarian organizations having observer status with the General Assembly that provide humanitarian assistance, or their implementing partners, and decides to review the effects of the present paragraph every 120 days based on all available information, including the report of the United Nations Resident and Humanitarian Coordinator for Somalia submitted under paragraph 11 [of the resolution] (para. 5)

Resolution [1972 \(2011\)](#)  
17 March 2011

#### **Exemption**

Decides that, for a period of 16 months from the date of the resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations imposed on Member States in paragraph 3 of 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 specialized agencies or programmes, humanitarian organizations having observer status in the General Assembly that provide humanitarian assistance, or their implementing partners (para. 4)

Resolution [2002 \(2011\)](#)  
29 July 2011

See para. 1 of the resolution, under “Arms embargo” above

#### **Exemption**

Decides that, for a period of 12 months from the date of the resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations placed on Member States in paragraph 3 of 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 specialized agencies or programmes, humanitarian organizations having observer status in the General Assembly that provide humanitarian assistance, and their implementing partners, including bilaterally or multilaterally funded non-governmental organizations participating in the United Nations Consolidated Appeal for Somalia (para. 9)

### **Travel ban**

Resolution [2002 \(2011\)](#)  
29 July 2011

See para. 1 of the resolution, under “Arms embargo” above

## II. Provisions relating to enforcement measures

### Ban on diaspora tax

Resolution [2023 \(2011\)](#)  
5 December 2011

Condemns the use of the “diaspora tax” on the Eritrean diaspora by the Government of Eritrea to destabilize the Horn of Africa region or violate relevant resolutions, including resolutions [1844 \(2008\)](#), [1862 \(2009\)](#) and [1907 \(2009\)](#), including for purposes such as procuring arms and related materiel for transfer to armed opposition groups or providing any services or financial transfers provided directly or indirectly to such groups, as outlined in the findings of the Monitoring Group on Somalia and Eritrea in its report of 18 July 2011 ([S/2011/433](#)), and decides that Eritrea shall cease these practices (para. 10)

Decides that Eritrea shall cease using extortion, threats of violence, fraud and other illicit means to collect taxes outside of Eritrea from its nationals or other individuals of Eritrean descent, decides further that States shall take appropriate measures to hold accountable, consistent with international law, those individuals on their territory who are acting, officially or unofficially, on behalf of the Government of Eritrea or the People’s Front for Democracy and Justice contrary to the prohibitions imposed in the present paragraph and the laws of the States concerned, and calls upon States to take such action as may be appropriate consistent with their domestic law and relevant international instruments, including the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963, to prevent such individuals from facilitating further violations (para. 11)

### Cargo inspections

Resolution [2023 \(2011\)](#)  
5 December 2011

Calls upon all States, in particular States of the region, in order to ensure strict implementation of the arms embargo established by paragraphs 5 and 6 of resolution [1907 \(2009\)](#), to inspect in their territory, including seaports and airports, in accordance with national authorities and legislation and consistent with international law, all cargo bound to or from Eritrea, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 5 or 6 of resolution [1907 \(2009\)](#), and recalls the obligations contained in paragraphs 8 and 9 of resolution [1907 \(2009\)](#) with respect to the discovery of items prohibited by paragraphs 5 or 6 of resolution [1907 \(2009\)](#) and paragraph 5 of resolution [733 \(1992\)](#) as elaborated on and amended by subsequent resolutions (para. 8)

### Mining sector restrictions

Resolution [2023 \(2011\)](#)  
5 December 2011

Decides that States, in order to prevent funds derived from the mining sector of Eritrea contributing to violations of resolutions [1844 \(2008\)](#), [1862 \(2009\)](#), [1907 \(2009\)](#) or [2023 \(2011\)](#), shall take appropriate measures to promote the exercise of vigilance by their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction that are doing business in this sector in Eritrea, including through the issuance of due diligence guidelines, and requests in this regard the Committee, with the assistance of the Monitoring Group, to draft guidelines for the optional use of Member States (para. 13)

Decision

Provision

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Urges all States to introduce due diligence guidelines to prevent the provision of financial services, including insurance or reinsurance, or the transfer to, through or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources if such services, assets or resources, including new investment in the extractives sector, would contribute to violation by Eritrea of relevant resolutions, including resolutions [1844 \(2008\)](#), [1862 \(2009\)](#), [1907 \(2009\)](#) and [2023 \(2011\)](#) (para. 14)

### Reporting on enforcement

Resolution [1916 \(2010\)](#)  
19 March 2010

Requests the United Nations Resident and Humanitarian Coordinator for Somalia to report to the Council every 120 days on the implementation of paragraphs 4 and 5 [of the resolution] and on any impediments to the delivery of humanitarian assistance in Somalia, and requests relevant United Nations agencies and humanitarian organizations having observer status in the General Assembly that provide humanitarian assistance to assist the Coordinator in the preparation of such report by providing information relevant to paragraphs 4 and 5 [of the resolution] (para. 11)

Resolution [1972 \(2011\)](#)  
17 March 2011

Requests the Emergency Relief Coordinator to report to the Security Council by 15 November 2011 and again by 15 July 2012 on the implementation of paragraphs 3 and 4 [of the resolution] and on any impediments to the delivery of humanitarian assistance in Somalia, and requests relevant United Nations agencies and humanitarian organizations having observer status in the General Assembly that provide humanitarian assistance to assist the United Nations Resident and Humanitarian Coordinator for Somalia in the preparation of such report by providing information relevant to paragraphs 3 and 4 [of the resolution] (para. 5)

Resolution [2023 \(2011\)](#)  
5 December 2011

Expresses concern at the potential use of the Eritrean mining sector as a financial source to destabilize the Horn of Africa region, as outlined in the final report of the Monitoring Group ([S/2011/433](#)), and calls upon Eritrea to show transparency in its public finances, including through cooperation with the Monitoring Group, in order to demonstrate that the proceeds of these mining activities are not being used to violate relevant resolutions, including resolutions [1844 \(2008\)](#), [1862 \(2009\)](#), [1907 \(2009\)](#) and [2023 \(2011\)](#) (para. 12)

Calls upon all States to report to the Council within 120 days on steps taken to implement the provisions of the present resolution (para. 15)

Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Monitoring Group, including by supplying any information at their disposal on the implementation of the measures decided in resolutions [1844 \(2008\)](#), [1907 \(2009\)](#) and [2023 \(2011\)](#), in particular incidents of non-compliance (para. 17)

### Seizure of arms

Resolution [2023 \(2011\)](#)  
5 December 2011

See para. 8 of the resolution, under “Cargo inspections” above

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Table 9  
Other provisions relating to measures under Article 41

| <i>Decision</i>  | <i>Provision</i>  |
|--|---|
| <b>Criteria for listing</b>                                    |   |
| <p><a href="#">S/PRST/2011/13</a><br/>24 June 2011</p>         | <p>The Council reiterates the primary responsibility of Somalis to achieve peace, security and reconciliation in Somalia. It recalls that targeted measures can be imposed on those that engage in or provide support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement or the political process or threaten the transitional federal institutions or the African Union Mission in Somalia by force, violate the arms embargo or obstruct the delivery of or access to humanitarian assistance in Somalia (fifth paragraph)</p>   |
| <p>Resolution <a href="#">2002 (2011)</a><br/>29 July 2011</p> | <p>Decides that the measures in paragraphs 1, 3 and 7 of resolution <a href="#">1844 (2008)</a> shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee:</p> <ul style="list-style-type: none"> <li>(a) As engaging in or providing support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement of 19 August 2008 or the political process, or threaten the transitional federal institutions or the African Union Mission in Somalia by force;</li> <li>(b) As having acted in violation of the general and complete arms embargo reaffirmed in paragraph 6 of resolution <a href="#">1844 (2008)</a>;</li> <li>(c) As obstructing the delivery of humanitarian assistance to Somalia, or access to or distribution of humanitarian assistance in Somalia;</li> <li>(d) As being political or military leaders recruiting or using children in armed conflicts in Somalia in violation of applicable international law;</li> <li>(e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians, including children and women, in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement (para. 1)</li> </ul> <p>Considers that acts under paragraph 1 (a) above may include, but are not limited to, the misappropriation of financial resources, which undermines the ability of the transitional federal institutions to fulfil their obligations in delivering services within the framework of the Djibouti Agreement (para. 2)</p> <p>Considers also that all non-local commerce via Al-Shabaab-controlled ports, that constitutes financial support for a designated entity, poses a threat to the peace, stability and security of Somalia, and thereby individuals and entities engaged in such commerce may be designated by the Committee and made subject to the targeted measures established by resolution <a href="#">1844 (2008)</a> (para. 3)</p> |

Decision

Provision

### Intention to consider imposing measures under Article 41

Resolution [1976 \(2011\)](#)  
11 April 2011

Underlines the need to investigate and prosecute those who illicitly finance, plan, organize or unlawfully profit from pirate attacks off the coast of Somalia, recognizing that individuals and entities who incite or intentionally facilitate an act of piracy are themselves engaging in piracy as defined under international law, and expresses its intention to keep under review the possibility of applying targeted sanctions against such individuals and entities if they meet the listing criteria set out in paragraph 8 of resolution [1844 \(2008\)](#) of 20 November 2008 (para. 15)

Resolution [2023 \(2011\)](#)  
5 December 2011

Taking note of the decision of the Assembly of Heads of State and Government of the African Union, held in January 2010, and the communiqué of the meeting of the African Union Peace and Security Council held on 8 January 2010 welcoming the adoption by the United Nations Security Council on 23 December 2009 of resolution [1907 \(2009\)](#), which imposes sanctions on Eritrea for, among other things, providing political, financial and logistical support to armed groups engaged in undermining peace and reconciliation in Somalia and regional stability; stressing the need to pursue vigorously the effective implementation of resolution [1907 \(2009\)](#), and expressing its intention to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in paragraph 15 of resolution [1907 \(2009\)](#) and paragraph 8 of resolution [1844 \(2008\)](#) (ninth preambular paragraph)

Expresses its intention to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in paragraph 15 of resolution [1907 \(2009\)](#) and paragraph 1 of resolution [2002 \(2011\)](#), and requests the Security Council Committee pursuant to resolutions [751 \(1992\)](#) and [1907 \(2009\)](#) to review, as a matter of urgency, listing proposals from Member States (para. 9)

### Intention to review sanctions

Resolution [1916 \(2010\)](#)  
19 March 2010

Reiterates its intention to consider specific action to improve implementation of and compliance with measures imposed by resolutions [733 \(1992\)](#), [1844 \(2008\)](#) and [1907 \(2009\)](#) (para. 2)

Resolution [2023 \(2011\)](#)  
5 December 2011

Affirms that it shall keep the actions of Eritrea under continuous review and that it shall be prepared to adjust the measures, including through their strengthening, modification or lifting, in the light of compliance by Eritrea with the provisions of resolutions [1844 \(2008\)](#), [1862 \(2009\)](#), [1907 \(2009\)](#) and [2023 \(2011\)](#) (para. 18)

### Intention to strengthen sanctions

Resolution [2002 \(2011\)](#)  
29 July 2011

Reiterating its condemnation in the strongest terms of all acts of violence, abuses and violations, including sexual and gender-based violence, committed against civilians, including children, in violation of applicable international law, stressing that the perpetrators must be brought to justice, recalling all its relevant resolutions on women and peace and security, on children and armed conflict and on the protection of civilians in armed conflict, and considering, therefore, that the existing designation criteria for targeted measures under resolution [1844 \(2008\)](#) need to be reaffirmed and further strengthened (twelfth preambular paragraph)

| <i>Decision</i>   | <i>Provision</i>   |
|---|--|
|   | Demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, underlines its grave concern at the worsening humanitarian situation in Somalia, urges all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and expresses its readiness to apply targeted sanctions against such individuals and entities if they meet the listing criteria set out in paragraph 1 (c) [of the resolution] (para. 5) |
| Resolution <a href="#">2023 (2011)</a><br>5 December 2011 | Notes the withdrawal by Eritrea of its forces following the stationing of Qatari observers in the disputed areas along the border with Djibouti, calls upon Eritrea to engage constructively with Djibouti to resolve the border dispute, and reaffirms its intention to take further targeted measures against those who obstruct the implementation of resolution <a href="#">1862 (2009)</a> (para. 5)  |

### Measures imposed against Sierra Leone

#### *Background*

The Security Council, by its resolution [1132 \(1997\)](#), imposed sanctions measures on Sierra Leone in 1997, authorizing an arms embargo and a petroleum embargo, as well as a travel ban against members of the military junta. In 1998, by resolution [1171 \(1998\)](#), the earlier measures were terminated and a targeted arms embargo and a travel ban were imposed on non-governmental forces in Sierra Leone and leading members of the former military junta and of the Revolutionary United Front. By resolution [1306 \(2000\)](#), the Council prohibited the direct or indirect import of rough diamonds from Sierra Leone. By resolution [1793](#)

[\(2007\)](#), the Council authorized exemption to the travel ban for any witnesses whose presence was required at trials before the Special Court for Sierra Leone.

#### *Developments during 2010 and 2011*

By resolution [1940 \(2010\)](#) of 29 September 2010, the Council decided to terminate the measures imposed in paragraphs 2, 4 and 5 of resolution [1171 \(1998\)](#) and to dissolve the Committee established pursuant to resolution [1132 \(1997\)](#) concerning Sierra Leone.

An overview of changes to the measures taken in connection with Sierra Leone during the period under review is provided in table 10.

Table 10

### Provisions relating to sanctions measures

| <i>Decision</i>   | <i>Provision</i>   |
|---|--|
| <b>Arms embargo</b>   |  |
| Resolution <a href="#">1940 (2010)</a><br>29 September 2010 | Decides to terminate, with immediate effect, the measures set forth in paragraphs 2, 4 and 5 of resolution <a href="#">1171 (1998)</a> (para. 1) |
| <b>Travel ban or restrictions</b>                           |  |
| Resolution <a href="#">1940 (2010)</a><br>29 September 2010 | See para. 1 of the resolution, under “Arms embargo” above  |

## Measures imposed against Al-Qaida and associated individuals and entities

### Background

In 1999, the Security Council adopted resolution [1267 \(1999\)](#), in which it imposed an asset freeze and other targeted measures on designated individuals, entities and aircraft that were owned, controlled, leased or operated by the Taliban. The measures were modified by a number of subsequent resolutions, most notably resolutions [1333 \(2000\)](#) and [1390 \(2002\)](#), to include an arms embargo (including technical advice and training), an asset freeze and a travel ban on designated individuals and entities associated with Osama bin Laden, members of Al-Qaida and the Taliban and other individuals, groups, undertakings and entities associated with them, wherever they were located. By resolution [1617 \(2005\)](#), the Council provided criteria to define the acts or activities indicating that an individual, group, undertaking, or entity was “associated with” Al-Qaida, Osama bin Laden or the Taliban. In 2009, the Council made a number of changes to the procedures of the Committee established pursuant to resolution [1267 \(1999\)](#), designed to enhance due process and encourage greater transparency in the listing of individuals and entities. In that regard, the Council, by resolution [1904 \(2009\)](#), established an Office of the Ombudsperson to assist with delisting requests.

### Developments during 2010 and 2011

By resolution [1989 \(2011\)](#), the Council decided to separate the Al-Qaida and Taliban sanctions regime,

focusing exclusively on Al-Qaida and associated individuals and entities.<sup>89</sup> The Council also decided to extend for a duration of 18 months the asset freeze, the travel ban and the arms embargo against those individuals and entities associated with Al-Qaida, wherever located, as designated by the Committee. The Council reaffirmed the acts and activities indicating that an individual, group, undertaking or entity was “associated with” Al-Qaida. On 3 June 2010, the Secretary-General appointed the Ombudsperson pursuant to resolution [1904 \(2009\)](#) (see [S/2010/282](#)).

During the period under review, the Committee pursuant to resolutions [1267 \(1999\)](#) and [1989 \(2011\)](#) continued to oversee implementation of the measures imposed, while the newly appointed Ombudsperson began to present delisting requests to the Committee.<sup>90</sup>

An overview of changes to the measures taken in connection with Al-Qaida and associated individuals and entities during the period is provided in table 11, while tables 12 and 13 provide further details on all provisions relating to those measures.

<sup>89</sup> A separate Committee was established pursuant to resolution [1988 \(2011\)](#) to maintain a list of individuals, groups, undertakings and entities associated with the Taliban. For more information, see the section with regard to the measures imposed against the Taliban and associated individuals and entities below.

<sup>90</sup> For more information on the Committee and the Ombudsperson, see part IX.

Table 11

### Changes to the measures taken in connection with Al-Qaida and associated individuals and entities, 2010-2011

|  | Resolutions establishing measures | Resolutions adopted during the period |
|--|-----------------------------------|---------------------------------------|
|  |                                   | <a href="#">1989 (2011)</a>           |
| <b>Provisions relating to sanctions measures</b> |                                   |                                       |
| Arms embargo                                     | <a href="#">1333 (2000)</a>       | Modified                              |
| Asset freeze                                     | <a href="#">1333 (2000)</a>       | Modified                              |
| Travel ban or restrictions                       | <a href="#">1333 (2000)</a>       | Modified                              |



Table 12  
Provisions relating to sanctions and enforcement measures

| <i>Decision</i>                                     | <i>Provision</i>   |
|---|--|
| <b>I. Provisions relating to sanctions measures</b> |  |
| <b>Arms embargo</b>                                 |  |
| Resolution 1989 (2011)<br>17 June 2011              | <p>Decides that all States shall take the following measures ... with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with it ...:</p> <p>...</p> <p>(c) Prevent the direct or indirect supply, sale or transfer to those individuals, groups, undertakings and entities, from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities (para. 1)</p>   |
| <b>Asset freeze</b>                                 |  |
| Resolution 1989 (2011)<br>17 June 2011              | <p>Decides that all States shall take the following measures ... with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with it ...:</p> <p>(a) Freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons, by their nationals or by persons within their territories (para. 1)</p> <p>Confirms that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida and other individuals, groups, undertakings or entities associated with it (para. 6)</p> <p>Notes that such means of financing or support include but are not limited to the use of proceeds derived from crime, including the illicit cultivation and production of and trafficking in narcotic drugs and their precursors (para. 7)</p> <p>Confirms that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida Sanctions List (para. 8)</p> |

| <i>Decision</i>                        | <i>Provision</i>   |
|--|--|
|  | <p><b>Exemption</b></p> <p>Decides that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 [of the resolution] of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 [of the resolution] and are frozen (para. 9)</p> <p><b>Exemption</b></p> <p>Encourages Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and directs the Committee to review the procedures for exemptions as set out in the Committee guidelines to facilitate their use by Member States and to continue to ensure that exemptions are granted expeditiously and transparently (para. 10)</p>   |
| <b>Travel ban or restrictions</b>      |  |
| Resolution 1989 (2011)<br>17 June 2011 | <p>Decides that all States shall take the following measures ... with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with it ...:</p> <p>(b) Prevent the entry into or transit through their territories of those individuals ... (para. 1)</p> <p><b>Exemption</b></p> <p>Decides that all States shall take the following measures ... with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with it ...:</p> <p>(b) Prevent the entry into or transit through their territories of those individuals, provided that nothing in the present paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that the present paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified (para. 1)</p> |

Table 13

**Other provisions relating to measures under Article 41**

| <i>Decision</i>                        | <i>Provision</i>   |
|--|--|
| <b>Criteria for listing</b>            |  |
| Resolution 1989 (2011)<br>17 June 2011 | <p>Reaffirms that acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida include:</p> <p>(a) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;</p> <p>(b) Supplying, selling or transferring arms and related materiel to;</p> |

(c) Recruiting for; or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof (para. 4)

Also reaffirms that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida shall be eligible for designation (para. 5)

### Intention to review sanctions

Resolution 1989 (2011)  
17 June 2011

Decides to review the measures described in paragraph 1 [of the resolution] with a view to their possible further strengthening in 18 months, or sooner if necessary (para. 59)

### Measures imposed against Iraq

#### Background

By resolution 660 (1990), the Security Council condemned the Iraqi invasion of Kuwait and determined that such action constituted a breach of international peace and security and, consequently, in resolutions 661 (1990), 687 (1991) and 707 (1991), imposed comprehensive arms, trade and financial embargoes against Iraq. Those measures were modified and expanded in resolutions 1483 (2003) and 1546 (2004) to include a targeted arms embargo; an asset freeze on designated individuals, as well as an asset transfer to the Development Fund for Iraq, applying to senior officials of the former Iraqi regime; an embargo on chemical and biological weapons; non-proliferation measures requiring that Iraq halt all nuclear activities of any kind, except for use of isotopes for medical, agricultural or industrial purposes; a petroleum embargo requiring that the proceeds of all sales of petroleum be put into the Development Fund for Iraq with 5 per cent going to the Compensation Fund for Kuwait; and restrictions on certain ballistic missiles. By resolution 1518 (2003), the Council established a Committee to continue to identify pursuant to resolution 1483 (2003) individuals and entities whose funds, other financial assets and economic resources

should be frozen and transferred to the Development Fund for Iraq.<sup>91</sup>

#### Developments during 2010 and 2011

During 2010 and 2011, the Council made a number of significant changes to the sanctions regime imposed against Iraq. By resolution 1956 (2010), the Council terminated the Development Fund for Iraq and all arrangements for depositing into the Fund proceeds from export sales of petroleum, petroleum products and natural gas. In its resolution 1957 (2010), the Council welcomed the progress that Iraq had made in supporting the international non-proliferation regime and in complying with disarmament treaties and other relevant international instruments and decided to terminate the weapons of mass destruction, missile and civil nuclear-related measures imposed by resolutions 687 (1991) and 707 (1991).

During the period under review, the Committee established pursuant to resolution 1518 (2003) continued to oversee the measures imposed.

An overview of changes to the measures taken in connection with Iraq during the period is provided in table 14, while table 15 provides further details on all provisions relating to those measures.

<sup>91</sup> For more information on the Committee, see part IX. Until 2003, the sanctions measures were overseen by the Committee established pursuant to resolution 661 (1990).

Table 14  
Changes to the measures taken in connection with Iraq, 2010-2011

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |                    |
|--|--|--|--------------------|
|  |  | <i>1956 (2010)</i>                           | <i>1957 (2010)</i> |
| <b>Provisions relating to sanctions measures</b> |  |  |                    |
| Non-proliferation measures                       | 687 (1991)                               |  | Terminated         |
|  | 707 (1991)                               |  |                    |
| Petroleum embargo                                | 1483 (2003)                              | Terminated                                   |                    |
| Restrictions on ballistic missiles               | 687 (1991)                               |  | Terminated         |

Table 15  
Provisions relating to sanctions and enforcement measures

| <i>Decision</i> | <i>Provision</i> |
|-----------------|------------------|
|-----------------|------------------|

**I. Provisions relating to sanctions measures**

**Non-proliferation measures**

Resolution 1957 (2010)  
15 December 2010

Decides to terminate the weapons of mass destruction, missile and civil nuclear-related measures imposed by paragraphs 8, 9, 10, 12 and 13 of resolution 687 (1991) of 3 April 1991 and paragraph 3 (f) of resolution 707 (1991) of 15 August 1991 and as reaffirmed in subsequent relevant resolutions (para. 1)

**Petroleum embargo**

Resolution 1956 (2010)  
15 December 2010

Decides to terminate, on 30 June 2011, the arrangements established in paragraph 20 of resolution 1483 (2003) for depositing into the Development Fund for Iraq proceeds from export sales of petroleum, petroleum products and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) of 8 June 2004 for the monitoring of the Development Fund by the International Advisory and Monitoring Board, and further decides that, subject to the exception provided for in paragraph 27 of resolution 1546 (2004), the provisions of paragraph 22 of resolution 1483 (2003) shall continue to apply until that date, including with respect to funds and financial assets and economic resources described in paragraph 23 of that resolution (para. 1)

Decides that, after 30 June 2011, the requirement established in paragraph 20 of resolution 1483 (2003) that all proceeds from export sales of petroleum, petroleum products and natural gas from Iraq be deposited into the Development Fund for Iraq shall no longer apply, affirms that the requirement established in paragraph 21 of resolution 1483 (2003) that 5 per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas shall be deposited into the United Nations Compensation Fund, established in accordance with resolution 687 (1991) of 3 April 1991 and subsequent resolutions shall continue to apply, and further decides that 5 per cent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers shall be deposited into the Compensation Fund and that, unless the

| <i>Decision</i> | <i>Provision</i>   |
|-----------------|--|
|                 | Government of Iraq and the Governing Council of the United Nations Compensation Commission, in the exercise of its authority over methods of ensuring that payments are made into the Compensation Fund, decide otherwise, the above requirements shall be binding on the Government of Iraq (para. 3) |

**Restrictions on ballistic missiles**

|  |   |
|--|---|
| Resolution <a href="#">1957 (2010)</a><br>15 December 2010 | See para. 1 of the resolution, under “Non-proliferation measures” above |
|--|---|

**Measures imposed against Liberia**

*Background*

Previous sanctions measures against Liberia were imposed by the Security Council in resolutions [788 \(1992\)](#) and [1343 \(2001\)](#). In 2003, in response to the changed circumstances in Liberia, the Council decided, by resolution [1521 \(2003\)](#), to establish a new Committee to oversee the measures as modified and re-imposed by the same resolution. Those measures included an arms embargo, a travel ban and an embargo on the import of rough diamonds and round logs and timber products originating from Liberia. By resolution [1532 \(2004\)](#), the Council decided to impose an asset freeze on former President of Liberia Charles Taylor, his wife and son and other individuals designated by the Committee. No expiration date for those particular measures was provided in that resolution or any subsequent resolutions. By resolutions [1689 \(2006\)](#) and [1753 \(2007\)](#), the Council terminated the measures prohibiting the import of round logs and timber products from Liberia and the measures on diamonds, respectively. The arms embargo, asset freeze and travel ban were subsequently renewed by a number of resolutions. By resolution

[1903 \(2009\)](#), the Council decided that the arms embargo would no longer apply to the Government of Liberia but would continue to apply to all non-governmental entities and individuals operating in the territory of Liberia.

*Developments during 2010 and 2011*

During the period under review, the Council, by resolutions [1961 \(2010\)](#) and [2025 \(2011\)](#), extended the arms embargo and travel ban for a period of 12 months and recalled that the asset freeze, which had been established for an open-ended period, remained in force.

During the period, the Committee established pursuant to resolution [1521 \(2003\)](#) and a Panel of Experts continued to monitor the measures imposed.<sup>92</sup>

An overview of changes to the measures taken in connection with Liberia during the period is provided in table 16, while tables 17 and 18 provide further details on all provisions relating to those measures.

<sup>92</sup> For more information on these bodies, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

Table 16

**Changes to the measures taken in connection with Liberia, 2010-2011**

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |                    |
|--|--|--|--------------------|
|  |  | <i>1961 (2010)</i>                           | <i>2025 (2011)</i> |
| <b>Provisions relating to sanctions measures</b> |  |  |                    |
| Arms embargo                                     | <a href="#">788 (1992)</a>               | Extended                                     | Extended           |
| Asset freeze                                     | <a href="#">1532 (2004)</a>              | Extended                                     | Extended           |
| Travel ban                                       | <a href="#">1521 (2003)</a>              | Extended                                     | Extended           |

Table 17  
Provisions relating to sanctions measures

| <i>Decision</i>  | <i>Provision</i>   |
|--|--|
| <b>Arms embargo</b>  |  |
| Resolution <a href="#">1961 (2010)</a><br>17 December 2010 | Decides to renew for a period of 12 months from the date of adoption of the resolution the measures on arms, previously imposed by paragraph 2 of resolution <a href="#">1521 (2003)</a> and modified by paragraphs 1 and 2 of resolution <a href="#">1683 (2006)</a> of 13 June 2006, by paragraph 1 (b) of resolution <a href="#">1731 (2006)</a> of 20 December 2006 and by paragraphs 3 to 6 of resolution <a href="#">1903 (2009)</a> (para. 3)   |
| Resolution <a href="#">2025 (2011)</a><br>14 December 2011 | Decides, for a period of 12 months from the date of adoption of the resolution:<br>...<br>(b) To renew the measures on arms, previously imposed by paragraph 2 of resolution <a href="#">1521 (2003)</a> and modified by paragraphs 1 and 2 of resolution <a href="#">1683 (2006)</a> of 13 June 2006, by paragraph 1 (b) of resolution <a href="#">1731 (2006)</a> of 20 December 2006, by paragraphs 3 to 6 of resolution <a href="#">1903 (2009)</a> of 17 December 2009 and by paragraph 3 of resolution <a href="#">1961 (2010)</a> of 17 December 2010 (para. 2) |
| <b>Asset freeze</b>  |  |
| Resolution <a href="#">1961 (2010)</a><br>17 December 2010 | Recalls that the measures imposed by paragraph 1 of resolution <a href="#">1532 (2004)</a> remain in force, notes with serious concern the lack of progress with regard to the implementation of the financial measures imposed by paragraph 1 of resolution <a href="#">1532 (2004)</a> , and demands that the Government of Liberia make all necessary efforts to fulfil its obligations (para. 2)<br><br><i>Similar provision in resolution <a href="#">2025 (2011)</a>, para. 1</i>  |
| <b>Travel ban or restrictions</b>                          |  |
| Resolution <a href="#">1961 (2010)</a><br>17 December 2010 | Decides to renew the measures on travel imposed by paragraph 4 of resolution <a href="#">1521 (2003)</a> for a period of 12 months from the date of adoption of the resolution (para. 1)<br><br><i>Same provision in resolution <a href="#">2025 (2011)</a>, para. 2 (a)</i>   |

Table 18  
Other provisions relating to measures under Article 41

| <i>Decision</i>                            | <i>Provision</i>  |
|--|---|
| <b>Intention to review sanctions</b>       |   |
| Resolution 1961 (2010)<br>17 December 2010 | <p>Reconfirms its intention to review the measures imposed by paragraph 1 of resolution 1532 (2004) at least once a year, and directs the Security Council Committee established pursuant to resolution 1521 (2003), in coordination with the Government of Liberia and relevant designating States and with the assistance of the Panel of Experts on Liberia, to update, as necessary, the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the Committee's guidelines (para. 4)</p> <p>Decides to review any of the above measures at the request of the Government of Liberia, once the Government reports to the Council that the conditions set out in resolution 1521 (2003) for terminating the measures have been met and provides the Council with information to justify its assessment (para. 5)</p> <p><i>Same provision in resolution 2025 (2011), para. 3</i></p> |
| Resolution 2025 (2011)<br>14 December 2011 | <p>Decides, for a period of 12 months from the date of adoption of the resolution:</p> <p>(c) To review the measures in the present paragraph and in paragraph 1 above in the light of the progress achieved in the stabilization throughout the country and the holding of presidential and parliamentary elections, with a view to possibly modifying or lifting all or part of the measures of the sanctions regime, and decides that such a review shall be carried out at the end of the above-mentioned 12-month period, with a midterm review no later than 30 April 2012 (para. 2)</p>  |

**Measures imposed against the Democratic Republic of the Congo**

*Background*

By resolution 1493 (2003), the Security Council first imposed sanctions measures against the Democratic Republic of the Congo, namely an arms embargo on all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and of Ituri. The measures imposed against the Democratic Republic of the Congo were renewed and their scope expanded by a number of subsequent resolutions. By resolution 1533 (2004), the Council established a Committee to oversee the measures imposed and authorized the United Nations Organization Mission in the Democratic Republic of the Congo to carry out cargo inspections and to seize or collect the arms and any related materiel whose presence in the country violated the arms embargo and to dispose of them as appropriate. By resolution 1596

(2005), the Council, inter alia, imposed a travel ban and an asset freeze on individuals and entities designated by the Committee, as well as measures on transport and aviation and border/customs controls. By resolution 1698 (2006), the Council extended the scope of the travel ban and asset freeze to include political and military leaders recruiting or using children in armed conflict in violation of applicable international law and individuals committing serious violations of international law involving the targeting of children in situations of armed conflict.

By resolution 1807 (2008), the Council decided that the arms embargo would no longer apply to the Government of the Democratic Republic of the Congo but would continue to apply to all non-governmental entities and individuals operating in the territory of the Democratic Republic of the Congo. By the same resolution, the Council made a number of adjustments to the listing criteria of the asset freeze and travel ban to include, inter alia, individuals operating in the

Democratic Republic of the Congo and committing serious violations of international law involving the targeting of children or women in situations of armed conflict and political and military leaders of foreign armed groups operating in the Democratic Republic of the Congo who impede the disarmament and the voluntary repatriation or resettlement of combatants belonging to those groups. The Council also decided to renew the transport and aviation measures and customs controls on the borders with neighbouring states. By resolution 1857 (2008), the Council decided to expand the listing criteria for the asset freeze and travel ban to also apply to individuals obstructing access to or the distribution of humanitarian assistance and to individuals or entities supporting the illegal armed groups in the eastern part of the country through illicit trade in natural resources.

*Developments during 2010 and 2011*

During the period under review, by resolutions 1952 (2010) and 2021 (2011), the Council extended the arms embargo, asset freeze, travel ban and measures on

transport and aviation and expanded the corresponding listing criteria as set out in resolution 1857 (2008). By resolution 1925 (2010), the Council also authorized the newly named United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to seize or collect any arms or related materiel whose presence in the country violated the terms of the arms embargo and to dispose of them as appropriate. During the period, the Committee established pursuant to resolution 1533 (2004) and a Group of Experts continued to monitor the measures imposed.<sup>93</sup>

An overview of changes to the measures taken in connection with the Democratic Republic of the Congo during the period is provided in table 19, while tables 20 and 21 provide further details on all provisions relating to those measures.

<sup>93</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

Table 19

**Changes to the measures taken in connection with the Democratic Republic of the Congo, 2010-2011**

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |                    |                    |
|--|--|--|--------------------|--------------------|
|  |  | <i>1925 (2010)</i>                           | <i>1952 (2010)</i> | <i>2021 (2011)</i> |
| <b>Provisions relating to sanctions measures</b>   |  |  |                    |                    |
| Arms embargo                                       | 1493 (2003)                              |  | Extended           | Extended           |
| Asset freeze                                       | 1596 (2005)                              |  | Extended           | Extended           |
| Border/customs controls                            | 1596 (2005)                              |  | Extended           | Extended           |
| Measures on transport and aviation                 | 1596 (2005)                              |  | Extended           | Extended           |
| Travel ban   | 1596 (2005)                              |  | Extended           | Extended           |
| <b>Provisions relating to enforcement measures</b> |  |  |                    |                    |
| Seizure of arms                                    | 1533 (2004)                              | Extended                                     |                    |                    |



Table 20  
Provisions relating to sanctions and enforcement measures

| <i>Decision</i>  | <i>Provision</i>  |
|--|---|
| <b>I. Provisions relating to sanctions measures</b>    |   |
| <b>Arms embargo</b>                                    |   |
| Resolution 1952 (2010)<br>29 November 2010             | Decides to renew until 30 November 2011 the measures on arms imposed by paragraph 1 of resolution 1807 (2008), and reaffirms the provisions of paragraphs 2, 3 and 5 of that resolution (para. 1)<br><br><i>Same provision in resolution 2021 (2011), para. 1</i>   |
| <b>Asset freeze</b>                                    |   |
| Resolution 1952 (2010)<br>29 November 2010             | Decides further to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 9 and 11 of resolution 1807 (2008), and reaffirms the provisions of paragraphs 10 and 12 of that resolution regarding the individuals and entities referred to in paragraph 4 of resolution 1857 (2008) (para. 3)<br><br><i>Same provision in resolution 2021 (2011), para. 3</i>  |
| <b>Border/customs controls</b>                         |   |
| Resolution 1952 (2010)<br>29 November 2010             | Decides also to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6 and 8 of resolution 1807 (2008), and reaffirms the provisions of paragraph 7 of that resolution (para. 2)<br><br><i>Same provision in resolution 2021 (2011), para. 2</i>   |
| <b>Measures on transport and aviation</b>              |   |
| Resolution 1952 (2010)<br>29 November 2010             | See para. 2 of the resolution, under “Border/customs controls” above  |
| <b>Travel ban or restrictions</b>                      |   |
| Resolution 1952 (2010)<br>29 November 2010             | See para. 3 of the resolution, under “Asset freeze” above   |
| <b>II. Provisions relating to enforcement measures</b> |   |
| <b>Seizure of arms</b>                                 |   |
| Resolution 1925 (2010)<br>28 May 2010                  | Decides that the Mission shall have the following mandate in this order of priority:<br><br>...<br><br>(t) To monitor the implementation of the measures imposed by paragraph 1 of resolution 1896 (2009), in cooperation, as appropriate, with the Governments concerned and with the Group of Experts on the Democratic Republic of the Congo established pursuant to resolution 1533 (2004) of 12 March 2004, seize or collect any arms or related materiel whose presence in the Democratic Republic of the Congo violates the measures imposed by paragraph 1 of resolution 1896 (2009) and dispose of them as appropriate, and provide assistance to the competent customs authorities of the Democratic Republic of the Congo in implementing the provisions of paragraph 9 of resolution 1896 (2009) (para. 12) |

Table 21  
Other provisions relating to measures under Article 41

| <i>Decision</i>  | <i>Provision</i>   |
|--|--|
| <b>Criteria for listing</b>                                |  |
| Resolution <a href="#">2021 (2011)</a><br>29 November 2011 | Encourages all States to submit to the Committee for inclusion on its list of designees, individuals or entities that meet the criteria set out in paragraph 4 of resolution <a href="#">1857 (2008)</a> , as well as any entities owned or controlled, directly or indirectly, by the submitted individuals or entities or individuals or entities acting on behalf of or at the direction of the submitted entities (para. 20)   |
| <b>Intention to review sanctions</b>                       |  |
| Resolution <a href="#">1952 (2010)</a><br>29 November 2010 | Decides that, when appropriate and no later than 30 November 2011, it shall review the measures set forth in the resolution, with a view to adjusting them, as appropriate, in the light of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups (para. 22) |
|  | <i>Same provision in resolution <a href="#">2021 (2011)</a>, para. 21</i>  |

### Measures imposed against Côte d'Ivoire

#### *Background*

By resolution [1572 \(2004\)](#) of 15 November 2004, the Security Council imposed an arms embargo, as well as an asset freeze and travel ban on certain individuals who, inter alia, threatened the national reconciliation process in Côte d'Ivoire. The Council established a Committee to oversee the measures imposed. By resolution [1739 \(2007\)](#), the Council mandated that the United Nations Operation in Côte d'Ivoire (UNOCI) monitor the arms embargo and collect and dispose of any arms imported in violation of the embargo.

By resolution [1643 \(2005\)](#), the Council imposed an embargo on all rough diamonds originating from Côte d'Ivoire. It decided that any obstacle to the freedom of movement of UNOCI, the French forces and the High Representative for the elections or the International Working Group constituted a threat to the national reconciliation process for the purposes of the asset freeze and travel ban. By resolution [1842 \(2008\)](#), the Council decided that any threat to the electoral process in Côte d'Ivoire constituted a threat to the national reconciliation process for the purposes of the asset freeze and travel ban.

#### *Developments during 2010 and 2011*

During the period under review, the Council, by resolutions [1946 \(2010\)](#) and [1980 \(2011\)](#), extended the arms embargo, asset freeze, travel ban and diamond embargo until 30 April 2011 and 31 April 2012, respectively. By resolution [1946 \(2010\)](#), the Council provided an exemption to the arms embargo for supplies of non-lethal equipment intended solely to enable the Ivorian security forces to maintain public order. By resolution [1980 \(2011\)](#), the Council decided that the supply of vehicles to the Ivorian security forces would be subject to the arms embargo and further detailed exemption provisions. In resolution [1975 \(2011\)](#), the Council decided that certain individuals listed in the annex to the resolution would be subject to the asset freeze and travel ban and reaffirmed its intention to consider further measures, including targeted sanctions, against media actors who met the relevant sanctions criteria, including by publicly inciting hatred and violence.

During the period, the Committee established pursuant to resolution [1572 \(2004\)](#) and a Group of Experts continued to monitor the measures imposed.<sup>94</sup>

<sup>94</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

An overview of changes to the measures taken in connection with Côte d'Ivoire during the period is provided in table 22, while tables 23 and 24 provide further details on all provisions relating to those measures.

Table 22  
Changes to the measures taken in connection with Côte d'Ivoire, 2010-2011

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |                    |                    |
|--|--|--|--------------------|--------------------|
|  |  | <i>1946 (2010)</i>                           | <i>1975 (2011)</i> | <i>1980 (2011)</i> |
| <b>Provisions relating to sanctions measures</b>   |  |  |                    |                    |
| Arms embargo                                       | 1572 (2004)                              | Extended                                     |                    | Extended           |
| Asset freeze                                       | 1572 (2004)                              | Extended                                     | Modified           | Extended           |
| Diamond embargo                                    | 1643 (2005)                              | Extended                                     |                    | Extended           |
| Travel ban   | 1572 (2004)                              | Extended                                     | Modified           | Extended           |
| <b>Provisions relating to enforcement measures</b> |  |  |                    |                    |
| Seizure of arms                                    | 1739 (2007)                              |  |                    | Extended           |

Table 23  
Provisions relating to sanctions and enforcement measures

| <i>Decision</i>                                     | <i>Provision</i>   |
|---|--|
| <b>I. Provisions relating to sanctions measures</b> |  |
| <b>Arms embargo</b>                                 |  |
| Resolution 1946 (2010)<br>15 October 2010           | Decides to renew until 30 April 2011 the measures on arms and the financial and travel measures imposed by paragraphs 7 to 12 of resolution 1572 (2004) and the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643 (2005) (para. 1)   |
| Resolution 1946 (2010)<br>15 October 2010           | <b>Exemption</b><br>Decides, in line with paragraph 27 of resolution 1933 (2010) and in addition to the provisions of paragraph 8 of resolution 1572 (2004), that the arms embargo shall not apply to the supplies of non-lethal equipment intended solely to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, as approved in advance by the Security Council Committee established pursuant to resolution 1572 (2004) (para. 5) |
| Resolution 1980 (2011)<br>28 April 2011             | Decides to renew until 30 April 2012 the measures on arms and the financial and travel measures imposed by paragraphs 7 to 12 of resolution 1572 (2004), paragraph 5 of resolution 1946 (2010) and paragraph 12 of resolution 1975 (2011), and further decides to renew until 30 April 2012 the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643 (2005) (para. 1)   |

---

Decision

Provision

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Decides that the supply of vehicles to the Ivorian security forces shall be subject to the measures imposed by paragraph 7 of resolution [1572 \(2004\)](#) (para. 8)

Decides also that the exemption procedure set out in paragraph 8 (e) of resolution [1572 \(2004\)](#) shall apply only to arms and related materiel, vehicles and the provision of technical training and assistance in support of the Ivorian process of security sector reform, pursuant to a formal request by the Government of Côte d'Ivoire and approved in advance by the Security Council Committee established pursuant to resolution [1572 \(2004\)](#) (para. 9)

### Asset freeze

Resolution [1946 \(2010\)](#)  
15 October 2010

See para. 1 of the resolution, under “Arms embargo” above

Resolution [1975 \(2011\)](#)  
30 March 2011

Decides to adopt targeted sanctions against those individuals who meet the criteria set out in resolution [1572 \(2004\)](#) and subsequent resolutions, including those individuals who obstruct peace and reconciliation in Côte d'Ivoire, obstruct the work of the United Nations Operation in Côte d'Ivoire (UNOCI) and other international actors in Côte d'Ivoire and commit serious violations of human rights and international humanitarian law, and decides, therefore, that the individuals listed in the annex to the resolution shall be subject to the financial and travel measures imposed by paragraphs 9 and 11 of resolution [1572 \(2004\)](#), and reaffirms its intention to consider further measures, as appropriate, including targeted sanctions against media actors who meet the relevant sanctions criteria, including by publicly inciting hatred and violence (para. 12)

Resolution [1980 \(2011\)](#)  
28 April 2011

See para. 1 of the resolution, under “Arms embargo” above

### Diamond embargo

Resolution [1946 \(2010\)](#)  
15 October 2010

See para. 1 of the resolution, under “Arms embargo” above

### Exemption

Requests the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution [1893 \(2009\)](#) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 14)

*Same provision in resolution [1980 \(2011\)](#), para. 18*

Resolution [1980 \(2011\)](#)  
28 April 2011

See para. 1 of the resolution, under “Arms embargo” above

*Decision*

*Provision*

---

### Travel ban or restrictions

- Resolution [1946 \(2010\)](#)  
15 October 2010      See para. 1 of the resolution, under “Arms embargo” above
- Resolution [1975 \(2011\)](#)  
30 March 2011      See para. 12 of the resolution, under “Asset freeze” above
- Resolution [1980 \(2011\)](#)  
28 April 2011      See para. 1 of the resolution, under “Arms embargo” above

## II. Provisions relating to enforcement measures

### Reporting on enforcement

- Resolution [1946 \(2010\)](#)  
15 October 2010      Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d’Ivoire (para. 13)
- Same provision in resolution [1980 \(2011\)](#), para. 17*
- Urges all States, relevant United Nations bodies and other organizations and interested parties to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution [1572 \(2004\)](#) and paragraph 6 of resolution [1643 \(2005\)](#) and reiterated in paragraph 1 [of the resolution]; and further requests the Group of Experts to coordinate its activities, as appropriate, with all actors involved to promote the political process in Côte d’Ivoire (para. 15)
- Similar provision in resolution [1980 \(2011\)](#), para. 21*

### Seizure of arms

- Resolution [1980 \(2011\)](#)  
28 April 2011      Recalls that UNOCI is mandated, within the monitoring of the arms embargo, to collect, as appropriate, arms and any related materiel brought into Côte d’Ivoire in violation of the measures imposed by paragraph 7 of resolution [1572 \(2004\)](#), and to dispose of such arms and related materiel as appropriate (para. 5)
- Resolution [2000 \(2011\)](#)  
27 July 2011      Decides that UNOCI shall have the following mandate:
- (c) Monitoring of the arms embargo
    - To monitor the implementation of the measures imposed by paragraph 7 of resolution [1572 \(2004\)](#) of 15 November 2004, in cooperation with the Group of Experts on Côte d’Ivoire established pursuant to resolution [1584 \(2005\)](#) of 1 February 2005, including by inspecting, as they deem it necessary and when appropriate without notice, all weapons, ammunition and related materiel regardless of location, consistent with resolution [1980 \(2011\)](#);
    - To collect, as appropriate, arms and any related materiel brought into Côte d’Ivoire in violation of the measures imposed by paragraph 7 of resolution [1572 \(2004\)](#), and to dispose of such arms and related materiel as appropriate (para. 7)
-

Table 24

**Other provisions relating to measures under Article 41**

| <i>Decision</i>   | <i>Provision</i>   |
|---|--|
| <b>Conditions for termination or review</b>               |  |
| Resolution <a href="#">1946 (2010)</a><br>15 October 2010 | Decides also to review the measures renewed in paragraph 1 [of the resolution] in the light of the progress achieved in the electoral process and in the implementation of the key steps of the peace process, as referred to in resolution <a href="#">1933 (2010)</a> , by the end of the period mentioned in paragraph 1 [of the resolution], and decides further to carry out during the period mentioned in paragraph 1 [of the resolution] a review of the measures renewed in paragraph 1 [of the resolution] no later than three months after the holding of open, free, fair and transparent presidential elections in accordance with international standards, with a view to possibly modifying, lifting or maintaining the sanctions regime, in accordance with progress in the peace process (para. 2)  |
| Resolution <a href="#">1980 (2011)</a><br>28 April 2011   | Decides also to review the measures renewed in paragraph 1 [of the resolution] in the light of the progress achieved in the stabilization throughout the country, the holding of the parliamentary elections and the implementation of the key steps of the peace process, as referred to in resolution <a href="#">1933 (2010)</a> , by the end of the period mentioned in paragraph 1 [of the resolution], and decides further to carry out a midterm review of the measures renewed in paragraph 1 [of the resolution] no later than 31 October 2011, with a view to possibly modifying, lifting or maintaining, ahead of 30 April 2012, all or part of the measures of the sanctions regime, in accordance with progress in the peace process, the developments related to human rights violations and the developments related to the parliamentary elections (para. 2)   |
| <b>Criteria for listing</b>                               |  |
| Resolution <a href="#">1946 (2010)</a><br>15 October 2010 | Underlines that it is fully prepared to impose targeted measures against persons to be designated by the Committee in accordance with paragraphs 9, 11 and 14 of resolution <a href="#">1572 (2004)</a> who are determined to be, among other things: <ul style="list-style-type: none"> <li>(a) A threat to the peace and national reconciliation process in Côte d'Ivoire, in particular by blocking the implementation of the peace process, as referred to in the Ouagadougou Political Agreement;</li> <li>(b) Attacking or obstructing the action of UNOCI, the French forces supporting it, the Special Representative of the Secretary-General for Côte d'Ivoire, the Facilitator, or his Special Representative in Côte d'Ivoire;</li> <li>(c) Responsible for obstacles to the freedom of movement of UNOCI and the French forces supporting it;</li> <li>(d) Responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire;</li> <li>(e) Publicly inciting hatred and violence;</li> <li>(f) Acting in violation of the measures imposed by paragraph 7 of resolution <a href="#">1572 (2004)</a> (para. 6)</li> </ul> <p><i>Similar provision in resolution <a href="#">1980 (2011)</a>, para. 10</i></p> |

*Decision*

*Provision*

Resolution [1975 \(2011\)](#)  
30 March 2011

Decides to adopt targeted sanctions against those individuals who meet the criteria set out in resolution [1572 \(2004\)](#) and subsequent resolutions, including those individuals who obstruct peace and reconciliation in Côte d'Ivoire, obstruct the work of UNOCI and other international actors in Côte d'Ivoire and commit serious violations of human rights and international humanitarian law, and decides, therefore, that the individuals listed in the annex to the resolution shall be subject to the financial and travel measures imposed by paragraphs 9 and 11 of resolution [1572 \(2004\)](#), and reaffirms its intention to consider further measures, as appropriate, including targeted sanctions against media actors who meet the relevant sanctions criteria, including by publicly inciting hatred and violence (para. 12)

**Intention to consider imposing measures under Article 41**

Resolution [1911 \(2010\)](#)  
28 January 2010

Recalls that it is fully prepared to impose targeted measures pursuant to paragraph 20 of resolution [1893 \(2009\)](#), including against persons who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire, and recalls further that, pursuant to paragraph 6 of the above-mentioned resolution, any threat to the electoral process in Côte d'Ivoire, in particular any attack on or obstruction of the action of the Independent Electoral Commission in charge of the organization of the elections or the actions of the operators mentioned in paragraphs 1.3.3 and 2.1.1 of the Ouagadougou Political Agreement ([S/2007/144](#), annex) shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution [1572 \(2004\)](#) of 15 November 2004 (para. 11)

Resolution [1933 \(2010\)](#)  
30 June 2010

Urges every Ivorian to refrain from any call for hatred, intolerance and violence, notes with interest that in his report of 20 May 2010 the Secretary-General encouraged the Security Council to impose targeted sanctions against media actors who fan political tension and incite violence, and reiterates that it is fully prepared to impose targeted measures pursuant to paragraphs 6 and 20 of resolution [1893 \(2009\)](#), including against persons who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire or to be publicly inciting hatred and violence (para. 10)

Resolution [1946 \(2010\)](#)  
15 October 2010

See para. 6 of the resolution, under "Criteria for listing" above

Notes with concern the media monitoring reports of UNOCI and the media outlets referenced therein for inciting violence and a resumption of internal conflict, and stresses that it remains ready to impose sanctions against those who obstruct the electoral process, specifically the action of the Independent Electoral Commission and all other operators involved, and the proclamation and certification of the results of the presidential and parliamentary elections (para. 7)

Resolution [1962 \(2010\)](#)  
20 December 2010

Reaffirms its readiness to impose measures, including targeted sanctions, against persons who, among other things, threaten the peace process and national reconciliation, including by seeking to undermine the outcome of the electoral process, obstruct the work of UNOCI and other international actors and commit serious violations of human rights and international humanitarian law, as set out in resolution [1946 \(2010\)](#) (para. 16)

| <i>Decision</i>   | <i>Provision</i>   |
|---|--|
| Resolution <a href="#">1967 (2011)</a><br>19 January 2011 | Reiterates its readiness to impose measures, including targeted sanctions against those who obstruct the work of UNOCI, as underlined in resolution <a href="#">1946 (2010)</a> and <a href="#">1962 (2010)</a> (para. 11)   |
| Resolution <a href="#">1975 (2011)</a><br>30 March 2011   | See para. 12 of the resolution, under “Criteria for listing” above   |
| Resolution <a href="#">1980 (2011)</a><br>28 April 2011   | Reiterates its readiness to impose sanctions against those who obstruct the electoral process, specifically the action of the Independent Electoral Commission and all other operators involved, and the proclamation and certification of the results of the parliamentary elections (para. 11) |
| <b>Intention to review sanctions</b>                      |  |
| Resolution <a href="#">1946 (2010)</a><br>15 October 2010 | See para. 2 of the resolution, under “Conditions for termination or review” above  |
| Resolution <a href="#">1980 (2011)</a><br>28 April 2011   | See para. 2 of the resolution, under “Conditions for termination or review” above  |

### **Measures imposed against the Sudan**

#### *Background*

In 2004, in the light of developments in the region of Darfur, Sudan, the Council, by resolution [1556 \(2004\)](#), imposed an arms embargo on all non-governmental entities and individuals operating in Darfur, including the Janjaweed. Those measures were modified and strengthened in resolution [1591 \(2005\)](#), by which the Council expanded the arms embargo to all the parties to the N’djama Ceasefire Agreement and all other belligerents in the region. By the same resolution, the Council imposed an asset freeze and a travel ban on individuals who were identified as impeding the peace process, constituting a threat to stability in Darfur and the region, committing violations of international humanitarian or human rights law or other atrocities, violating the arms embargo, or responsible for offensive military overflights. Also by that resolution, the Council established a Committee to monitor the implementation of the measures imposed.

#### *Developments during 2010 and 2011*

By resolution [1945 \(2010\)](#), the Council strengthened the enforcement of the arms embargo by requiring all States to ensure that any sale or supply of arms and related materiel to the Sudan not prohibited under the embargo were made conditional upon the necessary end user documentation. The resolution also restricted and clarified the exceptions to the arms embargo for assistance and supplies provided in support of implementation of the Comprehensive Peace Agreement and for movements of military equipment and supplies into the Darfur region.

During the period, the Committee established pursuant to resolution [1591 \(2005\)](#) and a Panel of Experts continued to monitor the measures imposed.<sup>95</sup>

An overview of changes to the measures taken in connection with the Sudan during the period is provided in table 25, while tables 26 and 27 provide further details on all provisions relating to those measures.

<sup>95</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.



Table 25  
Changes to the measures taken in connection with the Sudan, 2010-2011

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |
|--|--|--|
|  |  | <i>1945 (2010)</i>                           |
| <b>Provisions relating to sanctions measures</b>   |  |  |
| Arms embargo                                       | 1556 (2004)                              | Modified                                     |
| Asset freeze                                       | 1591 (2005)                              | Extended                                     |
| Travel ban or restrictions                         | 1591 (2005)                              | Extended                                     |
| <b>Provisions relating to enforcement measures</b> |  |  |
| Reporting on enforcement                           | 1945 (2010)                              | New  |

Table 26  
Provisions relating to sanctions and enforcement measures

| <i>Decision</i> | <i>Provision</i> |
|-----------------|------------------|
|-----------------|------------------|

**I. Provisions relating to sanctions measures**

**Arms embargo**

Resolution 1945 (2010)  
14 October 2010

Reminds all States, particularly States in the region, of the obligations contained in resolutions 1556 (2004) and 1591 (2005), in particular those obligations relating to arms and related materiel (para. 7)

**Exemption**

Reiterates paragraph 7 of resolution 1591 (2005), which provides for exceptions to the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004) for:

- (a) Supplies and related technical assistance listed in paragraph 9 of resolution 1556 (2004);
- (b) Assistance and supplies provided in support of implementation of the Comprehensive Peace Agreement (S/2005/78, annex); or
- (c) Movements of military equipment and supplies into the Darfur region that are approved in advance by the Committee upon a request by the Government of the Sudan (para. 8)

Decides that all States, including the Sudan, when relying on the exception contained in paragraph 7 of resolution 1591 (2005), shall notify the Committee in advance of providing assistance and supplies into the Darfur region in support of the implementation of the Comprehensive Peace Agreement in the states of Northern Darfur, Southern Darfur and Western Darfur (para. 9)

| <i>Decision</i> | <i>Provision</i>   |
|-----------------|--|
|                 | Decides also that all States shall ensure that any sale or supply of arms and related materiel to the Sudan not prohibited by resolutions <a href="#">1556 (2004)</a> and <a href="#">1591 (2005)</a> are made conditional upon the necessary end-user documentation so that States may ascertain that any such sale or supply is conducted consistent with the measures imposed by those resolutions (para. 10) |

### Asset freeze

|   |   |
|---|---|
| Resolution <a href="#">1945 (2010)</a><br>14 October 2010 | See para. 7 of the resolution, under “Arms embargo” above |
|---|---|

### Travel ban or restrictions

|   |   |
|---|---|
| Resolution <a href="#">1945 (2010)</a><br>14 October 2010 | See para. 7 of the resolution, under “Arms embargo” above |
|---|---|

## II. Provisions relating to enforcement measures

### Reporting on enforcement

|   |   |
|---|---|
| Resolution <a href="#">1945 (2010)</a><br>14 October 2010 | Urges all States, in particular those in the region, to report to the Committee on the actions they have taken to implement the measures imposed by resolutions <a href="#">1556 (2004)</a> and <a href="#">1591 (2005)</a> , including the imposition of targeted measures (para. 6) |
|---|---|

Table 27

### Other provisions relating to measures under Article 41

| <i>Decision</i>   | <i>Provision</i>  |
|---|---|
| <b>Intention to review sanctions</b>                      |   |
| Resolution <a href="#">1945 (2010)</a><br>14 October 2010 | Expresses its intention, following the midterm report, to review the state of implementation, including obstacles to full and effective implementation of the measures imposed in resolution <a href="#">1591 (2005)</a> , with a view to ensuring full compliance (para. 11) |

### Measures imposed against Lebanon

#### *Background*

By resolution [1636 \(2005\)](#) of 31 October 2005, the Council imposed targeted sanctions, namely an asset freeze and travel restrictions, against individuals designated by the International Independent Investigation Commission or the Government of Lebanon as suspected of involvement in the terrorist bombing in Beirut on 14 February 2005 that killed the former Prime Minister of Lebanon, Rafiq Hariri, and 22 others. A Committee established pursuant to resolution [1636 \(2005\)](#) was tasked with registering individuals and supporting the implementation of the

sanctions measures.<sup>96</sup> By the same resolution, the Council decided that the Committee and any measures still in force would terminate when the Committee reported to the Security Council that all investigative and judicial proceedings relating to the terrorist attack of 14 February 2005 had been completed, unless otherwise decided by the Council.

In the context of the hostilities in Lebanon and Israel, by resolution [1701 \(2006\)](#) of 11 August 2006, the Council imposed an arms embargo, including a ban

<sup>96</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

on training, on individuals or entities in Lebanon, unless authorized by the Government or the United Nations Interim Force in Lebanon.

*Developments during 2010 and 2011*

The Council made no modifications to the regime during the period. As at the end of 2011, no individuals had been designated and registered by the Committee.

**Measures imposed against the Democratic People's Republic of Korea**

*Background*

By resolution 1718 (2006), the Security Council, condemning the nuclear test proclaimed by the Democratic People's Republic of Korea on 9 October 2006 and deciding that the Democratic People's Republic of Korea should abandon all nuclear weapons and existing nuclear programmes, decided to impose targeted sanctions relating to the country. The measures included an embargo on battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems, an embargo on the sale, transfer and supply of luxury goods and an embargo on material and equipment related to nuclear programmes. The Council also imposed travel restrictions and an asset freeze on individuals associated with the country's nuclear and missile programmes and called upon Member States to cooperate in allowing inspection of cargo to and from the country. By the same resolution, the Council established a Committee to oversee the implementation of the measures imposed.

By resolution 1718 (2006), the Security Council condemned the nuclear test conducted by the Democratic People's Republic of Korea on 25 May 2009 in violation of resolutions 1695 (2006) and 1718 (2006). The Council decided to impose additional measures, including an expansion of the arms embargo and financial measures related thereto, as well as a ban on the provision of financial services, the transfer of financial assets or resources or public financial support for trade with the Democratic People's Republic of Korea that could contribute to that country's nuclear and missile programmes. The Council also called for the inspection of cargo to and from the Democratic Republic of Korea and authorized, under specific circumstances, the seizure and disposal of prohibited items. It imposed a ban on the provision of bunkering

services and other servicing of vessels of the Democratic People's Republic of Korea.

By the same resolution, the Council requested the Secretary-General to create a Panel of Experts.

*Developments during 2010 and 2011*

During 2010 and 2011, the sanctions regime against the Democratic People's Republic of Korea continued to remain in force but did not undergo any modifications. The Committee established pursuant to resolution 1718 (2006) and the Panel of Experts established pursuant to resolution 1874 (2009) continued to monitor the measures imposed.<sup>97</sup>

**Measures imposed against the Islamic Republic of Iran**

*Background*

On 29 March 2006, the Security Council noted with serious concern the decision by the Islamic Republic of Iran to resume enrichment-related activities and called upon the country to take the steps which were essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions.<sup>98</sup> After the Islamic Republic of Iran failed to heed the Council's call, the Council, by resolutions 1737 (2006) and 1747 (2007), imposed non-proliferation measures, including an embargo on materials, equipment, goods and technology which could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems, with exemptions, an export ban on all arms and related materiel from the Islamic Republic of Iran, and an assets freeze and a travel notification requirement on designated individuals. By resolution 1737 (2006), the Council established a Committee to oversee the implementation of the measures imposed and to designate individuals subject to the targeted measures.<sup>99</sup> In resolution 1747 (2007), the Council called upon all States to exercise vigilance and restraint in the supply, sale or transfer of the seven

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<sup>97</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

<sup>98</sup> S/PRST/2006/15.

<sup>99</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

categories of heavy weapons as defined for the purpose of the United Nations Register on Conventional Arms to the Islamic Republic of Iran.

By resolution 1803 (2008), the Council broadened the scope of the non-proliferation measures to include dual-use items, with exceptions, introduced a travel ban on designated individuals and expanded the lists of persons and entities subject to the asset freeze and travel notification requirements. The Council called upon all States to inspect the cargoes to and from the Islamic Republic of Iran of aircraft and vessels owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided that there were reasonable grounds to believe that they were transporting prohibited items. The Council also called upon all States to exercise vigilance in granting export credits for the purpose of trade with the Islamic Republic of Iran and over the activities of financial institutions with all banks domiciled in that country.

*Developments during 2010 and 2011*

By resolution 1929 (2010), the Council sought to strengthen and build upon the measures contained in resolutions 1737 (2006), 1747 (2007) and 1803 (2008), with a view to persuading the Islamic Republic of Iran to comply with its Security Council obligations. It authorized a further expansion of the non-proliferation measures and decided for the first time to impose an embargo not only on the export of arms from the Islamic Republic of Iran but also on the supply to the country of the seven categories of conventional weapons as defined for the purposes of the United Nations Register of Conventional Arms and related services. The Council called upon States to inspect all cargo to and from the Islamic Republic of Iran, if there

were reasonable grounds to believe that it contained prohibited items, and further authorized the seizure and disposal of prohibited items identified during such inspection. The Council further expanded restrictions on financial and shipping enterprises concerning proliferation-sensitive nuclear activities, calling upon States to exercise vigilance when conducting business with Iranian entities. Under specified circumstances, the Council introduced a ban on the provision of bunkering services and other servicing of Iranian vessels. The Council affirmed that it would suspend implementation of the measures if and for so long as the Islamic Republic of Iran suspended all enrichment-related and reprocessing activities. In the event that the report of the International Atomic Energy Agency showed that the Islamic Republic of Iran had not complied with the resolutions, the Council affirmed that it would adopt further appropriate measures under Article 41 of the Charter to persuade the Islamic Republic of Iran to comply.

During the period, the Committee established pursuant to resolution 1737 (2006) continued to oversee the implementation of the measures imposed. By resolution 1929 (2010), the Council requested the Secretary-General to create a Panel of Experts to assist the Committee in carrying out its mandate.<sup>100</sup>

An overview of changes to the measures taken in connection with the Islamic Republic of Iran during the period is provided in table 28, while tables 29 and 30 provide further details on all provisions relating to those measures.

<sup>100</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

Table 28

**Changes to the measures taken in connection with the Islamic Republic of Iran, 2010-2011**

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |
|--|--|--|
|  |  | <i>1929 (2010)</i>                           |
| <b>Provisions relating to sanctions measures</b> |  |  |
| Arms embargo                                     | 1747 (2007)                              | Modified                                     |
| Asset freeze                                     | 1737 (2006)                              | Modified                                     |
| Cargo inspections                                | 1803 (2008)                              | Modified                                     |

|  | <i>Resolutions establishing measures</i> | <i>Resolutions adopted during the period</i> |
|--|--|--|
|  |  | <i>1929 (2010)</i>                           |
| Financial services restrictions                    | 1737 (2006)                              | Modified                                     |
| Non-proliferation measures                         | 1737 (2006)                              | Modified                                     |
| Prohibition of bunkering services                  | 1929 (2010)                              | New  |
| Travel ban or restrictions                         | 1737 (2006)                              | Extended                                     |
| <b>Provisions relating to enforcement measures</b> |  |  |
| Reporting on enforcement                           | 1737 (2006)                              | Modified                                     |

Table 29

**Provisions relating to sanctions and enforcement measures**

| <i>Decision</i> | <i>Provision</i> |
|-----------------|------------------|
|-----------------|------------------|

**I. Provisions relating to sanctions measures**

**Arms embargo**

Resolution [1929 \(2010\)](#)  
9 June 2010

Decides also that all States shall prevent the direct or indirect supply, sale or transfer to the Islamic Republic of Iran, from or through their territories or by their nationals or individuals subject to their jurisdiction, or using their flag vessels or aircraft, and whether or not originating in their territories, of any battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms (see General Assembly resolution [46/36 L](#)), or related materiel, including spare parts, or items as determined by the Security Council or the Security Council Committee established pursuant to resolution [1737 \(2006\)](#) (“the Committee”), decides further that all States shall prevent the provision to the Islamic Republic of Iran by their nationals or from or through their territories of technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, provision, manufacture, maintenance or use of such arms and related materiel, and in this context calls upon all States to exercise vigilance and restraint over the supply, sale, transfer, provision, manufacture and use of all other arms and related materiel (para. 8)

Decides to authorize all States to, and that all States shall, seize and dispose of (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items, the supply, sale, transfer or export of which is prohibited by paragraphs 3, 4 or 7 of resolution [1737 \(2006\)](#), paragraph 5 of resolution [1747 \(2007\)](#), paragraph 8 of resolution [1803 \(2008\)](#) or paragraph 8 or 9 of resolution [1929 \(2010\)](#), in a manner that is not inconsistent with their obligations under applicable Council resolutions, including resolution [1540 \(2004\)](#), as well as any obligations of parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and decides further that all States shall cooperate in such efforts (para. 16)

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Decision

Provision

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### Asset freeze

Resolution 1929 (2010)  
9 June 2010

Decides also that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall apply also to the individuals and entities listed in annex I to resolution 1929 (2010) and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and to any individuals and entities determined by the Council or the Committee to have assisted designated individuals or entities in evading sanctions of, or in violating the provisions of, resolutions 1737 (2006), 1747 (2007), 1803 (2008) or 1929 (2010) (para. 11)

Decides further that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall apply also to the Islamic Revolutionary Guard Corps (also known as “Army of the Guardians of the Islamic Revolution”) individuals and entities specified in annex II to the resolution 1929 (2010), and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and calls upon all States to exercise vigilance over those transactions involving the Islamic Revolutionary Guard Corps that could contribute to the Islamic Republic of Iran’s proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems (para. 12)

Decides also that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall also apply to the entities of the Islamic Republic of Iran Shipping Lines as specified in annex III to the resolution 1929 (2010) and to any person or entity acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, or determined by the Council or the Committee to have assisted them in evading the sanctions of, or in violating the provisions of, resolution 1737 (2006), 1747 (2007), 1803 (2008) or 1929 (2010) (para. 19)

Calls upon all States, in addition to implementing their obligations pursuant to resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010), to prevent the provision of financial services, including insurance or reinsurance, or the transfer to, through or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources if they have information that provides reasonable grounds to believe that such services, assets or resources could contribute to the Islamic Republic of Iran’s proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are related to such programmes or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation (para. 21)

### Financial services restrictions

Resolution [1929 \(2010\)](#)  
9 June 2010

See para. 21 of the resolution, under “Asset freeze” above

Decides that all States shall require their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction to exercise vigilance when doing business with entities incorporated in the Islamic Republic of Iran or subject to the Islamic Republic of Iran’s jurisdiction, including those of the Islamic Revolutionary Guard Corps and the Islamic Republic of Iran Shipping Lines, and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them, including through illicit means, if they have information that provides reasonable grounds to believe that such business could contribute to the Islamic Republic of Iran’s proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems or to violations of resolutions [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#) or [1929 \(2010\)](#) (para. 22)

Calls upon States to take appropriate measures that prohibit in their territories the opening of new branches, subsidiaries or representative offices of Iranian banks, and also that prohibit Iranian banks from establishing new joint ventures, taking an ownership interest in or establishing or maintaining correspondent relationships with banks in their jurisdiction to prevent the provision of financial services if they have information that provides reasonable grounds to believe that these activities could contribute to the Islamic Republic of Iran’s proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems (para. 23)

Also calls upon States to take appropriate measures that prohibit financial institutions within their territories or under their jurisdiction from opening representative offices or subsidiaries or banking accounts in the Islamic Republic of Iran if they have information that provides reasonable grounds to believe that such financial services could contribute to the Islamic Republic of Iran’s proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems (para. 24)

### Non-proliferation measures

Resolution [1929 \(2010\)](#)  
9 June 2010

Decides that the Islamic Republic of Iran shall not acquire an interest in any commercial activity in another State involving uranium mining, production or use of nuclear materials and technology as listed in INFCIRC/254/Rev.9/Part 1, in particular uranium-enrichment and reprocessing activities, all heavy-water activities or technology related to ballistic missiles capable of delivering nuclear weapons, and further decides that all States shall prohibit such investment in territories under their jurisdiction by the Islamic Republic of Iran, its nationals and entities incorporated in the Islamic Republic of Iran or subject to its jurisdiction, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them (para. 7)

Decides further that the Islamic Republic of Iran shall not undertake any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using ballistic missile technology, and that States shall take all measures necessary to prevent the transfer of technology or technical assistance to the Islamic Republic of Iran related to such activities (para. 9)

Decision

Provision

Decides that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution 1737 (2006), the list of items in document S/2006/814 shall be superseded by the list of items in INFCIRC/254/Rev.9/Part 1 and INFCIRC/254/Rev.7/Part 2, and any further items if the State determines that they could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems, and further decides that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution 1737 (2006), the list of items contained in document S/2006/815 shall be superseded by the list of items contained in document S/2010/263 (para. 13)

See para. 16 of the resolution, under “Arms embargo” above

See para. 22 of the resolution, under “Financial services restrictions” above

### Prohibition of bunkering services

Resolution 1929 (2010)  
9 June 2010

Decides that all States shall prohibit the provision by their nationals or from their territory of bunkering services, such as the provision of fuel or supplies, or other servicing of vessels, to Iranian-owned or Iranian-contracted vessels, including chartered vessels, if they have information that provides reasonable grounds to believe that they are carrying items, the supply, sale, transfer or export of which is prohibited by paragraphs 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraph 8 or 9 of resolution 1929 (2010), unless the provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and underlines that the present paragraph is not intended to affect legal economic activities (para. 18)

### Travel ban or restrictions

Resolution 1929 (2010)  
9 June 2010

Decides that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in the annex to resolution 1737 (2006), annex I to resolution 1747 (2007), annex I to resolution 1803 (2008) and annex I to resolution 1929 (2010), or by the Council or the Committee pursuant to paragraph 10 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the provision to the Islamic Republic of Iran of items listed in paragraphs 3 (b) (i) and (ii) of resolution 1737 (2006) in accordance with paragraph 3 of resolution 1737 (2006), underlines that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory, and decides that the measures imposed in the present paragraph shall not apply when the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the resolution, including where article XV of the statute of the International Atomic Energy Agency is engaged (para. 10)



## II. Provisions relating to enforcement measures

### Cargo inspections

Resolution [1929 \(2010\)](#)  
9 June 2010

Calls upon all States to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Islamic Republic of Iran, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 3, 4 or 7 of resolution [1737 \(2006\)](#), paragraph 5 of resolution [1747 \(2007\)](#), paragraph 8 of resolution [1803 \(2008\)](#) or paragraph 8 or 9 of resolution [1929 \(2010\)](#), for the purpose of ensuring strict implementation of those provisions (para. 14)

Notes that States, consistent with international law, in particular the law of the sea, may request inspections of vessels on the high seas with the consent of the flag State, and calls upon all States to cooperate in such inspections if there is information that provides reasonable grounds to believe that the vessel is carrying items, the supply, sale, transfer or export of which is prohibited by paragraphs 3, 4 or 7 of resolution [1737 \(2006\)](#), paragraph 5 of resolution [1747 \(2007\)](#), paragraph 8 of resolution [1803 \(2008\)](#) or paragraph 8 or 9 of resolution [1929 \(2010\)](#), for the purpose of ensuring strict implementation of those provisions (para. 15)

See para. 16 of the resolution, under “Arms embargo” above

Requires any State, when it undertakes an inspection pursuant to paragraph 14 or 15 of the resolution, to submit to the Committee within five working days an initial written report containing, in particular, an explanation of the grounds for the inspection, the results of such inspection and whether or not cooperation was provided, and, if items prohibited for transfer are found, further requires such States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if that information is not in the initial report (para. 17)

### Reporting on enforcement

Resolution [1929 \(2010\)](#)  
9 June 2010

Requests the Director General of the International Atomic Energy Agency to communicate to the Security Council all his reports on the application of safeguards in the Islamic Republic of Iran (para. 4)

See para. 17 of the resolution, under “Cargo inspections” above

Requests all Member States to communicate to the Committee any information available on transfers to other companies or activity by Iran Air’s cargo division or vessels owned or operated by the Islamic Republic of Iran Shipping Lines that may have been undertaken in order to evade the sanctions of, or in violation of the provisions of, resolutions [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#) or [1929 \(2010\)](#), including renaming or re-registering of aircraft, vessels or ships, and requests the Committee to make that information widely available (para. 20)

| <i>Decision</i> | <i>Provision</i>  |
|-----------------|---|
|                 | <p>Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions <a href="#">1737 (2006)</a>, <a href="#">1747 (2007)</a>, <a href="#">1803 (2008)</a> and <a href="#">1929 (2010)</a>, in particular incidents of non-compliance (para. 30)</p> <p>Calls upon all States to report to the Committee within 60 days of the adoption of the resolution on the steps they have taken with a view to implementing effectively paragraphs 7 to 19 and 21 to 24 of the resolution (para. 31)</p> |

Table 30  
**Other provisions relating to measures under Article 41**

| <i>Decision</i>  | <i>Provision</i>  |
|--|---|
| <b>Criteria for listing</b>  |   |
| <p>Resolution <a href="#">1929 (2010)</a><br/>           9 June 2010</p> | <p>Decides also that the measures specified in paragraphs 12 to 15 of resolution <a href="#">1737 (2006)</a> shall apply also to the individuals and entities listed in annex I to resolution <a href="#">1929 (2010)</a> and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and to any individuals and entities determined by the Council or the Committee to have assisted designated individuals or entities in evading sanctions of, or in violating the provisions of, resolution <a href="#">1737 (2006)</a>, <a href="#">1747 (2007)</a>, <a href="#">1803 (2008)</a> or <a href="#">1929 (2010)</a> (para. 11)</p> <p>Decides further that the measures specified in paragraphs 12 to 15 of resolution <a href="#">1737 (2006)</a> shall apply also to the Islamic Revolutionary Guard Corps (also known as “Army of the Guardians of the Islamic Revolution”) individuals and entities specified in annex II to resolution <a href="#">1929 (2010)</a>, and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and calls upon all States to exercise vigilance over those transactions involving the Islamic Revolutionary Guard Corps that could contribute to the Islamic Republic of Iran’s proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems (para. 12)</p> <p>Decides that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution <a href="#">1737 (2006)</a>, the list of items in document <a href="#">S/2006/814</a> shall be superseded by the list of items in INFCIRC/254/Rev.9/Part 1 and INFCIRC/254/Rev.7/Part 2, and any further items if the State determines that they could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems, and further decides that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution <a href="#">1737 (2006)</a>, the list of items contained in document <a href="#">S/2006/815</a> shall be superseded by the list of items contained in document <a href="#">S/2010/263</a> (para. 13)</p> |

Decides also that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall also apply to the entities of the Islamic Republic of Iran Shipping Lines as specified in annex III to resolution 1929 (2010) and to any person or entity acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, or determined by the Council or the Committee to have assisted them in evading the sanctions of, or in violating the provisions of, resolution 1737 (2006), 1747 (2007), 1803 (2008) or 1929 (2010) (para. 19)

**Conditions for termination or review**

Resolution 1929 (2010)  
9 June 2010

Affirms that it shall review the actions of the Islamic Republic of Iran in the light of the report referred to in paragraph 36 [of the resolution], to be submitted within 90 days, and (a) that it shall suspend the implementation of measures if and for so long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome; (b) that it shall terminate the measures specified in paragraphs 3 to 7 and 12 of resolution 1737 (2006), as well as in paragraphs 2 and 4 to 7 of resolution 1747 (2007), paragraphs 3, 5 and 7 to 11 of resolution 1803 (2008), and in paragraphs 7 to 19 and 21 to 24 of resolution 1929 (2010), as soon as it determines, following receipt of the report referred to in paragraph 36, that the Islamic Republic of Iran has fully complied with its obligations under the relevant resolutions of the Council and met the requirements of the Board of Governors of the Agency, as confirmed by the Board of Governors; (c) that it shall, in the event that the report shows that the Islamic Republic of Iran has not complied with resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010), adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade the Islamic Republic of Iran to comply with these resolutions and the requirements of the Agency, and underlines that further decisions will be required should such additional measures be necessary (para. 37)

**Measures imposed against the Taliban and associated individuals and entities**

By resolution 1988 (2011), the Council decided to separate the Al-Qaida and the Taliban sanctions regime: those previously designated as the Taliban, and other individuals, groups, undertakings and entities associated with them, whose names were inscribed in section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the Consolidated List maintained by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities on 17 June 2011 would no longer be a part of the Consolidated List but would henceforth be on the List referred to in resolution 1988 (2011), to be maintained by the Committee established pursuant to that resolution. By the same resolution, the Council extended the

imposition of the targeted measures from the previous sanctions regime to the new one. The measures consisted of an assets freeze, travel ban and arms embargo against individuals and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee. The Council also reaffirmed the acts and activities regarding eligibility for designation and provided for the submission of delisting requests by listed parties through the Focal Point mechanism.

During the period, an Analytical Support and Sanctions Monitoring Team provided support to the implementation of the measures imposed.<sup>101</sup>

Details on all provisions relating to sanctions and enforcement measures are provided in tables 31 and 32.

<sup>101</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

Table 31  
Provisions relating to sanctions measures

| <i>Decision</i>                        | <i>Provision</i>   |
|--|--|
| <b>Arms embargo</b>                    |  |
| Resolution 1988 (2011)<br>17 June 2011 | <p>Decides that all States shall take the following measures with respect to individuals and entities designated prior to this date as the Taliban, and other individuals, groups, undertakings and entities associated with them, as specified in section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the Consolidated List of the Committee, established pursuant to resolutions 1267 (1999) and 1333 (2000) as of the date of adoption of the resolution, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established pursuant to paragraph 30 [of the resolution] (hereinafter known as “the List”):</p> <p>...</p> <p>(c) Prevent the direct or indirect supply, sale or transfer to those individuals, groups, undertakings and entities, from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities (para. 1)</p> <p>... Decides further that all States shall take the measures set forth in paragraph 1 [of the resolution] against those listed individuals, groups, undertakings and entities (para. 2)</p> |
| <b>Asset freeze</b>                    |  |
| Resolution 1988 (2011)<br>17 June 2011 | <p>Decides that all States shall take the following measures with respect to individuals and entities designated prior to this date as the Taliban, and other individuals, groups, undertakings and entities associated with them ...:</p> <p>(a) Freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons by their nationals or by persons within their territories (para. 1)</p> <p>See para. 2 of the resolution, under “Arms embargo” above</p> <p>Confirms that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of the Taliban on the List, and other individuals, groups, undertakings and entities associated with them, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan and other individuals, groups, undertakings or entities associated with them (para. 6)</p>  |

*Decision*

*Provision*

Confirms also that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the List (para. 7)

**Exemption**

Decides that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen (para. 8)

**Exemption**

Decides also that all Member States may make use of the provisions set out in paragraphs 1 and 2 of resolution [1452 \(2002\)](#), as amended by resolution [1735 \(2006\)](#), regarding available exemptions with regard to the measures in paragraph 1 (a) above, and encourages their use by Member States (para. 9)

**Travel ban or restrictions**

Resolution [1988 \(2011\)](#)  
17 June 2011

Decides that all States shall take the following measures with respect to individuals and entities designated prior to this date as the Taliban, and other individuals, groups, undertakings and entities associated with them ... :

(b) Prevent the entry into or transit through their territories of those individuals, provided that nothing in the present paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that the present paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process, or the Committee determines on a case-by-case basis only that entry or transit is justified, including where this directly relates to supporting efforts by the Government of Afghanistan to promote reconciliation (para. 1)

Table 32

**Other provisions relating to measures under Article 41**

*Decision*

*Provision*

**Criteria for listing**

Resolution [1988 \(2011\)](#)  
17 June 2011

Decides that all States shall take the following measures with respect to individuals and entities designated prior to this date as the Taliban, and other individuals, groups, undertakings and entities associated with them, as specified in section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the Consolidated List of the Committee, established pursuant to resolutions [1267 \(1999\)](#) and [1333 \(2000\)](#) as of the date of adoption of the resolution, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established pursuant to paragraph 30 [of the resolution] (hereinafter known as “the List”) (para. 1)

Decision

Provision

Decides also that those previously designated as the Taliban, and other individuals, groups, undertakings and entities associated with them, whose names were inscribed in section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the Consolidated List maintained by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities on the date of adoption of the resolution shall no longer be a part of the Consolidated List, but shall henceforth be on the List described in paragraph 1 above, and decides further that all States shall take the measures set forth in paragraph 1 above against those listed individuals, groups, undertakings and entities (para. 2)

Decides further that the acts or activities indicating that an individual, group, undertaking or entity is eligible for designation under paragraph 1 above include:

- (a) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;
- (b) Supplying, selling or transferring arms and related materiel to;
- (c) Recruiting for; or
- (d) Otherwise supporting acts or activities of those designated and other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan (para. 3)

Affirms that any undertaking or entity owned or controlled, directly or indirectly by, or otherwise supporting, such an individual, group, undertaking or entity on the List shall be eligible for designation (para. 4)

Notes that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs and their precursors originating in and transiting through Afghanistan (para. 5)

### Intention to review sanctions

Resolution 1988 (2011) 17 June 2011 Decides to review the implementation of the measures outlined in the resolution in 18 months and make adjustments, as necessary, to support peace and stability in Afghanistan (para. 34)

### Measures imposed against Libya

By resolution 1970 (2011) of 26 February 2011, the Security Council expressed grave concern at the situation in Libya, including the violence and use of force against civilians and the gross and systematic violation of human rights. Within this context, the Council decided to impose specific measures in relation to Libya, consisting of an arms embargo covering arms and related materiel to and from Libya, as well as the provision of armed mercenary personnel;

provisions relating to the inspection of cargo in the context of the enforcement of the arms embargo; and a travel ban and asset freeze on designated individuals and entities. Exemptions to these measures were provided. The Council also decided to refer the situation to the International Criminal Court and to establish a Committee to oversee the implementation of the measures imposed by the resolution.

By resolution 1973 (2011) of 17 March 2011, the Council expanded the measures imposed, including

strengthening the enforcement of the arms embargo by authorizing the use of all measures commensurate to the specific circumstances to carry out cargo inspections. The scope of the asset freeze was also expanded to include the exercise of vigilance when doing business with Libyan entities, if States had information that provided reasonable grounds to believe that such business could contribute to violence against civilians. By resolution 2009 (2011) of 16 September 2011, the Council authorized further exemptions to the arms embargo for, inter alia, supplies to Libya of arms and related material of all types intended for security or disarmament assistance to the Libyan authorities.

During the period, the Committee established pursuant to resolution 1970 (2011) oversaw the implementation of the measures and was assisted by a Panel of Experts, created pursuant to resolution 1973 (2011).<sup>102</sup>

Details on all provisions relating to sanctions and enforcement measures are provided in tables 33 and 34.

<sup>102</sup> For more information, see part IX, sect. I.B, with regard to Security Council committees overseeing specific sanctions measures.

Table 33

**Provisions relating to sanctions and enforcement measures**

| <i>Decision</i>                                     | <i>Provision</i>   |
|---|--|
| <b>I. Provisions relating to sanctions measures</b> |  |
| <b>Arms embargo</b>                                 |  |
| Resolution 1970 (2011)<br>26 February 2011          | Decides that all Member States shall immediately take the measures necessary to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, and financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel, whether or not originating in their territories, and decides further that this measure shall not apply to: <ul style="list-style-type: none"> <li>(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Security Council Committee established pursuant to paragraph 24 [of the resolution];</li> <li>(b) Protective clothing, including flak jackets and military helmets, temporarily exported to the Libyan Arab Jamahiriya by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only; or</li> <li>(c) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee (para. 9)</li> </ul> Decides also that the Libyan Arab Jamahiriya shall cease the export of all arms and related materiel and that all Member States shall prohibit the procurement of such items from the Libyan Arab Jamahiriya by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the Libyan Arab Jamahiriya (para. 10) |

Decision

Provision

Resolution 1973 (2011)  
17 March 2011

Requests Member States which are taking action under paragraph 13 [of the resolution] on the high seas to coordinate closely with each other and with the Secretary-General, and further requests the States concerned to inform the Secretary-General and the Security Council Committee established pursuant to paragraph 24 of resolution 1970 (2011) (“the Committee”) immediately of measures taken in exercise of the authority conferred by paragraph 13 [of the resolution] (para. 14)

Requires any Member State, whether acting nationally or through regional organizations or arrangements, when it undertakes an inspection pursuant to paragraph 13 [of the resolution], to submit promptly an initial written report to the Committee containing, in particular, an explanation of the grounds for the inspection, the results of such inspection, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and their intended destination, if this information is not in the initial report (para. 15)

Deplores the continuing flows of mercenaries into the Libyan Arab Jamahiriya, and calls upon all Member States to comply strictly with their obligations under paragraph 9 of resolution 1970 (2011) to prevent the provision of armed mercenary personnel to the Libyan Arab Jamahiriya (para. 16)

Resolution 2009 (2011)  
16 September 2011

**Exemption**

Decides that the measure imposed by paragraph 9 of resolution 1970 (2011) shall also not apply to the supply, sale or transfer to Libya of:

(a) Arms and related materiel of all types, including technical assistance, training and financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities and notified to the Security Council Committee established pursuant to resolution 1970 (2011) in advance and in the absence of a negative decision by the Committee within five working days of such a notification;

(b) Small arms, light weapons and related materiel, temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification (para. 13)

**Asset freeze**

Resolution 1970 (2011)  
26 February 2011

Decides further that all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities listed in annex II to the resolution or designated by the Committee established pursuant to paragraph 24 [of the resolution], or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and decides further that all Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities listed in annex II to the resolution or individuals designated by the Committee (para. 17)



Expresses its intention to ensure that assets frozen pursuant to paragraph 17 above shall at a later stage be made available to and for the benefit of the people of the Libyan Arab Jamahiriya (para. 18)

**Exemption**

Decides that the measures imposed by paragraph 17 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

- (a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;
- (b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee; or
- (c) To be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement, provided that the lien or judgement was entered into prior to the date of the resolution, is not for the benefit of a person or entity designated pursuant to paragraph 17 above, and has been notified by the relevant State or Member States to the Committee (para. 19)

**Exemption**

Decides also that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interest or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of the resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen (para. 20)

**Exemption**

Decides further that the measures in paragraph 17 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 17 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization (para. 21)

*Decision*

*Provision*

Resolution 1973 (2011)  
17 March 2011

Decides further that the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) shall apply to all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the Libyan authorities, as designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee, and decides further that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories to or for the benefit of the Libyan authorities, as designated by the Committee, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, as designated by the Committee, and directs the Committee to designate such Libyan authorities, individuals or entities within 30 days of the date of the adoption of the resolution and as appropriate thereafter (para. 19)

Affirms its determination to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall, at a later stage, as soon as possible be made available to and for the benefit of the people of the Libyan Arab Jamahiriya (para. 20)

Decides also that the individuals listed in annex I shall be subject to the travel restrictions imposed in paragraphs 15 and 16 of resolution 1970 (2011), and decides further that the individuals and entities listed in annex II shall be subject to the asset freeze imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) (para. 22)

Resolution 2009 (2011)  
16 September 2011

**Exemption**

Decides that the Libyan National Oil Corporation and Zueitina Oil Company shall no longer be subject to the asset freeze and other measures imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) (para. 14)

Decides also to modify the measures imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio as follows:

(a) Funds, other financial assets and economic resources outside of Libya of the entities mentioned above in the present paragraph that are frozen as of the date of the resolution pursuant to measures imposed in paragraph 17 of resolution 1970 (2011) or paragraph 19 of resolution 1973 (2011) shall remain frozen by States unless subject to an exemption as set out in paragraphs 19, 20 or 21 of that resolution or paragraph 16 below;

(b) Except as provided in (a), the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio shall otherwise no longer be subject to the measures imposed in paragraphs 17 of resolution 1970 (2011), including that States are no longer required to ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of these entities (para. 15)

### Exemption

Decides further that, in addition to the provisions of paragraph 19 of resolution 1970 (2011), the measures imposed by paragraph 17 of that resolution, as modified by paragraph 15 above and paragraph 19 of resolution 1973 (2011), do not apply to funds, other financial assets or economic resources of the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio, provided that:

- (a) A Member State has provided notice to the Committee of its intent to authorize access to funds, other financial assets, or economic resources, for one or more of the following purposes and in the absence of a negative decision by the Committee within five working days of such a notification:
  - (i) Humanitarian needs;
  - (ii) Fuel, electricity and water for strictly civilian uses;
  - (iii) Resuming Libyan production and sale of hydrocarbons;
  - (iv) Establishing, operating or strengthening institutions of civilian government and civilian public infrastructure; or
  - (v) Facilitating the resumption of banking sector operations, including to support or facilitate international trade with Libya;
- (b) A Member State has notified the Committee that those funds, other financial assets or economic resources shall not be made available to or for the benefit of the individuals subject to the measures imposed in paragraph 17 of resolution 1970 (2011) or paragraph 19 of resolution 1973 (2011);
- (c) The Member State has consulted in advance with the Libyan authorities about the use of such funds, other financial assets or economic resources; and
- (d) The Member State has shared with the Libyan authorities the notification submitted pursuant to the present paragraph and the Libyan authorities have not objected within five working days to the release of such funds, other financial assets or economic resources (para. 16)

### Measures on transport and aviation

Resolution 1973 (2011) 17 March 2011 Decides to establish a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help to protect civilians (para. 6)

### Exemption

Decides also that the ban imposed by paragraph 6 above shall not apply to flights whose sole purpose is humanitarian, such as delivering or facilitating the delivery of assistance, including medical supplies, food, humanitarian workers and related assistance, or evacuating foreign nationals from the Libyan Arab Jamahiriya, nor shall it apply to flights authorized by paragraphs 4 or 8, nor to other flights which are deemed necessary by States acting under the authorization conferred in paragraph 8 [of the resolution] to be for the benefit of the Libyan people, and that these flights shall be coordinated with any mechanism established under paragraph 8 (para. 7)

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Decision

Provision

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Decides that all States shall deny permission to any aircraft registered in the Libyan Arab Jamahiriya or owned or operated by Libyan nationals or companies to take off from, land in or overfly their territory unless the particular flight has been approved in advance by the Committee, or in the case of an emergency landing (para. 17)

Decides also that all States shall deny permission to any aircraft to take off from, land in or overfly their territory, if they have information that provides reasonable grounds to believe that the aircraft contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 and 10 of resolution 1970 (2011) as modified by the resolution, including the provision of armed mercenary personnel, except in the case of an emergency landing (para. 18)

Resolution 2009 (2011)  
16 September 2011

Decides that the measures in paragraph 17 of resolution 1973 (2011) shall cease to have effect from the date of the resolution (para. 21)

#### **Travel ban or restrictions**

Resolution 1970 (2011)  
26 February 2011

Decides that all Member States shall take the measures necessary to prevent the entry into or transit through their territories of individuals listed in annex I to the resolution or designated by the Committee established pursuant to paragraph 24 [of the resolution], provided that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory (para. 15)

#### **Exemption**

Decides also that the measures imposed by paragraph 15 above shall not apply:

- (a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;
- (b) Where entry or transit is necessary for the fulfilment of a judicial process;
- (c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Libyan Arab Jamahiriya and stability in the region; or
- (d) Where a State determines on a case-by-case basis that such entry or transit is required to advance peace and stability in the Libyan Arab Jamahiriya and the State subsequently notifies the Committee within 48 hours of making such a determination (para. 16)

Resolution 1973 (2011)  
17 March 2011

See para. 22 of the resolution, under “Asset freeze” above

## II. Provisions relating to enforcement measures

### Cargo inspections

Resolution [1970 \(2011\)](#) 26 February 2011  
Calls upon all States, in particular States neighbouring the Libyan Arab Jamahiriya, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Libyan Arab Jamahiriya, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of the resolution for the purpose of ensuring strict implementation of those provisions (para. 11)

Requires any Member State, when it undertakes an inspection pursuant to paragraph 11 above, to submit promptly an initial written report to the Committee containing, in particular, an explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report (para. 13)

Resolution [1973 \(2011\)](#) 17 March 2011  
Decides that paragraph 11 of resolution [1970 \(2011\)](#) shall be replaced by the following paragraph: “Calls upon all Member States, in particular States of the region, acting nationally or through regional organizations or arrangements, in order to ensure strict implementation of the arms embargo established by paragraphs 9 and 10 of resolution [1970 \(2011\)](#), to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of resolution [1970 \(2011\)](#) as modified by the resolution, including the provision of armed mercenary personnel, calls upon all flag States of such vessels and aircraft to cooperate with such inspections, and authorizes Member States to use all measures commensurate to the specific circumstances to carry out such inspections” (para. 13)

Requests Member States which are taking action under paragraph 13 above on the high seas to coordinate closely with each other and with the Secretary-General, and further requests the States concerned to inform the Secretary-General and the Security Council Committee established pursuant to paragraph 24 of resolution [1970 \(2011\)](#) (“the Committee”) immediately of measures taken in exercise of the authority conferred by paragraph 13 above (para. 14)

Requires any Member State, whether acting nationally or through regional organizations or arrangements, when it undertakes an inspection pursuant to paragraph 13 above, to submit promptly an initial written report to the Committee containing, in particular, an explanation of the grounds for the inspection, the results of such inspection, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and their intended destination, if this information is not in the initial report (para. 15)

| <i>Decision</i>                            | <i>Provision</i>  |
|--|---|
| <b>Seizure of arms</b>                     |   |
| Resolution 1970 (2011)<br>26 February 2011 | Decides to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraphs 9 or 10 of the resolution, seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of the resolution, and decides further that all Member States shall cooperate in such efforts (para. 12)<br><br>See para. 13 of the resolution, under “Cargo inspections” above |
| Resolution 1973 (2011)<br>17 March 2011    | See para. 15 of the resolution, under “Arms embargo” above  |
| <b>Reporting on enforcement</b>            |   |
| Resolution 1970 (2011)<br>26 February 2011 | See para. 13 of the resolution, under “Cargo inspections” above   |
| Resolution 1973 (2011)<br>17 March 2011    | See para. 15 of the resolution, under “Arms embargo” above  |

Table 34

**Other provisions relating to measures under Article 41**

| <i>Decision</i>                            | <i>Provision</i>  |
|--|---|
| <b>Criteria for listing</b>                |   |
| Resolution 1970 (2011)<br>26 February 2011 | Decides that the measures contained in paragraphs 15 and 17 [of the resolution] shall apply to the individuals and entities designated by the Committee, pursuant to paragraphs 24 (b) and (c) [of the resolution] respectively:<br><br>(a) Involved in or complicit in ordering, controlling or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or<br><br>(b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a) (para. 22) |
| Resolution 1973 (2011)<br>17 March 2011    | Decides also that the individuals listed in annex I shall be subject to the travel restrictions imposed in paragraphs 15 and 16 of resolution 1970 (2011), and decides further that the individuals and entities listed in annex II shall be subject to the asset freeze imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) (para. 22)<br><br>Decides further that the measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011) shall apply also to individuals and entities determined by the Council or the Committee to have violated the provisions of resolution 1970 (2011), particularly paragraphs 9 and 10 thereof, or to have assisted others in doing so (para. 23)   |

**Intention to review sanctions**

|   |  |
|---|--|
| <p>Resolution <a href="#">1970 (2011)</a><br/>26 February 2011</p>  | <p>Affirms that it shall keep the actions of the Libyan authorities under continuous review and that it shall be prepared to review the appropriateness of the measures contained in the resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in the light of the Libyan authorities' compliance with relevant provisions of the resolution (para. 27)</p>   |
| <p>Resolution <a href="#">1973 (2011)</a><br/>17 March 2011</p>     | <p>Reaffirms its intention to keep the actions of the Libyan authorities under continuous review, and underlines its readiness to review at any time the measures imposed by the resolution and resolution <a href="#">1970 (2011)</a>, including by strengthening, suspending or lifting those measures, as appropriate, based on compliance by the Libyan authorities with the resolution and resolution <a href="#">1970 (2011)</a> (para. 28)</p>                        |
| <p>Resolution <a href="#">2009 (2011)</a><br/>16 September 2011</p> | <p>Takes note of the improved situation in Libya, emphasises its intention to keep the measures imposed by paragraphs 6 to 12 of resolution <a href="#">1973 (2011)</a> under continuous review and underlines its readiness, as appropriate and when circumstances permit, to lift those measures and to terminate authorization given to Member States in paragraph 4 of resolution <a href="#">1973 (2011)</a> in consultation with the Libyan authorities (para. 20)</p> |

**B. Discussion relating to Article 41**

The present subsection covers discussions in the Council regarding the appropriate role and use of sanctions and other measures under Article 41. The subsection is divided into two headings: the first deals with discussions on thematic issues, while the second deals with country-specific discussions. In its thematic discussions the Council also touched upon the relevance of using targeted measures to help to enforce its decisions on children and armed conflict (case 8) and women and peace and security (case 9). There was also a thematic debate on the efficiency and legitimacy of sanctions regimes in the maintenance of international peace and security (case 10). Regarding country-specific discussions, the Council discussed non-proliferation and the imposition of sanctions measures in the context of the Islamic Republic of Iran (case 11), considered options for an appropriate response to the crisis in the Syrian Arab Republic (case 12) and discussed the application of measures under Article 41 against individuals and entities in Libya (case 13).<sup>103</sup>

<sup>103</sup> For the broader context in which these discussions were held, see the relevant sections in part I.

**Discussion of a thematic nature relating to Article 41**

**Case 8  
Children and armed conflict**

At its 6341st meeting, on 16 June 2010, following the issuance of a concept paper,<sup>104</sup> the Council held an open debate to discuss the report of the Secretary-General on children and armed conflict<sup>105</sup> to highlight the progress made and ways of addressing the remaining challenges in the children and armed conflict agenda. In her briefing before the Council, the Special Representative of the Secretary-General for Children and Armed Conflict referred to the report, which highlighted the most persistent violators that had been identified in the annexes to the reports of the Secretary-General for a minimum of five years. She reflected that, as the Secretary-General's independent voice for children affected by armed conflict, she had the duty to persuade the Council to "move forward on taking action against these violators". In that regard, she mentioned the Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo, which had acted to include crimes against children as grounds for listing, and

<sup>104</sup> [S/2010/314](#).

<sup>105</sup> [S/2010/181](#).

suggested that other sanctions committees consider doing the same. She also suggested that the Council devise appropriate mechanisms to deal with the large number of persistent violators listed in the annexes to the reports of the Secretary-General that were not covered by sanctions committees, lest the perpetrators sense reluctance on the part of the Council to hold them fully accountable.<sup>106</sup>

Regarding the need to hold persistent perpetrators accountable, a number of speakers expressed their support for the possibility of imposing strong and targeted measures against those groups.<sup>107</sup> The representative of France stressed that, if parties to a conflict refused to engage in dialogue or implement action plans in spite of the repeated appeals of the Council to do so, the Council should not hesitate to consider imposing targeted and strong sanctions against them.<sup>108</sup> The representative of the United States supported the Secretary-General's recommendation to include the unlawful recruitment of children as a listing criterion in appropriate sanctions regimes and encouraged closer cooperation and coordination among the Working Group on Children and Armed Conflict and sanctions committees and their expert groups.<sup>109</sup> The representative of Croatia considered it unacceptable that, for almost a decade, the same names continued to appear on the lists annexed to the reports of the Secretary-General and called upon the Council to act more systematically and more urgently.<sup>110</sup> The representative of the Netherlands agreed, opining that in most cases the Council had not done enough to address accountability or end impunity.<sup>111</sup> Conversely, the representative of China, said that his country was not in favour of the frequent use or threat of use of sanctions by the Council, stressing that it was

necessary to exercise caution when regarding the issue of children and armed conflict.<sup>112</sup>

Some speakers called for more transparency in the listing of persistent violators in the annual reports of the Secretary-General. Noting the five-year timeline suggested by the Secretary-General, the representative of Uganda encouraged a broader set of conditions that would necessitate action by the Council against persistent perpetrators.<sup>113</sup> The representative of the Russian Federation suggested that an exchange of views as to what qualified parties to conflicts as "persistent violators" would be helpful. In his view, a brief mention in the annexes to a report of the Secretary-General was "insufficient" in this context.<sup>114</sup> The representative of Sri Lanka suggested that the criteria for delisting be clarified so that groups that had already complied with the resolutions or ceased recruitment could be delisted quickly.<sup>115</sup>

Following the debate the Council adopted a presidential statement,<sup>116</sup> by which it expressed its readiness to adopt targeted and graduated measures against persistent perpetrators.

#### **Case 9 The promotion and strengthening of the rule of law in the maintenance of international peace and security**

At its 6347th meeting, on 29 June 2010, following the issuance of a concept paper,<sup>117</sup> the Council met to consider the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security". In her briefing before the Council, the Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations stated that any discussion on the rule of law at the international level should address the ongoing issue of Security Council sanctions regimes, which performed a necessary role in the maintenance of international peace and security. She emphasized that it was critical that sanctions be adopted in accordance with international law and consistent with the objectives enshrined in the Charter and noted that, over the past years, the Council had emphasized setting

<sup>106</sup> S/PV.6341, p. 4.

<sup>107</sup> Ibid., p. 13 (Mexico); pp. 13-14 (France); p. 15 (United States); p. 17 (Austria); p. 24 (Bosnia and Herzegovina); p. 28 (Japan); and p. 29 (Canada, on behalf of the Group of Friends of Children and Armed Conflict); S/PV.6341 (Resumption 1), p. 6 (New Zealand); p. 8 (Germany); p. 9 (Liechtenstein); p. 15 (Italy); p. 18 (Croatia); p. 22 (Republic of Korea); p. 28 (Finland, on behalf of the five Nordic countries: Denmark, Finland, Iceland, Norway and Sweden); p. 31 (Chile); p. 33 (Belgium); p. 36 (Sri Lanka and Slovenia); p. 40 (Australia); and p. 42 (Netherlands).

<sup>108</sup> S/PV.6341, pp. 13-14.

<sup>109</sup> Ibid., p. 15.

<sup>110</sup> S/PV.6341 (Resumption 1), p. 19.

<sup>111</sup> Ibid., p. 42.

<sup>112</sup> S/PV.6341, p. 27.

<sup>113</sup> Ibid., p. 18.

<sup>114</sup> Ibid., p. 22.

<sup>115</sup> S/PV.6341 (Resumption 1), p. 36.

<sup>116</sup> S/PRST/2010/10; see also sect. III.A.

<sup>117</sup> S/2010/322.



out and strengthening the international legal framework and norms for addressing these issues. She cited the recent adoption of resolution [1904 \(2009\)](#) as a reflection of the effort to address the rights of due process and the establishment of an Office of the Ombudsperson as an important step by the Council towards ensuring fair and clear procedures for individuals and entities listed by the Committee.<sup>118</sup>

Many speakers welcomed the decisions taken by the Council to strengthen the legal framework for the sanctions regimes by enhancing the transparency and fairness of listing and delisting procedures, particularly through the establishment of the Ombudsperson for the Al-Qaida and Taliban sanctions regime.<sup>119</sup> The representative of the United Kingdom welcomed the reforms and achievements of recent years, which he viewed as evidence that the Council had listened to, and acted upon, the concerns of the wider international community. By doing so, it had ensured that sanctions continued to be a vital tool in the fight against terrorists, such as Al-Qaida and the Taliban.<sup>120</sup> The representative of the Russian Federation agreed with the Legal Counsel that, with their skilful use and targeted application and the careful analysis of their negative side effects, sanctions could serve as an effective instrument to strengthen international peace and security and restore respect for the law, so long as they were imposed in strict compliance with the Charter and with a clear understanding of the conditions for lifting or easing them.<sup>121</sup>

Some States offered more measured support for the use of sanctions as a tool in the maintenance of international peace and security. The representative of Brazil emphasized that they should be used “sparingly and wisely and never to the detriment of negotiated solutions to differences”. In her view, the purpose of sanctions should be to modify the behaviour of the targeted State, party, individual or entity threatening international peace and security and should never be an “indirect or undeclared means to cause regime change”

<sup>118</sup> [S/PV.6347](#), p. 6.

<sup>119</sup> *Ibid.*, p. 8 (Mexico); pp. 10-11 (Bosnia and Herzegovina); p. 13 (Nigeria); p. 15 (France); p. 18 (Austria); p. 20 (Lebanon); p. 23 (Japan); p. 27 (Turkey); and p. 28 (Gabon); [S/PV.6347 \(Resumption 1\)](#), p. 2 (Denmark); pp. 3-4 (Switzerland); p. 5 (Finland); pp. 6-7 (Liechtenstein); p. 8 (Australia); p. 11 (Argentina); p. 15 (Peru); p. 16 (South Africa); and p. 19 (Germany).

<sup>120</sup> [S/PV.6347](#), p. 19.

<sup>121</sup> *Ibid.*, p. 23.

or to punish or exact retribution.<sup>122</sup> The representative of Lebanon stated that he did not support double standards in the imposition of sanctions, questioning their enforcement against some but not all States that had not complied with international resolutions.<sup>123</sup> The representative of China said that his country took a cautious approach to the use of sanctions and advocated for strict criteria and appropriate time frames. In that regard, he stressed that, in strengthening United Nations sanctions, the Council undertake broad consultations, emphasize facts and evidence, avoid double standards and fully take into account the practical situation of the countries concerned.<sup>124</sup> The representative of the Solomon Islands remarked that sanctions against countries “burn[ed] bridges” and were “more harmful than constructive”, advocating instead a culture of dialogue over confrontation. However, where sanctions were applied, he stressed that they must be regularly monitored, reviewed and reported on to ensure that they remained a tool that served the purpose of multilateralism.<sup>125</sup>

Following the debate, the Council issued a presidential statement,<sup>126</sup> by which it reiterated the need to ensure that sanctions were carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences.

#### **Case 10 Women and peace and security**

At its 6453rd meeting, on 16 December 2010, under the item entitled “Women and peace and security”, the Council held an open debate to discuss sexual violence in conflict and to consider the report of the Secretary-General on the implementation of resolutions [1820 \(2008\)](#) and [1888 \(2009\)](#).<sup>127</sup> During the meeting, the Council unanimously adopted resolution [1960 \(2010\)](#), by which it, inter alia, requested the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence in situations on the Council’s agenda to assist its consideration of appropriate actions, including targeted and graduated measures. The Council also

<sup>122</sup> *Ibid.*, p. 16.

<sup>123</sup> *Ibid.*, p. 20.

<sup>124</sup> *Ibid.*, pp. 21-22.

<sup>125</sup> [S/PV.6347 \(Resumption 1\)](#), p. 20.

<sup>126</sup> [S/PRST/2010/11](#); see also sect. III.A.

<sup>127</sup> [S/2010/604](#).

encouraged the Secretary-General to list in an annex to his annual reports on conflict-related sexual violence the parties credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the Council's agenda, applying the listing and delisting criteria for those parties consistent with those for his reports on children and armed conflict. Such a list would be used as a basis for more focused United Nations engagement with those parties, including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees.

In her briefing to the Council, the Special Representative of the Secretary-General on Sexual Violence in Conflict opined that rape and sexual violence continued to persist in contexts of conflict and unrest across the globe because, without the credible threat of consequences, there was no deterrent. The impact on the ground in other areas of Council practice, such as the protection of children in armed conflict and the work of the sanctions committees, was "real and proven", and the measure of success must be the implementation of an accountability system through which timely and reliable information on sexual violence flowed from the country to the global level and which provided a basis for accountability and action.<sup>128</sup>

After the vote, speakers welcomed the strengthened mechanisms for the collection and analysis of information and the listing of perpetrators in the annex to the report of the Secretary-General as a way to tackle impunity for crimes of sexual violence in conflict. Many speakers, in particular, expressed their support for the possibility of imposing targeted measures against perpetrators of sexual violence<sup>129</sup> and for including sexual violence as a criterion for sanctions during the establishment or review of the mandates of sanctions committees.<sup>130</sup> The

representative of Turkey was of the view that the most significant added value of resolution 1960 (2010) derived from its "action-oriented nature", not only condemning those who perpetrated acts of violence against women but also calling for action against them.<sup>131</sup> The representative of the United States called for the mechanism to be used to inform targeted actions by the Council and by Member States, pointing out that with improved information the United Nations would be able to assist States in responding more robustly to crimes of sexual violence.<sup>132</sup> The representative of Finland stressed that it was crucial for information gathered to reach the Council and its sanctions committees in a timely manner, welcoming the intention of the Council to ensure the flow of information from the field to the Council and to take action based on that information.<sup>133</sup> The representative of Liechtenstein, a sponsor of resolution 1960 (2010), welcomed the inclusion in future reports of the Secretary-General of information on parties credibly suspected of being responsible for acts of sexual violence. However, he considered the resolution to be a "missed opportunity", as the Council failed to include in the operative part a statement on its commitment to end impunity, let alone on any concrete measures to that end.<sup>134</sup>

A number of speakers expressed their support for the work of the International Criminal Court in cases where sexual violence constituted a war crime, crime against humanity or crime of genocide, and called upon the Council to strengthen the Court in order to prosecute perpetrators of sexual violence in the context of armed conflict.<sup>135</sup> The representative of Liechtenstein, in particular, noted that resolution 1960 (2010) was silent on the importance of the work carried out by the ad hoc tribunals established by the Council and by the Court, particularly at a time when much of the current work undertaken by the Court had been

<sup>128</sup> S/PV.6453, p. 4.

<sup>129</sup> Ibid., p. 16 (Turkey); p. 18 (Uganda); p. 20 (Gabon); and p. 25 (United States).

<sup>130</sup> Ibid, p. 13 (France); p. 15 (Bosnia and Herzegovina); p. 19 (Brazil); p. 22 (Japan); p. 23 (Austria); p. 26 (Germany); p. 27 (Liechtenstein); p. 29 (Italy); p. 31 (Republic of Korea); p. 32 (Canada); p. 33 (Luxembourg); and p. 34 (Finland, on behalf of the Nordic countries); S/PV.6453 (Resumption 1), p. 4 (Portugal); p. 5 (Switzerland); p. 9 (Costa Rica, on behalf of the Human Security Network); p. 11 (Argentina); and p. 12 (Chile).

<sup>131</sup> S/PV.6453, p. 16.

<sup>132</sup> Ibid., p. 25.

<sup>133</sup> Ibid., p. 34.

<sup>134</sup> Ibid., p. 27.

<sup>135</sup> Ibid., p. 11 (Mexico); p. 23 (Austria); p. 26 (Germany); pp. 27-28 (Liechtenstein); p. 29 (Italy); and p. 34 (Finland, on behalf of the Nordic countries); S/PV.6453 (Resumption 1), p. 5 (Switzerland); p. 6 (Slovenia); p. 9 (Costa Rica, on behalf of the Human Security Network); and p. 13 (Spain).

dedicated to incidents of mass rapes in the Democratic Republic of the Congo.<sup>136</sup>

The representative of China emphasized that the Council should pay close attention to situations that posed “threats to international peace and security” and make full use of existing mechanisms, such as the Special Representative of the Secretary-General and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), in order to create synergy.<sup>137</sup> The representative of the Russian Federation agreed, noting that, from the standpoint of the Council’s purposes under the Charter, the Council’s attention must be focused only on those conflicts which threatened peace and security; consequently, the instruments adopted in resolution 1960 (2010), such as the practice of making lists of violators and agreements on monitoring, analysis and accountability, should also be used in that context.<sup>138</sup> The representative of Luxembourg would have preferred it if the Council had invited the Secretary-General to provide information on perpetrators of sexual violence not only in situations of armed conflict on the agenda of the Council but also in other conflicts and situations, which “should not escape the attention of the international community”.<sup>139</sup>

### Country-specific discussion relating to Article 41

#### Case 11 Non-proliferation

At its 6280th meeting, on 4 March 2010, the Council heard a briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) regarding non-proliferation and the Islamic Republic of Iran. Following the Chairman’s briefing, a number of speakers expressed their concern at the continued failure of the Islamic Republic of Iran to comply with both its International Atomic Energy Agency (IAEA) and Security Council obligations, calling upon the Council to consider imposing stronger measures against the country, in order to encourage greater compliance, and to hold the Government of the Islamic Republic of Iran accountable.<sup>140</sup> The

representative of the United Kingdom opined that, while existing measures had had some effect, they had not yet led the Islamic Republic of Iran to change course on its nuclear activities, and that imposing further measures could persuade it to comply with IAEA requirements by making the cost of the Iranian nuclear programme too great to bear.<sup>141</sup> The representative of France added that, since the Islamic Republic of Iran had flouted five consecutive Council resolutions, Council members had “no other choice” but to seek the adoption of new measures, in line with the dual-track approach that had been consistently promoted by the permanent members of the Council and Germany.<sup>142</sup>

The representatives of the Russian Federation and China were of the view that, although the situation concerning the nuclear programme of the Islamic Republic of Iran continued to be complex, there was still room for negotiations and diplomatic interaction with the country’s Government.<sup>143</sup>

At its 6335th meeting, on 9 June 2010, the Council adopted resolution 1929 (2010), by which it imposed under Article 41 of the Charter an expanded sanctions regime against the country, as detailed in table 29. In the resolution, it noted with serious concern that, as confirmed by reports of the Director General of IAEA,<sup>144</sup> the Islamic Republic of Iran had not established full and sustained suspension of all enrichment-related and reprocessing activities and heavy water-related projects as set out in resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008) nor resumed cooperation with IAEA under the Additional Protocol, nor cooperated with IAEA in connection with the possibility of military dimensions of the nuclear programme, nor taken the other steps

<sup>141</sup> Ibid., pp. 4-5.

<sup>142</sup> Ibid., p. 7.

<sup>143</sup> Ibid., p. 7 (Russian Federation); and p. 8 (China).

<sup>144</sup> Reports of 27 February (GOV/2006/15), 8 June (GOV/2006/38), 31 August (GOV/2006/53) and 14 November 2006 (GOV/2006/64), 22 February (GOV/2007/8), 23 May (GOV/2007/22), 30 August (GOV/2007/48 and Corr.1) and 15 November 2007 (GOV/2007/58), 22 February (GOV/2008/4), 26 May (GOV/2008/15), 15 September (GOV/2008/38) and 19 November 2008 (GOV/2008/59), 19 February (GOV/2009/8), 5 June (GOV/2009/35), 28 August (GOV/2009/55) and 16 November 2009 (GOV/2009/74) and 18 February (GOV/2010/10) and 31 May 2010 (GOV/2010/28).

<sup>136</sup> S/PV.6453, pp. 27-28.

<sup>137</sup> Ibid., p. 18.

<sup>138</sup> Ibid., p. 21.

<sup>139</sup> Ibid., p. 33.

<sup>140</sup> S/PV.6280, p. 4 (United States); p. 5 (United Kingdom); and p. 7 (France).

required by the IAEA Board of Governors, nor complied with the provisions of the aforementioned resolutions, which were essential to build confidence.

Before the vote, the representatives of Brazil and Turkey expressed their intention to vote against the draft resolution, explaining that the adoption of sanctions at such a juncture ran counter to the successful efforts of their delegations to engage the Islamic Republic of Iran in a negotiated solution with regard to its nuclear programme.<sup>145</sup> The representative of Brazil stressed that the Tehran Declaration, adopted on 17 May 2010 under the initiative of the two countries, had promoted a solution that ensured the full exercise of the right of the Islamic Republic of Iran to the peaceful use of nuclear energy while providing verifiable assurance that its nuclear programme was exclusively for peaceful purposes. She expressed regret, therefore, that the Declaration had neither received the political recognition that it deserved nor been given adequate time to bear fruit, considering it unnatural to rush to sanctions in such circumstances.<sup>146</sup> The representative of Turkey agreed, expressing deep concern that the adoption of sanctions would negatively affect the momentum created by the Declaration and the overall diplomatic process.<sup>147</sup>

After the vote, a number of speakers welcomed the Council's adoption of the resolution as a decisive response to the failure of the Islamic Republic of Iran to comply with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, as well as previous Security Council resolutions and IAEA requirements.<sup>148</sup> The representative of the United States stressed that the sanctions adopted, which were "tough", as well as "smart and precise", were not directed at the Iranian people, nor did they seek to stop the Islamic Republic of Iran from legitimately exercising its rights under the Treaty. Rather, they were aimed squarely at the nuclear ambitions of a Government that had "chosen a path that [would] lead to increased isolation".<sup>149</sup> The representative of the United Kingdom was of the view that the adoption of the resolution sent a strong message of international

resolve to the Government of the Islamic Republic of Iran that its continued failure to comply with the Council and IAEA Board requirements could no longer be tolerated.<sup>150</sup> The representative of France believed that the sanctions resolution adopted was "robust, yet specific and targeted", and that it was the Council's duty to prevent a regional arms race, which could be provoked by mere doubt concerning the aims of the Iranian programme.<sup>151</sup> The representative of the Russian Federation, acknowledging that it had become "inevitable" that additional restrictive measures be adopted, nonetheless stressed that the measures be used in a balanced and proportional way and contain no provisions that would harm the well-being of the Iranian people.<sup>152</sup> The representative of China said that sanctions could never fundamentally resolve the Iranian nuclear issue and stressed that any action taken by the Council be "appropriate, incremental, clearly targeted and commensurate with the actual practices" of the Islamic Republic of Iran in the nuclear field.<sup>153</sup> The representative of Lebanon stated that the most effective response to any concerns about the Iranian nuclear issue should come through dialogue, not sanctions. On that basis, he viewed the new sanctions regime as a "sad setback for diplomatic efforts".<sup>154</sup>

While reaffirming the right of the Islamic Republic of Iran to the peaceful use of nuclear technology, the representatives of Nigeria and Bosnia and Herzegovina supported the Council in imposing measures under Article 41.<sup>155</sup> The representative of Mexico opined that diplomatic dialogue was not incompatible with the adoption of sanctions.<sup>156</sup>

In response, the representative of the Islamic Republic of Iran emphasized that the Leader of the Islamic Republic of Iran had, on several occasions, rejected and opposed nuclear weapons and their use on religious grounds. Furthermore, he stated that his country had cooperated with IAEA and displayed goodwill and seriousness by agreeing to the initiative proposed by Brazil and Turkey, which had opened a new window of opportunity for cooperation, but that,

<sup>145</sup> S/PV.6335, pp. 2-3 (Brazil); and pp. 3-4 (Turkey).

<sup>146</sup> Ibid., pp. 2-3.

<sup>147</sup> Ibid., p. 3.

<sup>148</sup> Ibid., pp. 4-5 (United States); pp. 5-6 (United Kingdom); p. 7 (France); p. 8 (Uganda and Russian Federation); and p. 9 (Japan).

<sup>149</sup> Ibid., p. 4.

<sup>150</sup> Ibid., p. 6.

<sup>151</sup> Ibid., pp. 7-8.

<sup>152</sup> Ibid., pp. 8-9.

<sup>153</sup> Ibid., p. 11.

<sup>154</sup> Ibid., p. 12.

<sup>155</sup> Ibid., pp. 12-13 (Nigeria); and p. 13 (Bosnia and Herzegovina).

<sup>156</sup> Ibid., p. 14.

instead of welcoming the Tehran Declaration, certain Council members had introduced a “politically motivated” resolution. He indicated that no amount of pressure would affect his nation’s determination to pursue and defend its legal and inalienable right to nuclear technology for peaceful purposes and to build on its own scientific advances in developing various peaceful aspects of the technology.<sup>157</sup>

**Case 12**  
**The situation in Libya**

At its 6491st meeting, on 26 February 2011, the Council, expressing grave concern at the situation in Libya and condemning the violence and use of force against civilians, unanimously adopted resolution 1970 (2011) under Article 41 of the Charter, by which it imposed a range of measures including a referral of the situation to the International Criminal Court, an arms embargo and targeted measures, such as a travel ban and asset freeze against 16 individuals. By the same resolution, the Council indicated that it would keep the Libyan authorities’ actions under continuous review and would be prepared to review the appropriateness of the measures, including the strengthening, modification, suspension or lifting thereof, in the light of the Libyan authorities’ compliance with the relevant provisions.

After the vote, many speakers expressed their support for the resolution as sending a clear message that the international community would not tolerate gross and systematic violations of human rights by the Libyan regime and as constituting a swift response to the calls from the League of Arab States, the African Union and the Libyan delegation for Council action.<sup>158</sup> The representative of India stated that, although his country was not a signatory to the Rome Statute, he noted that several members of the Council had expressed that the referral to the International Criminal Court would have the effect of an immediate cessation of violence and the restoration of calm and stability, and that on that basis he had voted in favour of the resolution.<sup>159</sup> The representative of Nigeria was of the

view that the sanctions would have the effect of deterring individuals from supporting or otherwise assisting the regime and would isolate those planning, coordinating or directing the atrocities. She stated that Nigeria supported the sanctions to the extent that their impact was targeted and did not exacerbate the burden already placed on Libyan citizens.<sup>160</sup> The representative of the United States commended the Council for coming together and speaking with one voice to condemn the violence, pursue accountability and adopt sanctions targeting the country’s “unrepentant leadership”.<sup>161</sup> The representative of the Russian Federation stated that the Council, by resolution 1970 (2011), had imposed “targeted, clearly expressed, restrictive measures” with regard to those guilty of violence against civilians. He clarified, however, that the resolution did not enjoin sanctions, even indirect, for forceful interference in the country’s affairs.<sup>162</sup>

At its 6498th meeting, on 17 March 2011, the Council, deploring the failure of the Libyan authorities to comply with resolution 1970 (2011), adopted resolution 1973 (2011), by which it strengthened the measures under Article 41 that had previously been adopted in resolution 1970 (2011). In the resolution, the Council called upon Member States to ensure strict implementation of the arms embargo, imposed a ban on all international flights by Libyan-owned or operated aircraft, authorized the freezing of assets of seven more individuals and five entities and empowered the newly established sanctions committee to designate additional individuals and entities to be subject to an asset freeze and travel ban. In addition to the measures imposed under Article 41, the Council also authorized a range of measures under Article 42, including establishing a no-fly zone and authorizing Member States to take all necessary measures to protect civilians and civilian-populated areas under threat of attack.<sup>163</sup>

Before the vote, the representative of France stated that the measures that had been imposed under resolution 1970 (2011) had not been sufficient and that the situation in Libya had grown more alarming, urging Council members to adopt the draft resolution.<sup>164</sup>

<sup>157</sup> Ibid., pp. 15-17.

<sup>158</sup> S/PV.6491, p. 2 (United Kingdom); p. 3 (South Africa, Nigeria and United States); p. 4 (Lebanon, Russian Federation and China); p. 5 (Colombia, Portugal and France); p. 6 (Germany, Bosnia and Herzegovina and Gabon); and pp. 6-7 (Brazil).

<sup>159</sup> Ibid., p. 2.

<sup>160</sup> Ibid., p. 3.

<sup>161</sup> Ibid.

<sup>162</sup> Ibid., p. 4.

<sup>163</sup> See sect. IV.

<sup>164</sup> S/PV.6498, pp. 2-3.

After the vote, a number of speakers stated that the Council's decision to adopt further measures under resolution 1973 (2011) was made in response to the failure of the Libyan authorities to comply with the demands made under resolution 1970 (2011), as well as to appeals from other regional organizations, most notably the League of Arab States, for further Council action.<sup>165</sup> The representative of the United Kingdom commended the Council for acting swiftly and comprehensively in response to the situation in Libya and to the appeal of the League of Arab States.<sup>166</sup> The representative of South Africa remarked that, by adopting resolution 1973 (2011), the Council had responded appropriately to the call of the countries of the region to strengthen the implementation of resolution 1970 (2011) and that it had acted responsibly to protect and save the lives of defenceless civilians.<sup>167</sup> The representative of Colombia expressed his support for resolution 1973 (2011) as the continuation of a process involving gradual measures that was in keeping with the Charter and had begun with the adoption of resolution 1970 (2011). He reminded Council members that, in adopting resolution 1970 (2011), the Council had decided that it would keep the matter under review and indicated that it was willing to consider the strengthening of sanctions should there be persistent non-compliance by the Libyan authorities.<sup>168</sup>

In abstaining from voting on the draft resolution, the representative of India said that the resolution needed to include more clarity as to the spillover effects of the proposed financial measures, which he cautioned could adversely affect the economic interests of the Libyan people and others dependent on those trade and economic ties.<sup>169</sup> The representative of Germany stated that his country did not support the military option foreseen in the resolution but rather was of the view that stronger sanctions backed by the entire international community would be an effective way to end the rule of the "Al-Qadhafi regime" and initiate the necessary political transition.<sup>170</sup>

<sup>165</sup> *Ibid.*, p. 3 (Lebanon); p. 4 (United Kingdom); p. 5 (United States); pp. 7-8 (Colombia); pp. 8-9 (Portugal); p. 9 (Nigeria); and p. 10 (South Africa).

<sup>166</sup> *Ibid.*, p. 4.

<sup>167</sup> *Ibid.*, p. 10.

<sup>168</sup> *Ibid.*, p. 7.

<sup>169</sup> *Ibid.*, p. 6.

<sup>170</sup> *Ibid.*, p. 5.

### Case 13

#### The situation in the Middle East

At its 6627th meeting, on 4 October 2011, under the item entitled "The situation in the Middle East", the Security Council considered the situation in the Syrian Arab Republic but failed to adopt a draft resolution on the issue,<sup>171</sup> owing to the negative votes cast by two permanent members.<sup>172</sup> In the draft resolution, the Council would have expressed its concern at the continuing deterioration of the situation in the Syrian Arab Republic and the potential for further escalation of the violence, strongly condemned the grave and systematic human rights violations taking place and demanded that the Syrian authorities immediately end all violence. In the same draft resolution, the Council would have requested the Secretary-General to report on the implementation of the resolution within 30 days, upon which the Council would consider its options, including the possibility of imposing measures under Article 41 of the Charter.

After the vote, those who had voted in favour of its adoption expressed their disappointment at the Council's failure to send a collective message of condemnation to the Syrian authorities.<sup>173</sup> The representative of France said that, since the Syrian authorities had not responded to diplomatic efforts, and confronted by the risk of regional instability, a "united response" from the international community was necessary. He noted that, in preparing the draft resolution, every effort had been made by the sponsors to understand the concerns of some Council members that opposed the imposition of sanctions and to prepare a unanimous response, in particular by agreeing to withdraw the proposed sanctions.<sup>174</sup> The representative of the United Kingdom agreed and said that, the reference to Article 41 of the Charter, the draft resolution had made it clear that any further steps would be non-military in nature and expressed deep disappointment that, despite the efforts to reach compromise, the wording of the resolution was still unacceptable to some. In his view, the deterioration of the situation, the disproportionate use of force against

<sup>171</sup> S/2011/612.

<sup>172</sup> China and Russian Federation. For more information with regard to the situation in the Middle East, see part I.

<sup>173</sup> S/PV.6627, pp. 2-3 (France); p. 5 (Portugal); p. 7 (United Kingdom); p. 8 (Colombia); pp. 8-9 (United States); and p. 10 (Germany).

<sup>174</sup> *Ibid.*, pp. 2-3.

civilians and the lack of any sign of reform meant that the time for “strong Security Council action” was long overdue.<sup>175</sup> The representative of the United States said that the Council had failed to address “an urgent moral challenge and a growing threat to international peace and security” and expressed disappointment that two members had vetoed a draft resolution that made no mention of sanctions. She said that it was time for the Council to assume its responsibilities and to impose “tough, targeted sanctions and an arms embargo”, urging those Governments that had failed to support Council action to change course and to heed the voices of the Syrian people.<sup>176</sup> The representative of Germany stated that, in failing to adopt the draft resolution, the Council had “failed to live up to its responsibilities under the Charter” and that, in addition to political dialogue, his delegation would support the imposition of sanctions.<sup>177</sup>

A number of countries abstained from voting on the draft resolution, expressing discomfort with the threat of sanctions and respect for sovereignty as reasons for their abstention.<sup>178</sup> The representative of India, while expressing concern at the events unfolding in the Syrian Arab Republic, believed that engaging the country in a “collaborative and constructive dialogue” was the only pragmatic and productive way forward.<sup>179</sup>

<sup>175</sup> Ibid., p. 7.

<sup>176</sup> Ibid., pp. 8-9.

<sup>177</sup> Ibid., p. 10.

<sup>178</sup> Ibid., pp. 6-7 (India); p. 9 (Lebanon); p. 11 (South Africa); and pp. 11-12 (Brazil).

<sup>179</sup> Ibid., pp. 6-7.

The representative of South Africa expressed concern at the sponsors’ intention to impose punitive measures that would have “prejudged” the resolution’s implementation, arguing that the provisions were designed as a “prelude to further actions”.<sup>180</sup> Having voted against the draft resolution, the representative of the Russian Federation deemed unacceptable the “threat of an ultimatum and sanctions” against the Syrian authorities as a contravention of the principle of a peaceful settlement of the crisis on the basis of a full Syrian national dialogue.<sup>181</sup> The representative of China, in explaining his reasons for voting against the adoption of the resolution, argued that sanctions, or the threat thereof, would not help to resolve the crisis in the Syrian Arab Republic and could instead further complicate the situation. He expressed his regret and disappointment that this “major and legitimate concern” had not received due attention from the sponsors of the draft, which he viewed as exerting undue pressure on the country. He expressed his country’s preference for supporting the mediation efforts of the relevant countries and organizations in the region.<sup>182</sup> The representative of the Syrian Arab Republic rejected the discourse of the sponsors of the draft resolutions, remarking that certain parties opposed his country on the basis of unfounded pretexts, including the pretext of maintaining international peace and security.<sup>183</sup>

<sup>180</sup> Ibid., p. 11.

<sup>181</sup> Ibid., pp. 3-4.

<sup>182</sup> Ibid., p. 5.

<sup>183</sup> Ibid., pp. 12-14.

## IV. Measures to maintain or restore international peace and security in accordance with Article 42 of the Charter

### Article 42

*Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.*

### Note

Section IV covers the practice of the Security Council in relation to Article 42 of the Charter, regarding the authorization of the use of force by peacekeeping operations and multinational forces, as well as interventions by regional organizations.<sup>184</sup>

<sup>184</sup> The Council’s authorization of the use of force by regional organizations is covered in part VIII (Regional arrangements). The authorization of the use of force by peacekeeping operations is also covered in part X in the context of mandates of peacekeeping operations.

During the period under review, the Council authorized the use of force under Chapter VII of the Charter, relating to the maintenance or restoration of international peace and security, by several peacekeeping missions and multinational forces in Afghanistan, Bosnia and Herzegovina, Chad, the Central African Republic and the subregion, Côte d'Ivoire, the Democratic Republic of the Congo, the Middle East, the Sudan (including Darfur and Abyei), South Sudan and Somalia. The Council authorized enforcement action for the two newly-established peacekeeping operations, the United Nations Interim Security Force for Abyei (UNISFA) and the United Nations Mission in South Sudan (UNMISS).

The section is divided into two subsections. Subsection A outlines decisions of the Council authorizing enforcement action under Chapter VII of the Charter. Subsection B covers discussions of the Council that can be considered relevant to Article 42, and contains three case studies, one concerning the situation in Libya (case 14) and two on thematic issues, namely the protection of civilians in armed conflict (case 15) and the maintenance of international peace and security (case 16).

### **A. Decisions of the Security Council relating to Article 42**

During the period under review, there were no instances in which Article 42 was explicitly mentioned in the decisions of the Council. The Council did however adopt several resolutions under Chapter VII of the Charter by which it authorized peacekeeping missions and multinational forces, including those deployed by regional organizations, to use “all necessary measures”, “all necessary means” or “all necessary action” relating to the maintenance or restoration of international peace and security. Specifically, enforcement actions that could be considered to be under Article 42 were authorized by the Council in connection with a broad range of mandated tasks, including the protection of civilians and civilian populated areas under threat of attack; enforcing compliance with a ban on flights; monitoring and ensuring implementation of an arms embargo imposed by the Council; protection of United Nations personnel and facilities as well as humanitarian personnel; protection for transitional and interim Governments to maintain and/or create a secure

environment; supporting the implementation of peace agreements; and allowing missions to defend themselves from attacks or the threat of attacks.<sup>185</sup>

In connection with the situation in Libya, the Council authorized Member States, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take “all necessary measures” to protect civilians and civilian populated areas under threat of attack in the country.<sup>186</sup> The Council also authorized Member States to take “all measures necessary” to enforce compliance with the ban on flights, in order to help better protect civilians.<sup>187</sup> Previously, by resolution 1970 (2011), the Council had authorized a range of measures under Article 41, including calling upon States to inspect all cargo to and from Libya in their territory.<sup>188</sup> By resolution 1973 (2011), the Council replaced the relevant paragraph of resolution 1970 (2011) and authorized States to “use all measures” commensurate to the specific circumstances to carry out such inspections.<sup>189</sup>

During the period, several decisions relevant to Article 42 were adopted in connection with the mandates of United Nations peacekeeping missions. The Council authorized UNISFA to take the “actions necessary” to, inter alia, ensure security in the Abyei Area and protect civilians under imminent threat of physical violence.<sup>190</sup> The Council authorized UNMISS to use “all necessary means” to carry out its protection mandate as set out in resolution 1996 (2011).<sup>191</sup> The Council re-authorized enforcement action for the United Nations Operation in Côte d'Ivoire (UNOCI),<sup>192</sup> the African Union-United Nations Hybrid Operation in Darfur (UNAMID),<sup>193</sup> the United Nations Organization Stabilization Mission in the Democratic

<sup>185</sup> For detailed mandates of individual peacekeeping operations, see part X.

<sup>186</sup> Resolution 1973 (2011), para. 4.

<sup>187</sup> *Ibid.*, para. 8.

<sup>188</sup> Resolution 1970 (2011), para. 11.

<sup>189</sup> Resolution 1973 (2011), para. 13.

<sup>190</sup> Resolution 1990 (2011), para. 3.

<sup>191</sup> Resolution 1996 (2011), paras. 3 and 4.

<sup>192</sup> Resolutions 1911 (2010), 1924 (2010), 1933 (2010), 1962 (2010), 1967 (2011), 1975 (2011), 1981 (2011) and 2000 (2011).

<sup>193</sup> Resolutions 1935 (2010) and 2003 (2011).



Republic of the Congo<sup>194</sup> and the United Nations Mission in the Sudan (UNMIS).<sup>195</sup>

Although no decisions adopted during the period under review contained specific provisions authorizing the use of force in connection with UNMIS, UNOCI and UNAMID, the Council renewed the mandates of each mission, including authorization of the use of force, which had previously been mandated by resolutions [1706 \(2006\)](#), [1739 \(2007\)](#) and [1769 \(2007\)](#), respectively.

While not explicitly invoking Chapter VII, the Council determined that the situation in Lebanon constituted “a threat to international peace and security”, and reaffirmed the authority of the United Nations Interim Force in Lebanon to take “all necessary action” to ensure that its area of operations was not utilized for hostile activities of any kind.<sup>196</sup>

The Council twice extended its prior authorization to the United Nations Mission in the Central African Republic and Chad to use “all necessary means” and to contribute to protecting civilians in danger, as set out in resolution [1861 \(2009\)](#).<sup>197</sup> By resolution [1923 \(2010\)](#) of 25 May 2010, taking note of the commitment of Chad to assume full responsibility for the security and protection of the civilian population, as recalled in a letter from the representative of Chad to the President of the Council,<sup>198</sup> the Council reduced the military component of the Mission and set out a timeline for the final withdrawal of all personnel. The Council also removed measures that could be considered as being under Article 42 from the mandate of the Mission.

Several decisions that could be considered as being under Article 42 were adopted in connection with the mandate of multinational forces. In connection

with Afghanistan, the Council continued to authorize the Member States participating in the International Security Assistance Force already deployed in the country to take “all necessary measures” to fulfil its mandate.<sup>199</sup> In connection with Bosnia and Herzegovina, the Council also continued to authorize the Member States, at the request of either the European Union military operation or the North Atlantic Treaty Organization (NATO) to take “all necessary measures” to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement.<sup>200</sup> In connection with Somalia, the Council also continued its authorization to the African Union Mission in Somalia to take all “measures necessary” to carry out its mandate.<sup>201</sup> In connection with Côte d’Ivoire, the Council also extended, on several occasions, the authorization to the French forces to use “all necessary means” in order to support the mission deployed in Côte d’Ivoire.<sup>202</sup>

The Council also authorized Member States cooperating with the Transitional Federal Government of Somalia to continue using “all necessary means” to repress acts of piracy and armed robbery at sea, as set out in paragraph 10 of resolution [1846 \(2008\)](#) and paragraph 6 of resolution [1851 \(2008\)](#).<sup>203</sup>

This section covers only the decisions of the Council related to the authorization of the use of force. Decisions concerning the implementation of those enforcement measures are discussed in section V, which deals with the provision of armed forces in accordance with Articles 43 to 45.

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<sup>194</sup> Resolutions [1925 \(2010\)](#) and [1991 \(2011\)](#).

<sup>195</sup> Resolutions [1919 \(2010\)](#) and [1978 \(2011\)](#).

<sup>196</sup> Resolutions [1937 \(2010\)](#), tenth preambular paragraph, and [2004 \(2011\)](#), thirteenth preambular paragraph.

<sup>197</sup> Resolutions [1913 \(2010\)](#), para. 1, and [1922 \(2010\)](#), para. 1.

<sup>198</sup> [S/2010/250](#).

<sup>199</sup> Resolutions [1943 \(2010\)](#), para. 2, and [2011 \(2011\)](#), para. 2.

<sup>200</sup> Resolutions [1948 \(2010\)](#), para. 14, and [2019 \(2011\)](#), para. 14.

<sup>201</sup> Resolutions [1910 \(2010\)](#), para. 1, [1964 \(2010\)](#), para. 1 and [2010 \(2011\)](#), para. 1.

<sup>202</sup> Resolutions [1911 \(2010\)](#), para. 20, [1924 \(2010\)](#), para. 2, [1933 \(2010\)](#), para. 24, [1962 \(2010\)](#), para. 17 and [2000 \(2011\)](#), para. 17.

<sup>203</sup> Resolutions [1950 \(2010\)](#), para. 7, and [2010 \(2011\)](#), para. 1.

Table 35

**Decisions authorizing the use of force by United Nations peacekeeping missions and multinational forces, including those deployed by regional organizations**

| <i>Decision and date</i>                                   | <i>Provision</i>   |
|--|--|
| <b>The situation in Afghanistan</b>                        |  |
| Resolution <a href="#">1943 (2010)</a><br>13 October 2010  | Authorizes the Member States participating in the International Security Assistance Force (ISAF) to take all measures necessary to fulfil its mandate (para. 2)  |
| Resolution <a href="#">2011 (2011)</a><br>12 October 2011  | Authorizes the Member States participating in ISAF to take all necessary measures to fulfil its mandate (para. 2)  |
| <b>The situation in Bosnia and Herzegovina</b>             |  |
| Resolution <a href="#">1948 (2010)</a><br>18 November 2010 | <p>Authorizes the Member States acting under paragraphs 10 and 11 [of the resolution] to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization (NATO) presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force and the NATO presence (para. 14)</p> <p>Authorizes Member States to take all necessary measures, at the request of either the European Union Force or the NATO Headquarters, in defence of the European Union Force or the NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack (para. 15)</p> <p>Authorizes the Member States acting under paragraphs 10 and 11 [of the resolution], in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic (para. 16)</p> |
| Resolution <a href="#">2019 (2011)</a><br>16 November 2011 | <p>Authorizes the Member States acting under paragraphs 10 and 11 [of the resolution] to take all measures necessary to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force-Althea and the NATO presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force-Althea and the NATO presence (para. 14)</p> <p>Authorizes Member States to take all necessary measures, at the request of either the European Union Force-Althea or the NATO Headquarters, in defence of the European Union Force-Althea or the NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force-Althea and the NATO presence to take all measures necessary to defend themselves from attack or threat of attack (para. 15)</p>  |

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

### **The situation in Chad, the Central African Republic and the subregion**

Resolution [1913 \(2010\)](#)  
12 March 2010  
Decides to extend until 15 May 2010 the mandate of the United Nations Mission in the Central African Republic and Chad (MINURCAT) as set out in resolution [1861 \(2009\)](#) (para. 1)

Resolution [1922 \(2010\)](#)  
12 May 2010  
Decides to extend until 26 May 2010 the mandate of MINURCAT as set out in resolution [1861 \(2009\)](#) and extended by resolution [1913 \(2010\)](#) (para. 1)

### **The situation concerning the Democratic Republic of the Congo**

Resolution [1925 \(2010\)](#)  
28 May 2010  
Emphasizes that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and authorizes the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 12 (a) to (k) and (t) [of the resolution] (para. 11)

Resolution [1991 \(2011\)](#)  
28 June 2011  
Decides to extend until 30 June 2012 the mandate of MONUSCO as set out in paragraphs 2, 11 and 12 (a) to (p) and (r) to (t) of resolution [1925 \(2010\)](#), reaffirms that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and encourages further the use of innovative measures implemented by the Mission in the protection of civilians (para. 1)

### **The situation in Côte d'Ivoire**

Resolution [1911 \(2010\)](#)  
28 January 2010  
Decides to renew the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI), as determined in resolution [1739 \(2007\)](#), until 31 May 2010, in particular to support the organization in Côte d'Ivoire of open, free, fair and transparent elections (para. 14)

Decides to extend until 31 May 2010 the authorization that it provided to the French forces in order to support UNOCI, within the limits of their deployment and their capabilities (para. 20)

Resolution [1924 \(2010\)](#)  
27 May 2010  
Decides to extend until 30 June 2010 the mandate of UNOCI as determined in resolution [1739 \(2007\)](#) (para. 1)

Decides also to extend until 30 June 2010 the authorization that the Security Council provided to the French forces in order to support UNOCI, within the limits of their deployment and their capabilities (para. 2)

Resolution [1933 \(2010\)](#)  
30 June 2010  
Authorizes UNOCI to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment (para. 17)

Decides to extend until 31 December 2010 the authorization that the Council provided to the French forces in order to support UNOCI, within the limits of their deployment and their capabilities (para. 24)

| <i>Decision and date</i>                   | <i>Provision</i>  |
|--|---|
| Resolution 1962 (2010)<br>20 December 2010 | Recalls its authorization given to UNOCI to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment (para. 14)<br><br>Decides to extend until 30 June 2011 the authorization that the Security Council provided to the French forces in order to support UNOCI, within the limits of their deployment and their capabilities (para. 17)   |
| Resolution 1967 (2011)<br>19 January 2011  | Reiterates its authorization and its full support given to the Special Representative of the Secretary-General for Côte d'Ivoire to use all means necessary to carry out the mandate of UNOCI, including protection of civilians, and to ensure its freedom of movement, within its capabilities and its areas of deployment (para. 8)  |
| Resolution 1975 (2011)<br>30 March 2011    | Recalls its authorization and stresses its full support given to UNOCI while impartially implementing its mandate, to use all means necessary to carry out its mandate to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, including to prevent the use of heavy weapons against the civilian population, and requests the Secretary-General to keep it urgently informed of measures taken and efforts made in this regard (para. 6) |
| Resolution 1981 (2011)<br>13 May 2011      | Decides to extend until 31 July 2011 the mandate of UNOCI as set out in resolutions 1933 (2010), 1962 (2010) and 1975 (2011) (para. 1)  |
| Resolution 2000 (2011)<br>27 July 2011     | Decides to continue its authorization given to UNOCI to use all means necessary to carry out its mandate, within its capabilities and its areas of deployment, pursuant to resolutions 1933 (2010) and 1962 (2010) (para. 8)<br><br>Decided to extend until 31 July 2012 the authorization that the Council provided to the French forces in order to support UNOCI, within the limits of their deployment and their capabilities (para. 17)  |

### **The situation in Libya**

|   |   |
|---|---|
| Resolution 1973 (2011)<br>17 March 2011 | Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by the present paragraph, which shall be immediately reported to the Security Council (para. 4)<br><br>Authorizes Member States that have notified the Secretary-General of the United Nations and the Secretary General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all measures necessary to enforce compliance with the ban on flights imposed by paragraph 6 [of the resolution], as necessary, and requests the States concerned, in cooperation with the League of Arab States, to coordinate closely with the Secretary-General of the United Nations on the measures they are taking to implement this ban, including by establishing an appropriate mechanism for implementing the provisions of paragraphs 6 and 7 [of the resolution] (para. 8) |
|---|---|

Decides that paragraph 11 of resolution [1970 \(2011\)](#) shall be replaced by the following paragraph: “Calls upon all Member States, in particular States of the region, acting nationally or through regional organizations or arrangements, in order to ensure strict implementation of the arms embargo established by paragraphs 9 and 10 of resolution [1970 \(2011\)](#), to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of resolution [1970 \(2011\)](#) as modified by the present resolution, including the provision of armed mercenary personnel, calls upon all flag States of such vessels and aircraft to cooperate with such inspections, and authorizes Member States to use all measures commensurate to the specific circumstances to carry out such inspections” (para. 13)

### The situation in Somalia

- Resolution [1910 \(2010\)](#)  
28 January 2010 Decides to authorize the States members of the African Union to maintain until 31 January 2011 the African Union Mission in Somalia (AMISOM), which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution [1772 \(2007\)](#) (para. 1)
- Resolution [1950 \(2010\)](#)  
23 November 2010 Encourages Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea, and decides to renew, for a further period of 12 months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution [1846 \(2008\)](#) and paragraph 6 of resolution [1851 \(2008\)](#), as renewed by resolution [1897 \(2009\)](#), granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General (para. 7)
- Resolution [1964 \(2010\)](#)  
22 December 2010 Decides to authorize the States members of the African Union to maintain the deployment until 30 September 2011 of AMISOM, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution [1772 \(2007\)](#) (para. 1)
- Resolution [2010 \(2011\)](#)  
30 September 2011 Decides to authorize the States members of the African Union to maintain the deployment until 31 October 2012 of AMISOM, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution [1772 \(2007\)](#), and requests the African Union to urgently increase its force strength to its mandated level of 12,000 uniformed personnel, thereby enhancing its ability to carry out its mandate (para. 1)

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| <i>Decision and date</i>                                   | <i>Provision</i>  |
|--|---|
| Resolution <a href="#">2020 (2011)</a><br>22 November 2011 | Encourages Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, and decides to renew for a further period of 12 months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution <a href="#">1846 (2008)</a> and paragraph 6 of resolution <a href="#">1851 (2008)</a> , as renewed by paragraph 7 of resolution <a href="#">1897 (2009)</a> and paragraph 7 of resolution <a href="#">1950 (2010)</a> , granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General (para. 9) |

### **Reports of the Secretary-General on the Sudan**

#### *United Nations Mission in the Sudan*

|   |   |
|---|---|
| Resolution <a href="#">1919 (2010)</a><br>29 April 2010 | Decides to extend the mandate of the United Nations Mission in the Sudan (UNMIS) until 30 April 2011, with the intention to renew it for further periods as may be required (para. 1) |
| Resolution <a href="#">1978 (2011)</a><br>27 April 2011 | Decides to extend until 9 July 2011 the mandate of UNMIS as set out in resolution <a href="#">1590 (2005)</a> (para. 1)   |

#### *African Union-United Nations Hybrid Operation in Darfur*

|  |  |
|--|--|
| Resolution <a href="#">1935 (2010)</a><br>30 July 2010 | Decides to extend the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) as set out in resolution <a href="#">1769 (2007)</a> for a further 12 months, until 31 July 2011 (para. 1) |
| Resolution <a href="#">2003 (2011)</a><br>29 July 2011 | Decides to extend the mandate of UNAMID as set out in resolution <a href="#">1769 (2007)</a> for a further 12 months, until 31 July 2012 (para. 1)   |

#### *United Nations Interim Security Force for Abyei*

|  |   |
|--|---|
| Resolution <a href="#">1990 (2011)</a><br>27 June 2011 | <p>Acting under Chapter VII of the Charter of the United Nations, authorizes the Force, within its capabilities and its area of deployment, to take the actions necessary:</p> <ul style="list-style-type: none"><li>(a) To protect Force personnel, facilities, installations and equipment;</li><li>(b) To protect United Nations personnel, facilities, installations and equipment;</li><li>(c) To ensure the security and freedom of movement of United Nations personnel, humanitarian personnel and members of the Joint Military Observation Committee and Joint Military Observer Teams;</li><li>(d) Without prejudice to the responsibilities of the relevant authorities, to protect civilians in the Abyei Area under imminent threat of physical violence;</li><li>(e) To protect the Abyei Area from incursions by unauthorized elements, as defined in the Agreement; and</li><li>(f) To ensure security in the Abyei Area (para. 3)</li></ul> |
|--|---|

*United Nations Mission in South Sudan*

Resolution 1996 (2011) 8 July 2011 Authorizes the Mission to use all means necessary, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 3 (b) (iv) to (vi) (para. 4)

**The situation in the Middle East**

Resolution 1937 (2010) 30 August 2010 Decides to extend the present mandate of the United Nations Interim Force in Lebanon until 31 August 2011 (para. 1)

Resolution 2004 (2011) 30 August 2011 Decides to extend the present mandate of the United Nations Interim Force in Lebanon until 31 August 2012 (para. 1)

**B. Discussion relating to Article 42**

This subsection highlights issues considered relevant to Article 42 and the authorization of the use of force that were raised in the discussions of the Council. There were discussions relevant to Article 42 in connection with the situation in Libya (see case 14), and on two thematic items, namely the protection of civilians in armed conflict (see case 15) and the maintenance of international peace and security (see case 16).

The present section covers only debates and discussions of the Council relating to the authorization of the use of force. Debates and discussions on the implementation of those enforcement measures are dealt with in section V, on the provision of armed forces in accordance with Articles 43 to 45.

**Case 14**

**The situation in Libya**

At its 6498th meeting, on 17 March 2011, under the item entitled “The situation in Libya”, the Council adopted resolution 1973 (2011), by which it authorized Member States to take all necessary measures to protect civilians and civilian populated areas under threat of attack in Libya, while excluding a foreign occupation force of any form on any part of Libyan territory. The Council also authorized Member States that had notified the Secretary-General of the United Nations and the Secretary General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all measures necessary to enforce compliance with the ban on flights. The Council also authorized Member States, in

order to ensure strict implementation of the arms embargo, to use all measures commensurate to the specific circumstances to carry out inspections in their territory of vessels and aircraft bound to or from Libya.

Speaking before the vote, the representative of France called on the members of the Council to vote in favour of the draft resolution, stating that it provided the means to protect the civilian population by establishing a no-fly zone and by authorizing Member States to take the measures necessary to implement its provisions.<sup>204</sup> Following the adoption of the resolution, several speakers expressed their support for the text.<sup>205</sup> Many speakers noted the request of the League of Arab States<sup>206</sup> for the Council to establish a no-fly zone and to implement necessary measures to ensure the protection of the Libyan people. The representative of the United States said that resolution 1973 (2011) was a powerful response to the call of the League of Arab States for the Council to authorize the measures necessary to protect civilians and to the urgent needs on the ground.<sup>207</sup> The representative of Colombia pointed out that the Council had effectively responded to an express request made by a regional organization. Furthermore he commended the League of Arab States, which instead of acting on its own had called for the Council to exercise the functions assigned to it by the Charter.<sup>208</sup> Similarly, the representative of the United Kingdom welcomed the fact that the Council had acted

<sup>204</sup> S/PV.6498, p. 3.

<sup>205</sup> Ibid., p. 7 (Colombia); p. 8 (Portugal); p. 9 (Nigeria); and p. 10 (South Africa).

<sup>206</sup> S/2011/137.

<sup>207</sup> S/PV.6498, p. 5.

<sup>208</sup> Ibid., pp. 7-8.

comprehensively in response to the situation in Libya.<sup>209</sup> The representative of Portugal believed that the resolution would fulfil the essential objectives of establishing an immediate ceasefire and protecting civilians while guaranteeing the country's sovereignty, territorial integrity and national unity.<sup>210</sup>

Five Council members abstained from voting on resolution 1973 (2011).<sup>211</sup> In explaining his decision not to vote for the draft resolution, the representative of Germany said that his country had carefully considered the implications as well as the limitations of using military force, and emphasized that the likelihood of large-scale loss of life should not be underestimated.<sup>212</sup> The representative of India said that by adopting resolution 1973 (2011), the Council had authorized far-reaching measures under Chapter VII, with relatively little credible information on the situation on the ground in Libya. He also said that the Council did not have clarity about details of enforcement measures, including who would participate and with what assets and how the measures would be carried out.<sup>213</sup> The representative of Brazil stated that she was not convinced that the use of force as provided for in paragraph 4 of the resolution would lead to the immediate end to violence and the protection of civilians. She expressed concern that such measures might have the unintended effect of exacerbating tensions on the ground and causing more harm than good to the civilian population.<sup>214</sup> The representatives of the Russian Federation and China expressed regret that questions concerning the use of force had not been answered.<sup>215</sup> The representative of the Russian Federation said that the questions he had raised were concrete and legitimate and touched on how the no-fly zone would be enforced, the rules of engagement and the limits on the use of force. While expressing regret that the "passion" of some Council members for methods involving force had prevailed, he said that the Russian Federation had not prevented the adoption of the resolution despite being convinced that the quickest way to ensure security for the civilian population and the stabilization of the situation in

Libya was an immediate ceasefire.<sup>216</sup> The representative of China reiterated that, although his country was against the use of force in international relations, he attached importance to the position of the League of Arab States on the establishment of a no-fly zone, and the position of the African Union, and therefore had abstained from voting on resolution 1973 (2011).<sup>217</sup>

At the 6528th meeting, on 4 May 2011, the representative of the Russian Federation expressed alarm at the growing number of civilian casualties, some of which were a result of the actions of NATO-led coalition forces, and emphasized that any use of force by the coalition in Libya should be carried out in strict compliance with resolution 1973 (2011).<sup>218</sup>

### Case 15 Protection of civilians in armed conflict

At its 6531st meeting, on 10 May 2011, the Council held an open debate on the item entitled "Protection of civilians in armed conflict". The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator noted that the adoption of resolution 1973 (2011) and the authorization and subsequent use of force to protect civilians in Libya had prevented civilian deaths and injuries, but it had also raised concerns in terms of the potential undermining of the protection of civilians agenda, and its important role in providing a framework for action in future crises. She said that the implementation of the decisions of the Council must be exclusively limited to promoting and ensuring the protection of civilians.<sup>219</sup>

During the discussion, speakers raised the question of the conditions and legitimacy of Council-mandated actions intended to protect civilians, including the NATO-led intervention in Libya. Some speakers questioned whether the operation had gone beyond the mandate authorized by the Council and said that it was aimed at changing the regime, rather than protecting civilians.<sup>220</sup> The representative of Cuba said that nothing in resolution 1973 (2011) authorized, under the pretext of humanitarian action or protecting

<sup>209</sup> Ibid., p. 4.

<sup>210</sup> Ibid., p. 9.

<sup>211</sup> Brazil, China, Germany, India and the Russian Federation.

<sup>212</sup> S/PV.6498, p. 5.

<sup>213</sup> Ibid., p. 6.

<sup>214</sup> Ibid.

<sup>215</sup> Ibid., p. 8 (Russian Federation); and p. 10 (China).

<sup>216</sup> Ibid., p. 8.

<sup>217</sup> Ibid., p. 10.

<sup>218</sup> S/PV.6528, p. 9.

<sup>219</sup> S/PV.6531, p. 4.

<sup>220</sup> Ibid., p. 18 (South Africa); and p. 34 (Nicaragua); S/PV.6531 (Resumption 1), p. 19 (Bolivarian Republic of Venezuela).



civilians, the bombing of cities or populated areas resulting in the death of more innocent civilians, the destruction of schools, homes and hospitals and further suffering of the civilian population.<sup>221</sup> Many speakers said that actions to protect civilians must respect the purposes and principles of the Charter, including the sovereignty, independence and territorial integrity of Member States. Some speakers said that any decision for military intervention must not be associated with political motives<sup>222</sup> or double standards.<sup>223</sup> The representative of Brazil urged Member States to avoid excessively broad interpretations of the protection of civilians, which could lead to the exacerbation of conflict, compromise the impartiality of the United Nations, or create the perception that it was being used as a pretext for military intervention or regime change.<sup>224</sup>

Conversely, several speakers voiced their support for the United Nations intervention in Libya as a prompt response to serious violations of international law and the disproportionate use of force against civilians.<sup>225</sup> The representatives of the United Kingdom and the United States said that actions undertaken by the NATO-led coalition forces were within the bounds of their mandate to enforce the arms embargo and the no-fly zone, and that they had made every effort to avoid civilian casualties.<sup>226</sup> The representative of France stressed that the Council had a responsibility to intervene when grave violations of international humanitarian law and human rights law, war crimes and crimes against humanity were committed, and that it had done so by authorizing the forces of the coalition to protect civilians under bombardment ordered by their leaders.<sup>227</sup>

Concerning the situation in Côte d'Ivoire, the representative of the United States said that the Council had consistently responded to escalating violence in that country by urging UNOCI to fully

implement its mandate to protect civilians under threat of attack, most recently in resolution 1975 (2011). She said that the actions of UNOCI to neutralize the threat of heavy weapons had saved many lives, based on the substantial weapons caches discovered in and around Abidjan.<sup>228</sup> Several speakers restated their support of the implementation of resolution 1975 (2011) by UNOCI,<sup>229</sup> and the representative of Gabon expressed his opinion that it had helped to avoid civil war.<sup>230</sup>

While acknowledging that his country had originally supported the resolutions authorizing the use of force in Libya and Côte d'Ivoire, the representative of South Africa expressed concern that the implementation of those resolutions had gone “beyond their letter and spirit”, and stressed the importance of ensuring that international actors complied with the Charter and fully respected the will, sovereignty and territorial integrity of the country concerned.<sup>231</sup>

At the 6650th meeting, on 9 November 2011, the representative of the European Union said that in Côte d'Ivoire and Libya the Council had saved lives by mandating the protection of civilians, and urged the Council to take “robust” action in situations of human rights violations.<sup>232</sup>

Some speakers said that the protection of civilians was a central part of the work of the Council, noting that when civilians were targeted and national authorities failed to protect them it was the duty of the Council to intervene.<sup>233</sup> The representative of the United Kingdom said that the concept of protecting civilians was central to most United Nations peacekeeping and military operations authorized by the Council. However, to ensure its practical implementation the principle needed to be underpinned by enforcement mechanisms at the domestic and international levels.<sup>234</sup>

Several speakers, however, called for respect for the relevant provisions of the Charter and underlined that the protection of civilians with the use of force

<sup>221</sup> S/PV.6531, p. 28.

<sup>222</sup> Ibid., p. 10, (India); and p. 18 (South Africa); S/PV.6531 (Resumption 1), p. 28 (Syrian Arab Republic).

<sup>223</sup> S/PV.6531, p. 27 (Cuba); and p. 34 (Nicaragua).

<sup>224</sup> Ibid., p. 11.

<sup>225</sup> Ibid., p. 26 (Italy); p. 28 (Switzerland, on behalf of the Human Security Network); p. 32 (Japan); and p. 33 (Liechtenstein); S/PV.6531 (Resumption 1), p. 2 (Australia); p. 15 (Croatia); and p. 17 (Austria).

<sup>226</sup> S/PV.6531, p. 8 (United Kingdom); and p. 15 (United States).

<sup>227</sup> Ibid., p. 23.

<sup>228</sup> Ibid., p. 15.

<sup>229</sup> Ibid., p. 8 (United Kingdom); p. 28 (Switzerland); and p. 32 (Japan); S/PV.6531 (Resumption 1), p. 17 (Austria).

<sup>230</sup> S/PV.6531, p. 21.

<sup>231</sup> Ibid., p. 18.

<sup>232</sup> S/PV.6650 (Resumption 1), p. 8.

<sup>233</sup> S/PV.6650, p. 3 (Portugal); and p. 19 (France).

<sup>234</sup> Ibid., p. 11.

should be a last resort.<sup>235</sup> The representative of Brazil said that because the United Nations could authorize the use of force, it was under the obligation to fully develop an awareness of the dangers involved in such use, and to set up mechanisms that could provide an objective and detailed assessment of such dangers, as well as ways and means of preventing harm to civilians.<sup>236</sup> The representative of South Africa said that the harming of civilians could not be justified in the name of protecting civilians, and that the Council's authorization to use force to protect civilians in Libya had been abused. He also condemned the actions of NATO in that country, adding that they had gone far beyond the letter and spirit of resolution 1973 (2011).<sup>237</sup>

#### **Case 16 Maintenance of international peace and security**

At its 6621st meeting, on 22 September 2011, the Council held an open debate on the item entitled "Maintenance of international peace and security", with a focus on preventive diplomacy. The representative of Colombia said that, when the Council acted under Chapter VII, the dispute had already acquired such proportions that it was more complex and more difficult to solve, so much so that the

Council was empowered to impose sanctions and even to authorize the use of force. He further said that it would be ideal not to have to resort to Chapter VII, and therefore every effort must be made to strengthen preventive diplomacy and make it more efficient and more agile.<sup>238</sup> The representative of India, noting that low-intensity conflict, non-State actors and the terrorist-criminal-drug-trafficking nexus threatened international stability and progress, stated that recent developments seemed to indicate an alarming trend towards increased reliance on the use of force as a mechanism for resolving some of the conflicts. He said that the use of force led to collateral damage and, in many places, had in fact prolonged conflicts, leading to situations in which the cure turned out to be worse than the disease itself. He emphasized that India had always opposed and would continue to oppose the use of force as a primary reaction to conflict, and that coercive measures should be avoided and used as a measure of last resort, implemented with extreme care and caution.<sup>239</sup> The representative of the United Kingdom noted that the Council had a responsibility to use all means available to prevent conflict and to ensure that it did not escalate. He also said that military action may be necessary, as had proved the case in Libya, but it was a last resort, appropriate only in certain circumstances.<sup>240</sup>

<sup>235</sup> Ibid., p. 13 (Bosnia and Herzegovina); and p. 18 (India); S/PV.6650 (Resumption 1), p. 6 (Bangladesh).

<sup>236</sup> S/PV.6650, p. 16.

<sup>237</sup> Ibid., p. 22.

<sup>238</sup> S/PV.6621, p. 5.

<sup>239</sup> Ibid., p. 18.

<sup>240</sup> Ibid., p. 12.

## **V. Provision of armed forces in accordance with Articles 43 to 45 of the Charter**

### *Article 43*

1. *All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.*

2. *Such agreement or agreements shall govern the numbers and types of forces, their degree of*

*readiness and general location, and the nature of the facilities and assistance to be provided.*

3. *The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.*

#### Article 44

*When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.*

#### Article 45

*In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.*

#### Note

Section V covers the practice of the Security Council in relation to Articles 43 to 45 of the Charter, regarding arrangements intended to govern the relationship between the Security Council and the Member States contributing troops and air-force contingents for the purpose of the maintenance of international peace and security. Article 43 obligates Member States, at the request of the Council, to make available to it armed forces and other assistance for the purpose of maintaining international peace and security, while Article 44 provides for the involvement of troop-contributing countries in relevant Council discussions. Article 45 of the Charter specifies the need for Member States to make available national air-force contingents for combined international enforcement actions, at the request of the Council.

The section is divided into six subsections: subsections A, C and E cover the decisions of the Council relevant to Articles 43, 44 and 45, respectively. Subsections B, D and F present the discussions of a constitutional nature that can be considered relevant to those Articles.

During the period under review, the Council did not explicitly refer to Article 43 in any of its decisions. The Council did, however, adopt a number of decisions

by which it called upon States to provide armed forces and assistance related to enforcement actions by United Nations peacekeeping operations, and which are therefore of relevance to the interpretation of Article 43.

Similarly, the Council did not explicitly refer to Article 44 in any of its decisions. However, two statements by the President contained what can be considered to be references to Article 44, under the items entitled "Maintenance of international peace and security"<sup>241</sup> and "United Nations peacekeeping operations",<sup>242</sup> respectively.

During the period under review, the Council held a number of meetings that can be considered as relating to Article 45.

There were no communications to the Council which contained an explicit reference to Articles 43 to 45 or provisions contained therein.

#### A. Decisions of the Security Council relating to Article 43

During the period under review, the Council adopted a number of decisions that implicitly referred to Article 43 of the Charter. In connection with the establishment of the United Nations Interim Security Force for Abyei, the Council called upon Member States to ensure the unhindered movement to and from Abyei of all personnel, equipment and supplies which were for the official use of the mission.<sup>243</sup> The Council also called on Member States to support the redeployment of forces from the United Nations Mission in Liberia to the United Nations Operation in Côte d'Ivoire.<sup>244</sup> By a statement by the President adopted on 23 September 2010, in connection with the consideration of the role of the Council in maintaining international peace and security, the Council, inter alia, encouraged Member States with the necessary capabilities to contribute more police, military and civilian personnel, including female personnel, to United Nations peacekeeping and political missions.<sup>245</sup> For more details, see table 36.

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<sup>241</sup> S/PRST/2010/18.

<sup>242</sup> S/PRST/2011/17.

<sup>243</sup> Resolution 1990 (2011), para. 5.

<sup>244</sup> Resolution 1938 (2010), para. 6.

<sup>245</sup> S/PRST/2010/18, twelfth paragraph.

Table 36

**Calls by the Security Council to provide assistance related to enforcement action**

| <i>Decision and date</i>   | <i>Provision</i>  |
|--|---|
| <b>Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security</b> |   |
| <a href="#">S/PRST/2010/18</a><br>23 September 2010  | The Council pays tribute to the invaluable role played by the troop- and police-contributing countries in keeping and building a sustainable peace in many volatile parts of the world and reiterates its commitment to strengthen consultations with them, while encouraging Member States with the necessary capabilities to contribute more police, military and civilian personnel, including female personnel, to United Nations peacekeeping and political missions (twelfth paragraph) |
| <b>The situation in Côte d'Ivoire</b>  |   |
| Resolution <a href="#">1962 (2010)</a><br>20 December 2010   | Affirms its intention to consider authorizing the Secretary-General to redeploy further troops, as may be needed, between the United Nations Mission in Liberia (UNMIL) and the United Nations Operation in Côte d'Ivoire (UNOCI) on a temporary basis, in accordance with the provisions of its resolution <a href="#">1609 (2005)</a> , and calls upon troop-contributing countries to support the efforts of the Secretary-General in this regard (para. 7)                                |
| Resolution <a href="#">1967 (2011)</a><br>19 January 2011  | Decides to authorize the immediate deployment of the additional capacities as set out in paragraphs 1, 4 and 5 [of the resolution], and requests the support of troop- and police-contributing countries in that regard (para. 7)   |
| Resolution <a href="#">1968 (2011)</a><br>16 February 2011   | Requests the support of troop- and police-contributing countries [with regard to the temporary redeployment of troops and resources from UNMIL to UNOCI. 1] (para. 2)   |
| <b>The situation in Liberia</b>  |   |
| Resolution <a href="#">1938 (2010)</a><br>15 September 2010  | Reaffirms its intention to authorize the Secretary-General to redeploy troops, as may be needed, between UNMIL and UNOCI on a temporary basis, in accordance with the provisions of resolution <a href="#">1609 (2005)</a> , and calls upon troop-contributing countries to support the efforts of the Secretary-General in this regard (para. 6)   |
| <b>Reports of the Secretary-General on the Sudan</b>   |   |
| Resolution <a href="#">1990 (2011)</a><br>27 June 2011   | Calls upon all Member States to ensure the free, unhindered and expeditious movement to and from Abyei of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of the United Nations Interim Force for Abyei (para. 5)   |

## B. Discussion relating to Article 43

During the period under review, the Council on one occasion discussed the need for Member States to adequately support and equip United Nations peacekeeping missions, to ensure that they were able to fulfil the mandates and objectives required of them (see case 17). At the 6270th meeting, on 12 February 2010, in connection with transition and exit strategies in United Nations peacekeeping operations, there was one explicit reference to Article 43, which did not give rise to any discussion that could be considered constitutional in nature. The representative of Bangladesh, citing Article 43, declared that his country was always ready to respond to the call of the Security Council with whatever means and capacity it had.<sup>246</sup>

### Case 17

#### United Nations peacekeeping operations

At its 6603rd meeting, on 26 August 2011, under the item entitled “United Nations peacekeeping operations”, the Council held an open debate to take stock of recent progress in peacekeeping operations, and to review the challenges to further success. Some speakers noted that meeting the demands of modern peacekeeping had stretched the capacity of the United Nations peacekeeping operations, and that a lack of resources made it difficult for those peacekeeping missions to adequately fulfil their mandates.<sup>247</sup> The representative of the Russian Federation, for example, said that the increased number of complex peacekeeping operations in the past few years had placed ever-growing demands on the resources of the United Nations, which was encountering an unprecedented number of challenges.<sup>248</sup> The representative of Gabon pointed out that missions such as the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the African Union-United Nations Hybrid Operation in Darfur (UNAMID) were lacking in logistical and human resources, whether it be aerial,

financial or material resources.<sup>249</sup> The representative of Portugal said that peacekeeping operations must be provided with the means required to achieve the objectives defined by the Council.<sup>250</sup> The representative of India agreed, adding that a lack of resources affected the operational effectiveness of peacekeeping and cast a shadow on the credibility of the Council’s mandates.<sup>251</sup> The representative of China expressed hope that those countries able to do so would increase their input and provide the necessary resources and technical guarantees for peacekeeping operations.<sup>252</sup> The representative of the Philippines said that his country, as an active troop- and police-contributing country, had noted that the surge in and increased demand for peacekeepers were often not matched by the capabilities and resources necessary to meet their peacekeeping commitments, and called on the Council to ensure that peacekeepers were adequately armed and equipped to enhance their capacity to protect themselves in high-risk areas.<sup>253</sup> The representative of South Africa said that burden-sharing was the key in dealing with the complex challenges of peacekeeping, and in that regard encouraged Member States to generously contribute to all peacekeeping operations, in both personnel and equipment.<sup>254</sup> The representative of Bosnia and Herzegovina said that Member States should continue to improve their efforts in responding to requests for the provision of personnel to United Nations peacekeeping operations.<sup>255</sup>

## C. Decisions of the Security Council relating to Article 44

During the period under review, the Council adopted two statements by the President which could be considered of relevance to Article 44. At its 6389th meeting, on 23 September 2010, in connection with the item entitled “Maintenance of international peace and security”, the Council adopted a statement by which it paid tribute to the invaluable role played by troop- and police-contributing countries in keeping and building a sustainable peace in many volatile parts of the world,

<sup>246</sup> S/PV.6270 (Resumption 1), p. 5.

<sup>247</sup> S/PV.6603, p. 9 (Gabon); p. 11 (Russian Federation); pp. 16-17 (United States); p. 21 (India); and p. 26 (Republic of Korea); S/PV.6603 (Resumption 1), p. 2 (Australia); pp. 3-4 (Pakistan); p. 6 (Senegal); p. 9 (Uruguay); p. 13 (Malaysia); p. 16 (Philippines); p. 17 (Canada); p. 21 (European Union); p. 27 (Hungary); p. 33 (Ukraine); p. 35 (Tunisia); and p. 37 (Azerbaijan).

<sup>248</sup> S/PV.6603, p. 11.

<sup>249</sup> Ibid., p. 9.

<sup>250</sup> Ibid., p. 6.

<sup>251</sup> Ibid., p. 21.

<sup>252</sup> Ibid., p. 5.

<sup>253</sup> S/PV.6603 (Resumption 1), p. 16.

<sup>254</sup> S/PV.6603, p. 20.

<sup>255</sup> Ibid., p. 18.

and reiterated its commitment to strengthening consultations with them.<sup>256</sup> At its 6603rd meeting, on 26 August 2011, in connection with the item entitled “United Nations peacekeeping operations”, the Council adopted a statement in which it stressed the need to improve the communication between the Council, troop- and police-contributing countries and the Secretariat, and other stakeholders, in accordance with resolution 1353 (2001), to foster a spirit of partnership, cooperation, confidence and mutual trust, and to ensure that the Council had the benefit of the views of those serving in the field when making decisions about peacekeeping mandates.<sup>257</sup>

#### D. Discussion relating to Article 44

During the period under review, the Council twice discussed its engagement with troop- and police-contributing countries. In an open debate dedicated to the working methods of the Council, several speakers encouraged a closer working relationship between the Council and troop-contributing countries, especially with respect to the missions in which they participated (see case 18). In its debate on United Nations peacekeeping operations, the Council also discussed the role of troop- and police-contributing countries (see case 19).

##### Case 18 Implementation of the note by the President of the Security Council (S/2006/507)

At its 6300th meeting, on 22 April 2010, the Council held an open debate to discuss the working methods of the Council and the implementation of the note by the President of the Security Council (S/2006/507). During the debate, many speakers recognized that greater interaction between troop- and police-contributing countries and the Council had been achieved in recent years,<sup>258</sup> including through informal interactive dialogues and the establishment of the New Horizon initiative, a consultation process by which the Council could engage troop-contributing countries at

least a week in advance of informal consultations of the Council in connection with mission mandates and their renewals.<sup>259</sup> The representative of France said that interest had been shown in organizing working meetings with troop- and police-contributing countries prior to consultations of the Council, which allowed for the effective participation of military advisers and specialists in police-related and political issues from the States providing contingents, and improved background discussions.<sup>260</sup> The representative of Kenya said that, as a troop-contributing country, Kenya appreciated the recent efforts that the Council had undertaken to improve interaction with troop-contributing countries. Strengthening cooperation between the Council and troop-contributing countries, he said, enhanced the possibility for success in peacekeeping operations.<sup>261</sup>

Other speakers, while recognizing the positive increase in the participation of troop-contributing countries in Council deliberations, felt there was still room for that interaction to be strengthened through more frequent engagement in the Council’s open meetings and informal consultations, in order to better hear and consider the views of those countries.<sup>262</sup> The representative of Brazil said that consultations between the Council and troop-contributing countries should be held as early as possible in the negotiation of mandate renewals for peacekeeping missions, so that the views of troop-contributing countries could be considered by the Council fully and in a timely manner.<sup>263</sup> The representative of Canada said that in the past year there had been a noticeable improvement in the quality of the consultations with troop-contributing countries, in particular in the scheduling of consultations so that they occurred before the decision of the Council on a mission’s mandate had already been taken. He said that this allowed the Council to benefit from the significant experience of the troop-contributing countries and also ensured that there was broad support for Council

<sup>256</sup> S/PRST/2010/18, twelfth paragraph.

<sup>257</sup> S/PRST/2011/17, sixth paragraph.

<sup>258</sup> S/PV.6300, p. 5 (Mexico); p. 8 (United Kingdom); p. 13 (France); p. 14 (Bosnia and Herzegovina); p. 17 (Gabon, Uganda); and p. 18 (Japan); S/PV.6300 (Resumption 1), p. 3 (Canada); p. 4 (New Zealand); p. 7 (Costa Rica); p. 11 (Uruguay); and p. 15 (Singapore).

<sup>259</sup> S/PV.6300, p. 7 (Austria); p. 10 (Lebanon); p. 12 (United States); p. 13 (France); p. 14 (Bosnia and Herzegovina); and p. 25 (Finland).

<sup>260</sup> S/PV.6300, p. 13.

<sup>261</sup> S/PV.6300 (Resumption 1), p. 19.

<sup>262</sup> S/PV.6300, p. 3 (Turkey); p. 15 (Brazil); p. 30 (Italy); p. 34 (South Africa); and p. 35 (Slovenia); S/PV.6300 (Resumption 1), p. 4 (New Zealand); p. 10 (India); p. 16 (Ukraine); p. 20 (Namibia); p. 21 (Czech Republic); and p. 27 (Pakistan).

<sup>263</sup> S/PV.6300, p. 15.

decisions.<sup>264</sup> The representative of New Zealand said that recent discussions in connection with Chad demonstrated that key troop contributors were sometimes unable to participate meaningfully in timely and sustained high-level consultations with Council members, and in that regard advocated the creative use of Council meeting formats such as informal interactive dialogues.<sup>265</sup> The representative of Jordan called for the full and effective implementation of resolution 1353 (2001) and the statement by the President of 5 August 2009, which provided a framework for cooperation between the Council, troop- and police-contributing countries and the Secretariat. He said that the consultation mechanism and the detailed procedures laid out in those reference documents should be optimally utilized so as to forge a stronger relationship between the Council and troop- and police-contributing countries.<sup>266</sup>

#### Case 19 United Nations peacekeeping operations

At its 6603rd meeting, on 26 August 2011, in connection with United Nations peacekeeping operations, the Council convened an open debate on the theme “Peacekeeping: taking stock and preparing for the future”. Several speakers suggested the need for greater cooperation and communication among the Security Council and troop- and police-contributing countries. For example, the representatives of Colombia and France offered support for Council initiatives that sought to improve and enhance the communication and cooperation between the Council — the organ which plans and adopts mandates for peacekeeping operations — and those that must implement them,<sup>267</sup> while the representatives of Nigeria and Germany said that the Council should benefit from the experiences of troop- and police-contributing countries in the deliberations on and design of peacekeeping missions, and find a better system for pooling information from those countries.<sup>268</sup> The representatives of Lebanon, Brazil, Bosnia and Herzegovina and South Africa all pointed to the triangular partnership between the Security Council, the Secretariat and troop- and police-

contributing countries, the cooperation of which was a key factor in the success of United Nations peacekeeping.<sup>269</sup> The representative of Gabon said that regular exchanges with troop-contributing countries allowed the Council to better understand the situation on the ground and to make better decisions, and in that regard welcomed the participation of Force Commanders at a previous meeting of the Council.<sup>270</sup> The representative of the United States said that he was pleased that the draft statement by the President called for concrete measures to enhance the consultations of the Council with troop- and police-contributing countries, and sought more regular input from force commanders, police commissioners and other uniformed personnel who could provide the Council with a critical understanding of the challenges and realities they faced on the ground.<sup>271</sup> The representative of the United Kingdom said that the draft statement would add important new ways to strengthen the relationship between troop- and police-contributing countries, the Secretariat and the Council in its consideration of peacekeeping mandates.<sup>272</sup> The representative of the Russian Federation said that there was a need for ongoing dialogue between the Council and troop-contributing countries on all aspects of the work of peacekeeping operations, including at the planning and mandate-development stages; interaction with troop-contributing countries would allow the Council to develop clearer and more realistic peacekeeping goals, with strict monitoring of their implementation, and to curb attempts to broaden their interpretation.<sup>273</sup>

#### E. Decisions of the Security Council relating to Article 45

During the period under review, in two decisions concerning the Democratic Republic of the Congo, the Council requested MONUSCO<sup>274</sup> to keep a reserve

<sup>264</sup> S/PV.6300 (Resumption 1), p. 3.

<sup>265</sup> Ibid., p. 4.

<sup>266</sup> S/PV.6300, p. 31.

<sup>267</sup> S/PV.6603, p. 8 (Colombia); and p. 12 (France).

<sup>268</sup> Ibid., p. 4 (Nigeria); and p. 18 (Germany).

<sup>269</sup> Ibid., p. 13 (Lebanon); p. 15 (Brazil); pp. 17-18 (Bosnia and Herzegovina); and p. 20 (South Africa).

<sup>270</sup> Ibid., p. 9.

<sup>271</sup> Ibid., p. 16.

<sup>272</sup> Ibid., p. 10.

<sup>273</sup> Ibid., p. 12.

<sup>274</sup> By resolution 1925 (2010) of 28 May 2010, the Council changed the name of the United Nations Organization Mission in the Democratic Republic of the Congo to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. For more information, see part X.

force capable of redeploying rapidly in the country within its mandated strength, and in that regard called upon Member States to pledge and provide the remaining force enablers required for the Mission to fulfil its mandate.<sup>275</sup> With regard to Darfur, the Council called on Member States to contribute force enablers

<sup>275</sup> Resolutions 1925 (2010), para. 19, and 1991 (2011), paras. 10 and 22.

including military utility helicopters to assist UNAMID.<sup>276</sup>

Table 37 lists the decisions adopted during the period in which the Council called upon Member States to contribute various types of air-force contingents required by peacekeeping operations.

<sup>276</sup> Resolution 1935 (2010), para. 5.

Table 37  
Calls for the provision of air-force contingents by Member States

| <i>Decision and date</i>   | <i>Provision</i>  |
|--|---|
| <b>The situation concerning the Democratic Republic of the Congo</b> |   |
| Resolution 1925 (2010)<br>28 May 2010                                | Commends the contribution of troop- and police-contributing countries and donors to the United Nations Organization Mission in the Democratic Republic of the Congo, and calls upon Member States to pledge and provide the remaining force enablers required for the mission (para. 19)<br><br><i>Same provision in resolution 1991 (2011), para. 22</i> |

#### Reports of the Secretary-General on the Sudan

|  |   |
|--|---|
| Resolution 1935 (2010)<br>30 July 2010 | Commends the contribution of troop- and police-contributing countries and donors to the African Union-United Nations Hybrid Operation in Darfur, notes that the Operation is nearing full deployment, underlines the need for capable units able to carry out the Operation's mandated tasks, in this regard requests the continuing assistance of donors to troop- and police-contributing countries in ensuring that units are suitably trained and equipped to conduct and sustain themselves on operations, and calls upon Member States to pledge and contribute the remaining military utility helicopters, aerial reconnaissance and other force enablers required (para. 5) |
|--|---|

## F. Discussion relating to Article 45

In the period under review, the question of the provision of air-force contingents was discussed by the Council on several occasions, two of which are considered here.<sup>277</sup> In connection with the situation in the Democratic Republic of the Congo, the Council discussed the lack of air-force contingents facing MONUSCO, which was hampering the Mission's ability to adequately reach all parts of the country and protect civilians (see case 20). In a thematic debate in connection with United Nations peacekeeping

<sup>277</sup> The question of air contingents was raised also in connection with the situation in Somalia (see [S/PV.6532](#)).

operations, the Council discussed the difficulty of ensuring and deploying necessary air-force contingents (see case 21).

### Case 20 The situation concerning the Democratic Republic of the Congo

At the 6539th meeting, on 18 May 2011, under the item entitled "The situation concerning the Democratic Republic of the Congo", the representative of Lebanon said that the international community should continue to support the authorities of the Democratic Republic of the Congo in all the efforts being made to ensure conditions for stability and prosperity in the country, and that MONUSCO should



have all the necessary means to carry out its tasks, including helicopters and other aircraft.<sup>278</sup> The representative of India, recalling the long-standing association of his country with the Democratic Republic of the Congo as one of the major troop-contributing countries over the past five decades, said that India had extended the service of six utility helicopters until April 2011 and would continue to extend the services of four combat helicopters beyond the commitment period.<sup>279</sup>

At the 6551st meeting, on 9 June 2011, the Special Representative of the Secretary-General and Head of MONUSCO said that the military operations of the Mission were being negatively affected by a shortage of military helicopters. With the scheduled departure of the remaining combat helicopters early in July, the problem would become worse absent new contributions. Despite a recent commitment from South Africa to provide an additional military utility helicopter, filling gaps in the helicopter capabilities of the Mission would be critical to maintaining its efforts in the protection of civilians and other core mandated tasks.<sup>280</sup>

In his briefing to the Council at the 6649th meeting, on 8 November 2011, the Special Representative of the Secretary-General said that, unfortunately, the Armed Forces of the Democratic Republic of the Congo and MONUSCO had lost momentum in dealing with armed groups in the east of the country, owing in large part to the reorganization of the national armed forces, which had left significant gaps that had been exploited by various groups. The problem had been exacerbated by the continuing shortage of MONUSCO military helicopters, which had imposed severe limits on the nature and level of the military operations of the Mission.<sup>281</sup>

### **Case 21 United Nations peacekeeping operations**

At the 6592nd meeting, on 27 July 2011, under the item entitled “United Nations peacekeeping operations”, several Force Commanders were invited to brief the Council on their respective missions. In his briefing, the Force Commander of MONUSCO said

that the non-availability of aviation assets — both utility and attack helicopters — was of great concern for the Mission. Noting that in recent years the focus of the conflict had shifted westward, away from the east of the country and into jungle areas that were accessible only by helicopter, he said that one third of the 93 MONUSCO bases could logistically be supplied only by air assets. Furthermore, he said that the lack of attack helicopters had greatly reduced the Mission’s deterrence capability against the Forces démocratiques de libération du Rwanda in the Kivu provinces, and with the elections approaching, the future requirements for air assets were going to be much higher.<sup>282</sup> Similarly, the Force Commander for UNAMID said that one of the major logistical challenges facing the UNAMID forces in Darfur was aviation capacity, in particular with regard to utility helicopters. He appealed to Member States with the means to support the mission to make some of those capacities available, since they would go a long way towards enhancing the capabilities of the mission.<sup>283</sup> The representative of South Africa said that his country was encouraged by ongoing efforts to address the shortage of military assets such as helicopters; troops deployed on missions could not be expected to be everywhere at once without the necessary resources.<sup>284</sup>

At the 6603rd meeting, on 26 August 2011, a number of speakers highlighted a gap between the growing demand for United Nations peacekeeping operations and the resources needed to carry out those missions, including military helicopters.<sup>285</sup> For example, the representative of the United States said that he shared the concern of the Secretariat and troop-contributing countries that the chronic lack of helicopters hampered the ability of United Nations peacekeeping operations to implement their mandates, and that addressing that strategic gap should remain a high priority for Member States and the Secretariat alike.<sup>286</sup> Similarly, the representative of the European Union acknowledged the pressing need for military helicopters and said that the urgency of the matter called for pragmatic and swift solutions.<sup>287</sup>

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<sup>278</sup> S/PV.6539, pp. 15-16.

<sup>279</sup> Ibid., p. 21.

<sup>280</sup> S/PV.6551, p. 3.

<sup>281</sup> S/PV.6649, p. 4.

<sup>282</sup> S/PV.6592, pp. 18-19.

<sup>283</sup> Ibid., p. 20.

<sup>284</sup> Ibid., p. 22.

<sup>285</sup> S/PV.6603, p. 6 (Portugal); p. 16 (United States); and p. 26 (Republic of Korea); S/PV.6603 (Resumption 1), p. 2 (Australia); and p. 33 (Ukraine).

<sup>286</sup> S/PV.6603, p. 16.

<sup>287</sup> S/PV.6603 (Resumption 1), p. 21.

Some speakers highlighted the need for increased inter-mission cooperation to offset the lack of air assets in missions. For example, the representative of Portugal noted that, unless peacekeeping operations were provided with the means required to achieve the objectives defined by the Council, the credibility of the United Nations would be undermined. He called on those members that possessed more resources to contribute accordingly, “be it in terms of force generation or equipment, such as helicopters”.<sup>288</sup>

<sup>288</sup> S/PV.6603, p. 6.

Highlighting the benefits of inter-mission cooperation, such as that achieved between the United Nations Mission in Liberia and the United Nations Operation in Côte d’Ivoire, the representative of France noted that helicopter reinforcements had allowed heavy weaponry to be neutralized and allowed traffic and the movement of mercenaries at the Liberian border to be monitored.<sup>289</sup>

<sup>289</sup> Ibid., p. 13.

## VI. Role and composition of the Military Staff Committee in accordance with Articles 46 and 47 of the Charter

### Article 46

*Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.*

### Article 47

1. *There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council’s military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.*

2. *The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee’s responsibilities requires the participation of that Member in its work.*

3. *The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.*

4. *The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.*

### Note

Section VI covers the practice of the Security Council in relation to Articles 46 and 47 of the Charter regarding the Military Staff Committee, including instances in which the Council, either in its decisions or in its discussions, considered the role of the Military Staff Committee in planning the application of armed force and advising and assisting the Council on the military requirements for the maintenance of international peace and security.

The section is divided into two subsections: subsection A covers the decisions adopted by the Council of relevance to Articles 46 and 47; subsection B covers the discussions of the Council of relevance to Articles 46 and 47.

### A. Decisions of the Security Council relating to Articles 46 and 47

During the period under review, the Council did not explicitly refer to either Article 46 or Article 47 in any of its decisions. However, on two occasions, the Council adopted statements by the President which included references to the Military Staff Committee that can be considered relevant to the interpretation of Articles 46 and 47. At its 6389th meeting, on 23 September 2010, under the item entitled “Maintenance of international peace and security”, the Council adopted a statement by which it, inter alia, recognized that peacekeeping operations had become an increasing complex undertaking, acknowledged the

need for improved military expertise and in that context expressed its intention to continue to look into the role of the Military Staff Committee.<sup>290</sup> At its 6603rd meeting, on 26 August 2011, under the item entitled “United Nations peacekeeping operations”, the Council adopted a statement by which it, *inter alia*, recognized the need to improve its access to military advice, including from troop-contributing countries, and indicated that it would continue to review the role of the Military Staff Committee.<sup>291</sup>

## **B. Discussion relating to Articles 46 and 47**

During the period under review, there was one occasion on which Article 47 was explicitly referred to at a meeting of the Council. At the 6389th meeting, on 23 September 2010, under the item entitled “Maintenance of international peace and security”, the representative of the Russian Federation said that his delegation’s proposal to intensify the activities of the Military Staff Committee remained relevant; it provided for the development of practical cooperation between the Committee and the Council, the Secretariat and all interested Member States, in full compliance with the Charter and Article 47. The proposal would ensure a systemic and professional military expert assessment of peacekeeping activities.<sup>292</sup>

There were no explicit references to Article 46 at meetings of the Council during the period.

The Council did consider the question of the revitalization of the Military Staff Committee, in particular regarding its role in providing advice and support to the Council on peacekeeping operations (see case 22) and in connection with the implementation of the note by the President of the Security Council (S/2006/507) (see case 23).

### **Case 22 United Nations peacekeeping operations**

At the 6270th meeting, on 12 February 2010, under the item entitled “United Nations peacekeeping operations”, the representative of the Russian Federation said that the problem of ensuring the required level of military expertise in the peacekeeping

decisions of the Council deserved particular attention. The Russian proposal on reinvigorating the work of the Military Staff Committee, with a full complement of all Council members and the flexible involvement of leading troop-contributing countries, remained relevant. He said that the assessments of the Committee with regard to the situation in countries where peacekeeping operations existed, its recommendations on operational aspects of peacekeeping, and its participation in and cooperation with the Secretariat in missions and in defining the preparedness of contingents and the infrastructure of peacekeeping operations would provide the Council with reliable and timely information, and build up the military expertise of United Nations peacekeeping.<sup>293</sup>

At the 6370th meeting, on 6 August 2010, the representative of the United Kingdom recalled the statement by the President of 5 August 2009, by which the Council had acknowledged the need to improve access to military advice. He said that some progress had been made since, but that more could be done to improve the understanding of the Council of the operational demands placed on troops and police by the peacekeeping resolutions drafted by the Council. He said that his delegation supported changes to improve consultation and interaction with troop and police contributors, and was willing to explore ways of making the Military Staff Committee more inclusive and relevant, in order to help the Council make decisions that enabled peacekeepers to implement their mandates fully.<sup>294</sup> The representative of the Russian Federation said that his delegation’s proposal to further revitalize the activities of the Military Staff Committee was still on the table, and noted that the Committee was drafting recommendations on the operational aspects of peacekeeping activities. The participation of the Committee in measures to determine the readiness of contingents and infrastructure for peace operations would allow it to supply the Council with reliable, timely information, and enhance the quality of military expertise available to United Nations peacekeeping as a whole.<sup>295</sup>

At the 6592nd meeting, on 27 July 2011, the representative of the Russian Federation again recalled the proposal by his delegation to revitalize the

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<sup>290</sup> S/PRST/2010/18, eleventh paragraph.

<sup>291</sup> S/PRST/2011/17, ninth paragraph.

<sup>292</sup> S/PV.6389, p. 15.

<sup>293</sup> S/PV.6270, p. 22.

<sup>294</sup> S/PV.6370, p. 24.

<sup>295</sup> *Ibid.*, p. 28.

activities of the Military Staff Committee, which would elaborate recommendations on the operational aspects of peacekeeping, and take part in missions to assess the preparedness of contingents and the infrastructure for peacekeeping operations.<sup>296</sup>

At the 6603rd meeting, on 26 August 2011, the representative of the United Kingdom said that the Military Staff Committee had demonstrated, through its discussion of the draft concept of operations of the African Union Mission in Somalia, that it had an important role to play. He said that all Council members could contribute military advice to the Military Staff Committee without recourse to redrafting of the Charter, making the most of the informal mechanism.<sup>297</sup> The representative of the Russian Federation said that the problem of ensuring the required level of military expertise had not been resolved in the measures taken within United Nations peacekeeping operations, and he once again reiterated the proposal of his delegation to step up the work of the Military Staff Committee.<sup>298</sup> The representative of Germany said that designing mandates and missions should build on an inclusive planning process involving, at an early stage, a broad range of experts and potential capability providers, notably including troop- and police-contributing countries, as well as the main financial contributors. To that end, the role of the Military Staff Committee should be revitalized and strengthened.<sup>299</sup>

### **Case 23 Implementation of the note by the President of the Security Council (S/2006/507)**

At its 6300th meeting, on 22 April 2010, the Council considered the working methods of the Council and the implementation of the note by the President of the Security Council (S/2010/507). In the concept paper issued in advance of the debate the representative of Portugal, in his capacity as the

<sup>296</sup> S/PV.6592, p. 26.

<sup>297</sup> S/PV.6603, p. 11.

<sup>298</sup> Ibid.

<sup>299</sup> Ibid., p. 18.

President of the Security Council, invited the Council members to engage in a constructive debate on the recent practice of the Council, including on any progress made in the Council's implementation of the note, and to make suggestions regarding measures to enhance transparency, efficiency and interaction with United Nations Members at large, including enhancing the role of the Military Staff Committee.<sup>300</sup>

During the debate, the representative of Namibia said that the annual report of the Security Council to the General Assembly was the most visible source of information about the work of the Council. It was therefore important for the report to be more analytical, providing not only an account of the matters considered by the Council, but also an assessment of the Council's ability to deal with the problems at hand and signalling possible improvements. In addition, he emphasized that the report should continue to include an account of the work of the Military Staff Committee.<sup>301</sup>

At the 6672nd meeting, on 30 November 2011, the representative of Germany spoke in favour of enhancing the role of the Military Staff Committee, welcoming the practice of regular informal meetings of the Committee with all members of the Council, and encouraging the continuation of the practice.<sup>302</sup> The representative of the United Kingdom encouraged the Council to create more opportunities to hear expert and specialized advice, for instance from the Peacebuilding Commission and the Military Staff Committee.<sup>303</sup> While supporting the view of other delegations that the Council should establish closer interactions with other bodies, such as the Peacebuilding Commission, the representative of Portugal emphasized the need for further consideration of the work of the Military Staff Committee.<sup>304</sup>

<sup>300</sup> S/2011/726.

<sup>301</sup> S/PV.6300 (Resumption 1), pp. 20-21.

<sup>302</sup> S/PV.6672, p. 10.

<sup>303</sup> Ibid., p. 14.

<sup>304</sup> S/PV.6672 (Resumption 1), p. 20.

## VII. Obligations of Member States under Article 48 of the Charter

### Article 48

1. *The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.*

2. *Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.*

### Note

Section VII covers the practice of the Council in relation to Article 48 of the Charter, regarding the obligation of all or some Member States to carry out its decisions adopted in accordance with the provisions of Articles 40, 41 and 42. Under Article 48 (2), Member States shall carry out the decisions directly, or through international organizations of which they are members. The present section focuses on the types of obligations imposed on Member States under Article 48, and on the various addressees called upon by the Council to implement, or comply with, decisions adopted under Articles 40, 41 and 42. Details of the measures themselves are provided in the sections covering the aforementioned Articles.

During the period under review, the Council did not explicitly invoke Article 48 in its decisions, but it adopted several resolutions which underlined the obligation of Member States to comply with the measures imposed under Chapter VII of the Charter.

This section is divided into two subsections: subsection A covers decisions in which the Council called upon States to implement or comply with measures adopted under Article 41; subsection B covers decisions of the Council adopted under Article 42. There were no references to Article 48 in decisions adopted under Article 40. Additional provisions concerning the obligations of Member States with regard to the effective implementation of measures adopted under Article 42 are covered in sections V and VIII of this part, and therefore are not covered in the present section.

### A. Obligations of Member States under Article 48 relating to decisions adopted in accordance with Article 41

During the period under review, in its decisions adopted in accordance with Article 41, including sanctions and judicial measures, the Council called upon Member States to (a) comply with their obligation to implement the measures imposed; (b) report to the relevant sanctions committee or to the Council directly; (c) ensure full cooperation with the relevant committee or monitoring mechanism; and (d) cooperate with the International Criminal Court and the ad hoc tribunals.

Regarding the obligations of Member States to implement the measures imposed, decisions of the Council were addressed, respectively, to “Member States”, “all States” or “all States, particularly States in the region”. In one resolution adopted in connection with the situation in Côte d’Ivoire, the Council specifically called on “the Government of Côte d’Ivoire and all international partners, including private companies, involved in assisting the Government in the reform of the security sector” to comply with the provisions of its previous resolution.<sup>305</sup>

In Council decisions imposing sanctions measures, Member States were often requested to fully cooperate with Security Council Committees established to oversee the implementation of the sanctions,<sup>306</sup> as well as related panels and groups.<sup>307</sup> The Council also called upon Member States to submit reports on the implementation of measures overseen by the Committees.<sup>308</sup> While the Council often addressed such calls to “all States” or “all States, particularly in the region”, in some instances reference was made to certain States. For example, in considering the situation concerning the Democratic Republic of the Congo, the Council called upon “all States, particularly those in the region and those in which individuals and entities [subjected to targeted measures] are based” to regularly report to the Committee on the actions they

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<sup>305</sup> Resolution 2000 (2011), para. 16.

<sup>306</sup> See for example resolution 1952 (2010), para. 4.

<sup>307</sup> See for example resolution 1916 (2010), para. 10.

<sup>308</sup> See for example resolution 1929 (2010), para. 31.

had taken to implement the measures.<sup>309</sup> In connection with the situation in Somalia, the Council specifically requested that “all States, including Eritrea, other States in the region and the Transitional Federal Government” ensure cooperation with the Monitoring Group by individuals and entities within their jurisdiction or under their control. It also urged “all parties and all States, particularly those in the region, as well as international, regional and subregional organizations” to cooperate fully with the work of the Monitoring Group.<sup>310</sup>

Regarding judicial measures adopted in accordance with Article 41, in connection with the International Tribunals for Rwanda and the Former Yugoslavia, the Council, *inter alia*, recalled the obligation of States to cooperate with the Tribunals, and in particular to comply without undue delay with requests for assistance in the location, arrest, detention, surrender and transfer of accused persons.<sup>311</sup> The Council also decided that all States should cooperate fully with the International Residual Mechanism for Criminal Tribunals, including complying with requests for assistance or orders issued by the Mechanism

pursuant to its statute.<sup>312</sup> In the context of the referral of the situation in Libya to the International Criminal Court, the Council, while recognizing that “States not party to the Rome Statute have no obligation under the Statute”, urged “all States and concerned regional and other international organizations” to cooperate fully with the Court and its Prosecutor.<sup>313</sup> In its consideration of the situation in Sierra Leone, the Council urged “all States to cooperate with and render assistance to the Special Court for Sierra Leone”, or any institution to which the Court had transferred the case of Johnny Paul Koroma.<sup>314</sup>

During the period covered, there were no modifications to the mandate of the Special Tribunal for Lebanon established by resolution 1757 (2007) of 30 May 2007 and in operation since 1 March 2009 following the conclusion of the work of the International Independent Investigation Commission.

Table 38 provides a list of all decisions of the Council referring to obligations of Member States to carry out its decisions adopted in accordance with Article 41.

<sup>309</sup> Resolution 1952 (2010), para. 20.

<sup>310</sup> Resolution 1916 (2010), paras. 10 and 12.

<sup>311</sup> Resolution 1966 (2010), para. 8.

<sup>312</sup> *Ibid.*, para. 9.

<sup>313</sup> Resolution 1970 (2011), para. 5.

<sup>314</sup> Resolution 1940 (2010), eighth preambular paragraph.

Table 38

**Decisions adopted in accordance with Article 41 referring to obligations of Member States under Article 48**

*Decision and date*

*Provision*

**International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

**International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994**

Resolution 1966 (2010)  
22 December 2010

Recalls the obligation of States to cooperate with the Tribunals and, in particular, to comply without undue delay with requests for assistance in the location, arrest, detention, surrender and transfer of accused persons (para. 8)

Decides that all States shall cooperate fully with the International Residual Mechanism for International Tribunals in accordance with the present resolution and the statute of the Mechanism and that, consequently, all States shall take any measures necessary under their domestic law to implement the provisions of the present resolution and the statute of the Mechanism, including the obligation of States to comply with requests for assistance or orders issued by the Mechanism pursuant to its statute (para. 9)

Urges all States, especially States where fugitives are suspected to be at large, to further intensify cooperation with and render all necessary assistance to the Tribunals and the Mechanism, as appropriate, in particular to achieve the arrest and surrender of all remaining fugitives as soon as possible (para. 10)

Calls upon all States to cooperate to the maximum extent possible in order to receive referred cases from the Tribunals and the Mechanism (para. 12)

### **Non-proliferation**

Resolution [1928 \(2010\)](#)  
7 June 2010

Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Security Council Committee established pursuant to resolution [1718 \(2006\)](#) and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions [1718 \(2006\)](#) and [1874 \(2009\)](#) (para. 3)

*Same provision in resolution [1985 \(2011\)](#), para. 4*

Resolution [1929 \(2010\)](#)  
9 June 2010

Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#) and the present resolution, in particular incidents of non-compliance (para. 30)

Calls upon all States to report to the Committee within 60 days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 7 to 19 and 21 to 24 of the present resolution (para. 31)

Resolution [1984 \(2011\)](#)  
9 June 2011

Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and with the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#) and [1929 \(2010\)](#) (para. 4)

### **Non-proliferation of weapons of mass destruction**

Resolution [1977 \(2011\)](#)  
20 April 2011

Reaffirming further the need for all Member States to comply fully with their obligations and fulfil their commitments in relation to arms control, disarmament and the non-proliferation in all its aspects of all weapons of mass destruction and their means of delivery (third preambular paragraph)

Reiterates its decisions taken in, and the requirements of, resolution [1540 \(2004\)](#), and re-emphasizes the importance for all States to implement fully that resolution (para. 1)

Again calls upon all States that have not yet submitted a first report on steps they have taken or intend to take to implement resolution [1540 \(2004\)](#) to submit such a report to the 1540 Committee without delay (para. 6)

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Decision and date

Provision

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### Central African region: impact of illicit arms trafficking on peace and security

[S/PRST/2010/6](#)  
19 March 2010

The Council reiterates that Member States should comply with existing arms embargoes and export bans and take the steps necessary to effectively implement these measures imposed by the Council in its relevant resolutions (fourth paragraph)

### Peace and security in Africa (Eritrea)

Resolution [2023 \(2011\)](#)  
5 December 2011

Reiterates that all Member States, including Eritrea, shall comply fully with the terms of the arms embargo imposed by paragraph 5 of resolution [733 \(1992\)](#), as elaborated on and amended by subsequent resolutions (para. 3)

Reiterates also that Eritrea shall fully comply with resolution [1907 \(2009\)](#) without any further delay, and stresses the obligation of all States to comply with the measures imposed by resolution [1907 \(2009\)](#) (para. 4)

Calls upon all States to report to the Council within 120 days on steps taken to implement the provisions of the present resolution (para. 15)

Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Monitoring Group, including by supplying any information at their disposal on the implementation of the measures decided in resolutions [1844 \(2008\)](#), [1907 \(2009\)](#) and the present resolution, in particular incidents of non-compliance (para. 17)

### The situation in Côte d'Ivoire

Resolution [1946 \(2010\)](#)  
15 October 2010

Calls upon the Ivorian parties to the Ouagadougou Political Agreement and all States, in particular those in the subregion, to fully implement the measures renewed in paragraph 1 [of the resolution], including, as appropriate, by making the necessary rules and regulations, calls upon the United Nations Operation in Côte d'Ivoire (UNOCI) to bring its full support within its capacities and its mandate, and calls upon the French forces to support UNOCI in this regard, within the limits of their deployment and their capabilities (para. 3)

Requests all States concerned, in particular those in the subregion, to cooperate fully with the Committee ... (para. 8)

Urges all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution [1572 \(2004\)](#) and paragraph 6 of resolution [1643 \(2005\)](#) and reiterated in paragraph 1 ... (para. 15)

Urges, in this context, that all Ivorian parties and all States, particularly those in the region, ensure:

- The safety of the members of the Group of Experts;



- Unhindered access by the Group of Experts, in particular to persons, documents and sites, in order for the Group of Experts to execute its mandate (para. 16)

*Same provision in resolution 1980 (2011), para. 23*

Resolution 1980 (2011)  
28 April 2011

Calls upon all Member States, in particular those in the subregion, to fully implement the measures renewed in paragraph 1 [of the resolution], including as appropriate by enforcing the necessary rules and regulations, and calls upon UNOCI to lend its full support within its capacities and its mandate, and calls upon the French forces to support UNOCI in this regard, within the limits of their deployment and their capabilities (para. 3)

Requests all States concerned, in particular those in the subregion, to cooperate fully with the Committee ... (para. 12)

Urges all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005) and paragraph 12 of resolution 1975 (2011) as reiterated in paragraph 1 ... (para. 21)

Resolution 2000 (2011)  
27 July 2011

Calls upon the Government of Côte d'Ivoire and all international partners, including private companies, involved in assisting the Government in the reform of the security sector, to comply with the provisions of resolution 1980 (2011) and to coordinate their efforts with a view to promoting transparency and a clear division of labour among all international partners (para. 16)

### **The situation concerning the Democratic Republic of the Congo**

Resolution 1925 (2010)  
28 May 2010

Emphasizing that the linkage between the illicit exploitation of and trade in natural resources and the proliferation of and trafficking in arms is among the major factors fuelling and exacerbating conflicts in the Great Lakes region, urging all States, particularly those in the region, to implement fully the measures set out in its resolution 1896 (2009), reiterating its determination to continue to closely monitor the implementation of and compliance with the measures set out in resolution 1896 (2009), and urging all States to take legal action, where appropriate, in accordance with those measures, against the leaders of the Forces démocratiques de libération du Rwanda residing in their countries (ninth preambular paragraph)

Resolution 1952 (2010)  
29 November 2010

... stressing the obligation of all States to abide by the notification requirements set out in paragraph 5 of resolution 1807 (2008) (seventh preambular paragraph)

Calls upon all States to implement fully the measures specified in the present resolution and to cooperate fully with the Security Council Committee established pursuant to resolution 1533 (2004) in carrying out its mandate (para. 4)

Decision and date

Provision

Reiterates its demand, expressed in paragraph 21 of resolution 1807 (2008) and reaffirmed in paragraph 14 of resolution 1857 (2008) and paragraph 13 of resolution 1896 (2009), that all parties and all States, particularly those in the region, cooperate fully with the work of the Group of Experts and that they ensure the safety of its members and unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate (para. 18)

Calls upon all States, particularly those in the region and those in which individuals and entities designated pursuant to paragraph 3 of the present resolution are based, to regularly report to the Committee on the actions they have taken to implement the measures imposed by paragraphs 1, 2 and 3 and recommended in paragraph 8 [of the resolution] (para. 20)

### **The situation in Liberia**

Resolution 1961 (2010)  
17 December 2010

Calls upon all States and the Government of Liberia to cooperate fully with the Panel of Experts in all the aspects of its mandate (para. 8)

*Same provision in resolution 2025 (2011), para. 7*

### **The situation in Libya**

Resolution 1970 (2011)  
26 February 2011

Decides also that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the International Criminal Court and the Prosecutor pursuant to the present resolution and, while recognizing that States not party to the Rome Statute of the Court have no obligation under the Rome Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor (para. 5)

Calls upon all Member States to report to the Committee within 120 days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 9, 10, 15 and 17 (para. 25)

Resolution 1973 (2011)  
17 March 2011

Deplores the continuing flows of mercenaries into the Libyan Arab Jamahiriya, and calls upon all Member States to comply strictly with their obligations under paragraph 9 of resolution 1970 (2011) to prevent the provision of armed mercenary personnel to the Libyan Arab Jamahiriya (para. 16)

Urges all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolution 1970 (2011) and the present resolution, in particular incidents of non-compliance (para. 25)

### **The situation in Sierra Leone**

Resolution 1940 (2010)  
29 September 2010

Urging all States to cooperate with and render assistance to the Special Court for Sierra Leone, or any institution to which the Court has transferred his case, to bring Mr. Johnny Paul Koroma to justice if he is found to be alive, and calling upon him to surrender (eighth preambular paragraph)

### **The situation in Somalia**

Resolution [1916 \(2010\)](#)  
19 March 2010

Calling upon all Member States, in particular those in the region, to refrain from any action in contravention of the Somalia and Eritrea arms embargoes and to take all necessary steps to hold violators accountable (ninth preambular paragraph)

Stresses the obligation of all States to comply fully with the measures imposed by resolution [733 \(1992\)](#), as elaborated upon and amended in subsequent relevant resolutions, as well as resolutions [1844 \(2008\)](#) and [1907 \(2009\)](#) (para. 1)

Requests that all States, including Eritrea, other States in the region and the Transitional Federal Government ensure cooperation with the Monitoring Group by individuals and entities within their jurisdiction or under their control (para. 10)

Urges that all parties and all States, particularly those in the region, including international, regional and subregional organizations, cooperate fully with the work of the Monitoring Group and ensure the safety of its members, and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate (para. 12)

Resolution [1950 \(2010\)](#)  
23 November 2010

... calls upon all States to fully cooperate with the Monitoring Group on Somalia and Eritrea, including on information-sharing regarding possible arms embargo violations (para. 3)

Resolution [1972 \(2011\)](#)  
17 March 2011

Reiterating its insistence that all States, in particular those in the region, should refrain from any action in contravention of the Somalia arms embargo and take all necessary steps to hold violators accountable (fourth preambular paragraph)

Calling upon all States to effectively implement the targeted measures imposed in resolution [1844 \(2008\)](#) (fifth preambular paragraph)

Stresses the obligation of all States to comply fully with the measures imposed by resolution [733 \(1992\)](#) as elaborated upon and amended by subsequent relevant resolutions, and the measures imposed by resolution [1844 \(2008\)](#) (para. 1)

Resolution [2002 \(2011\)](#)  
29 July 2011

Urges all parties and all States, including Eritrea, other States in the region, and the Transitional Federal Government, as well as international, regional and subregional organizations, to ensure cooperation with the Monitoring Group, and ensure the safety of the members of the Monitoring Group and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate (para. 10)

### **Reports of the Secretary-General on the Sudan**

Resolution [1945 \(2010\)](#)  
14 October 2010

Urges all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions [1556 \(2004\)](#) and [1591 \(2005\)](#) (para. 5)

Decision and date

Provision

Urges all States, in particular those in the region, to report to the Committee on the actions they have taken to implement the measures imposed by resolutions 1556 (2004) and 1591 (2005), including the imposition of targeted measures (para. 6)

Reminds all States, particularly States in the region, of the obligations contained in resolutions 1556 (2004) and 1591 (2005), in particular those obligations relating to arms and related materiel (para. 7)

### Threats to international peace and security caused by terrorist acts

Resolution 1988 (2011)  
17 June 2011

Requests all Member States, but particularly the Government of Afghanistan, to inform the Committee if they become aware of any information indicating that an individual, group, undertaking or entity that has been delisted should be considered for designation under paragraph 1 of the present resolution, and further requests that the Government provide to the Committee an annual report on the status of reportedly reconciled individuals who have been delisted by the Committee in the previous year (para. 22)

## B. Obligations of Member States under Article 48 relating to decisions adopted in accordance with Article 42

During the period under review, the Council called upon Member States, acting in their national capacity or through relevant regional organizations of which they were members, to implement or support the implementation of measures adopted under Article 42. In connection with the situation in Libya, the Council, inter alia, authorized Member States that had “notified the Secretary-General, acting nationally or through regional organizations or arrangements” to take “all necessary measures” to protect civilians and civilian populated areas under threat of attack in the country, as well as to enforce compliance with the flight ban imposed by the Council.<sup>315</sup>

Also during the period, coalitions of States authorized to use force were requested to inform the Council of actions taken to implement their mandate. For example, in authorizing the establishment of the European Union multinational stabilization force in Bosnia and Herzegovina, the Council requested “the Member States acting through or in cooperation with

the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization” to report to the Council at regular intervals.<sup>316</sup> Similarly, the Council requested “the leadership” of the International Security Assistance Force in Afghanistan to keep it regularly informed, through the Secretary-General, on the implementation of its mandate.<sup>317</sup>

Also in relation to Article 42, in one instance, the Council requested certain States to cooperate with each other in the deployment of a peacekeeping mission. In connection with reports of the Secretary-General on the Sudan, the Council called upon the Government of the Sudan and the Government of Southern Sudan, or its successor, to fully cooperate with each other and provide full support to the United Nations Interim Security Force for Abyei, enabling the mission to fully implement its mandate.<sup>318</sup>

Table 39 provides a list of all decisions of the Council referring to obligations of Member States to carry out its decisions adopted in accordance with Article 42.

<sup>315</sup> Resolution 1973 (2011), paras. 4 and 8.

<sup>316</sup> Resolution 1948 (2010), para. 18.

<sup>317</sup> Resolution 1943 (2010), para. 6.

<sup>318</sup> Resolution 1990 (2011), para. 7.

Table 39

**Decisions adopted in accordance with Article 42 referring to obligations of Member States under Article 48**

| <i>Decision and date</i>                                   | <i>Provision</i>   |
|--|--|
| <b>The situation in Afghanistan</b>                        |  |
| Resolution <a href="#">1943 (2010)</a><br>13 October 2010  | <p>Authorizes the Member States participating in the International Security Assistance Force (ISAF) to take all measures necessary to fulfil its mandate (para. 2)</p> <p><i>Same provision in resolution <a href="#">2011 (2011)</a>, para. 2</i></p> <p>Requests the leadership of ISAF to keep the Security Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports (para. 6)</p> <p><i>Same provision in resolution <a href="#">2011 (2011)</a>, para. 7</i></p>  |
| <b>The situation in Bosnia and Herzegovina</b>             |  |
| Resolution <a href="#">1948 (2010)</a><br>18 November 2010 | <p>Authorizes the Member States acting through or in cooperation with the European Union to establish for a further period of 12 months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force) as a legal successor to the Stabilization Force under unified command and control ... (para. 10)</p> <p>Requests the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization (NATO) to report to the Security Council on the activity of the European Union Force and the NATO Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals (para. 18)</p> |
| Resolution <a href="#">2019 (2011)</a><br>16 November 2011 | <p>Requests the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with NATO to report to the Security Council on the activity of the European Union Force-Althea and the NATO Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals (para. 18)</p>  |
| <b>The situation in Libya</b>                              |  |
| Resolution <a href="#">1973 (2011)</a><br>17 March 2011    | <p>Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution <a href="#">1970 (2011)</a>, to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by the present paragraph, which shall be immediately reported to the Security Council (para. 4)</p>                 |

Decision and date

Provision

Authorizes Member States that have notified the Secretary-General of the United Nations and the Secretary General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all measures necessary to enforce compliance with the ban on flights imposed by paragraph 6 [of the resolution], as necessary, and requests the States concerned, in cooperation with the League of Arab States, to coordinate closely with the Secretary-General of the United Nations on the measures they are taking to implement this ban, including by establishing an appropriate mechanism for implementing the provisions of paragraphs 6 and 7 [of the resolution] (para. 8)

Decides that the Member States concerned shall inform the Secretary-General of the United Nations and the Secretary General of the League of Arab States immediately of measures taken in exercise of the authority conferred by paragraph 8 above, including to supply a concept of operations (para. 11)

Decides that paragraph 11 of resolution [1970 \(2011\)](#) shall be replaced by the following paragraph: “Calls upon all Member States, in particular States of the region, acting nationally or through regional organizations or arrangements, in order to ensure strict implementation of the arms embargo established by paragraphs 9 and 10 of resolution [1970 \(2011\)](#), to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya, ... and authorizes Member States to use all measures commensurate to the specific circumstances to carry out such inspections” (para. 13)

### The situation in Somalia

Resolution [1910 \(2010\)](#)  
28 January 2010

Decides to authorize the States members of the African Union to maintain until 31 January 2011 the African Union Mission in Somalia (AMISOM), which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution [1772 \(2007\)](#) (para. 1)

Resolution [1950 \(2010\)](#)  
23 November 2010

Renews its call upon States and regional organizations that have the capacity to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with the present resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use (para. 4)

... decides to renew, for a further period of 12 months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution [1846 \(2008\)](#) and paragraph 6 of resolution [1851 \(2008\)](#), as renewed by resolution [1897 \(2009\)](#), granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia ... (para. 7)

|   |  |
|---|--|
|   | Requests States and regional organizations cooperating with the Transitional Federal Government to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 7 above, and further requests all States contributing through the Contact Group on Piracy off the Coast of Somalia to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy (para. 21) |
| Resolution 1964 (2010)<br>22 December 2010  | Decides to authorize the States members of the African Union to maintain the deployment until 30 September 2011 of AMISOM, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772 (2007) (para. 1)   |
| Resolution 2010 (2011)<br>30 September 2011 | Decides to authorize the States members of the African Union to maintain the deployment until 31 October 2012 of AMISOM, which shall be authorized to take all measures necessary to carry out its existing mandate as set out in paragraph 9 of resolution 1772 (2007), and requests the African Union to urgently increase its force strength to its mandated level of 12,000 uniformed personnel, thereby enhancing its ability to carry out its mandate (para. 1)  |

#### Reports of the Secretary-General on the Sudan

|  |  |
|--|--|
| Resolution 1990 (2011)<br>27 June 2011 | Urges the Government of the Sudan and the Government of Southern Sudan or its successor to fully cooperate with each other and provide full support to the Force, enabling it to fully implement the mandate (para. 7)   |
| Resolution 1996 (2011)<br>8 July 2011  | Demands that the Government of the Republic of South Sudan and all relevant parties cooperate fully in the deployment, operations and monitoring, verification and reporting functions of the Mission, in particular by guaranteeing the safety, security and unrestricted freedom of movement of United Nations personnel, as well as of associated personnel throughout the territory of the Republic of South Sudan (para. 6) |

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### VIII. Obligations of Member States under Article 49 of the Charter

#### Article 49

*The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.*

#### Note

Section VIII covers the practice of the Security Council in relation to Article 49 of the Charter, regarding mutual assistance among Member States when carrying out the decisions of the Council relating

to the maintenance of international peace and security. The section is divided into three subsections: subsection A covers decisions of the Council referring to mutual assistance in the implementation of measures adopted in accordance with Article 40; subsection B covers decisions referring to mutual assistance in the implementation of measures adopted in accordance with Article 41; and subsection C covers decisions referring to mutual assistance in the implementation of measures adopted in accordance with Article 42.

During the period under review, the Council did not explicitly invoke Article 49 in any of its decisions.

However, the Council did request Member States to join in providing mutual assistance in implementing measures under Article 41 and Article 42. To a lesser extent, the Council called on Member States to provide mutual assistance in implementing measures in accordance with Article 40. The interpretation and application of Article 49 did not give rise to any significant constitutional discussion in the deliberations of the Council, and no reference to Article 49 was found in the communications received by the Council.

### A. Calls for mutual assistance in the implementation of decisions adopted in accordance with Article 40

During the period under review, there was one instance in which the Council called on Member States

to assist in the implementation of decisions adopted under Article 40, concerning provisional measures to prevent an aggravation of the situation. In connection with the situation in Libya, the Council, inter alia, requested all Member States, to the extent possible, to cooperate in the evacuation of those foreign nationals wishing to leave the country.<sup>319</sup> The Council also called on Member States to cooperate in facilitating and supporting the return of humanitarian assistance in Libya.<sup>320</sup>

Table 40 covers provisions referring to mutual assistance in the implementation of decisions adopted in accordance with Article 40.

<sup>319</sup> Resolution 1970 (2011), para. 3.

<sup>320</sup> Ibid., para. 26.

Table 40

#### References to mutual assistance in the implementation of decisions adopted in accordance with Article 40

| <i>Decision and date</i>                   | <i>Provision</i>  |
|--|---|
| <b>The situation in Libya</b>              |   |
| Resolution 1970 (2011)<br>26 February 2011 | Requests all Member States, to the extent possible, to cooperate in the evacuation of those foreign nationals wishing to leave the country (para. 3)<br><br>Also calls upon all Member States, working together and acting in cooperation with the Secretary-General, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya ... (para. 26) |

### B. Calls for mutual assistance in the implementation of decisions adopted in accordance with Article 41

During the period under review, the Council adopted several decisions in which it called upon Member States to cooperate with each other regarding the implementation of measures adopted in accordance with Article 41. For example, in connection with the non-proliferation of weapons of mass destruction, the Council, inter alia, stressed the need for enhanced assistance and collaboration among States in implementing resolution 1540 (2004), and also called on States to inform the Security Council Committee established pursuant to resolution 1540 (2004) of areas

in which they were able to provide assistance.<sup>321</sup> In connection with the sanctions regimes established for the Islamic Republic of Iran and Libya, the Council requested that all States cooperate in their efforts to seize and dispose of items prohibited under such regimes and, with regard to the situation in Libya, called upon flag States to cooperate with inspections performed on their vessels or aircraft.<sup>322</sup>

Table 41 covers provisions referring to mutual assistance in the implementation of decisions adopted in accordance with Article 41.

<sup>321</sup> Resolution 1977 (2011), nineteenth preambular paragraph and para. 14.

<sup>322</sup> Resolution 1929 (2010), para. 16; and resolutions 1970 (2011), para. 12, and 1973 (2011), para. 13.



Table 41

**References to mutual assistance in the implementation of decisions adopted in accordance with Article 41**

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*Decision and date*

*Provision*

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**Non-proliferation**

Resolution [1929 \(2010\)](#)  
9 June 2010

Decides to authorize all States to, and that all States shall, seize and dispose of (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination State for disposal) items, the supply, sale, transfer or export of which is prohibited by paragraphs 3, 4 or 7 of resolution [1737 \(2006\)](#), ... and decides further that all States shall cooperate in such efforts (para. 16)

**Non-proliferation of weapons of mass destruction**

Resolution [1977 \(2011\)](#)  
20 April 2011

Noting that international cooperation between States, in accordance with international law, is required to counter the illicit trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery and related materials (eighth preambular paragraph)

Recognizing the need to enhance the coordination of efforts at the national, subregional, regional and international levels, as appropriate, in order to strengthen a global response to the serious challenge and threat to international peace and security posed by the proliferation of weapons of mass destruction and their means of delivery (ninth preambular paragraph)

Stressing, in that regard, the need for enhanced assistance and collaboration among States, between the 1540 Committee and States, and between the Committee and relevant international, regional and subregional organizations in assisting States to implement resolution [1540 \(2004\)](#) (nineteenth preambular paragraph)

Urges States and relevant international, regional and subregional organizations to inform the 1540 Committee, as appropriate, of areas in which they are able to provide assistance; and calls upon States and such organizations, if they have not done so previously, to provide the Committee with a point of contact for assistance by 31 August 2011 (para. 14)

**The situation in Libya**

Resolution [1970 \(2011\)](#)  
26 February 2011

Decides to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraphs 9 or 10 of the present resolution, seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of the present resolution, and decides further that all Member States shall cooperate in such efforts (para. 12)

Resolution [1973 \(2011\)](#)  
17 March 2011

... "Calls upon all Member States ... to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya ... calls upon all flag States of such vessels and aircraft to cooperate with such inspections ..." (para. 13)

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### C. Calls for mutual assistance in the implementation of decisions adopted under Article 42

During the period under review, the Council requested Member States to provide appropriate support, assistance and increased cooperation for the purpose of implementing measures adopted under Article 42 involving the use of armed force. In particular, in several instances, the Council called upon Member States to contribute the necessary personnel and equipment to multinational forces established and authorized to use force under Chapter VII of the Charter. For example, in connection with the situation in Somalia, the Council called upon States members of the African Union to consider contributing troops to the African Union Mission in Somalia (AMISOM).<sup>323</sup> Furthermore, the Council strongly urged Member

States as well as regional and international organizations to contribute to the United Nations trust fund for AMISOM.<sup>324</sup> In connection with the situation in Libya, the Council called upon all Member States, acting nationally or through regional organizations or arrangements, to provide assistance in order to implement measures under Article 42, in particular the protection of civilians and the enforcement of a no-fly zone over the country.<sup>325</sup> The Council also requested States members of the League of Arab States to cooperate with other Member States in the implementation of measures under Article 42.<sup>326</sup>

Table 42 covers provisions referring to mutual assistance in the implementation of decisions adopted in accordance with Article 42.

<sup>324</sup> Ibid., para. 14.

<sup>325</sup> Resolution 1973 (2011), paras. 5 and 9.

<sup>326</sup> Resolution 1973 (2011), para. 5.

<sup>323</sup> Resolution 2010 (2011), sixteenth preambular paragraph.

Table 42

#### References to mutual assistance in the implementation of decisions adopted in accordance with Article 42

| <i>Decision and date</i>                       | <i>Provision</i>   |
|--|--|
| <b>The situation in Afghanistan</b>            |  |
| Resolution 1943 (2010)<br>13 October 2010      | Recognizes the need to further strengthen the International Security Assistance Force (ISAF) to meet all its operational requirements, and in this regard calls upon Member States to contribute personnel, equipment and other resources to the Force (para. 3)   |
| Resolution 2011 (2011)<br>12 October 2011      | Recognizes the need for ISAF to meet all its operational requirements, welcomes the agreement between the Government of Afghanistan and countries contributing to the Force to gradually transfer lead security responsibility in Afghanistan to the Government countrywide by the end of 2014 and the start of the transition process in July 2011, and calls upon Member States to contribute personnel, equipment and other resources to the Force and to continue to pursue their efforts to support security and stability in Afghanistan (para. 3) |
| <b>The situation in Bosnia and Herzegovina</b> |  |
| Resolution 1948 (2010)<br>18 November 2010     | Invites all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 [of the resolution] (para. 19)   |
|  | <i>Same provision in resolution 2019 (2011), para. 19</i>  |

### **The situation in Libya**

Resolution [1973 \(2011\)](#)  
17 March 2011

... welcoming the response of neighbouring States, in particular Tunisia and Egypt, to address the needs of those refugees and foreign workers, and calling upon the international community to support those efforts (fifteenth preambular paragraph)

Recognizes the important role of the League of Arab States in matters relating to the maintenance of international peace and security in the region, and, bearing in mind Chapter VIII of the Charter of the United Nations, requests the States members of the League of Arab States to cooperate with other Member States in the implementation of paragraph 4 [of the resolution] (para. 5)

Calls upon all Member States, acting nationally or through regional organizations or arrangements, to provide assistance, including any necessary overflight approvals, for the purposes of implementing paragraphs 4, 6, 7 and 8 [of the resolution] (para. 9)

Requests the Member States concerned to coordinate closely with each other and with the Secretary-General of the United Nations on the measures they are taking to implement paragraphs 4, 6, 7 and 8 [of the resolution], including practical measures for the monitoring and approval of authorized humanitarian or evacuation flights (para. 10)

### **The situation in Somalia**

Resolution [1910 \(2010\)](#)  
28 January 2010

Strongly encouraging the prompt disbursement of funds pledged in support of the Somali security institutions and the African Union Mission in Somalia (AMISOM) at the international conference on Somalia, held in Brussels on 23 April 2009, and recognizing the importance of timely and predictable funding for the Transitional Federal Government and the Mission (tenth preambular paragraph)

Encourages Member States to support the Mission and the Somali security sector institutions through the provision of appropriate and necessary equipment (para. 5)

Urges Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Mission, or to make direct bilateral donations in support of the Mission, and encourages donors to work closely with the United Nations and the African Union in order to ensure that the appropriate funds and equipment are promptly provided, particularly in relation to the salaries of Mission soldiers and the costs of contingent-owned equipment (para. 8)

Resolution [1950 \(2010\)](#)  
23 November 2010

Renews its call upon States and regional organizations that have the capacity to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with the present resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use (para. 4)

*Decision and date*

*Provision*

---

|   |   |
|---|---|
|   | <p>... calls upon States and interested organizations, including the International Maritime Organization, to provide technical assistance to Somalia, including regional authorities, and nearby coastal States upon their request, to enhance their capacity to ensure coastal and maritime security, including combating piracy and armed robbery at sea off the Somali and nearby coastlines, and stresses the importance of coordination in this regard through the Contact Group on Piracy off the Coast of Somalia (para. 6)</p> <p>Commends the establishment of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia and the International Maritime Organization Djibouti Code Trust Fund (a multi-donor trust fund initiated by Japan), and urges both State and non-State actors affected by piracy, most notably the international shipping community, to contribute to them (para. 18)</p>  |
| Resolution 1964 (2010)<br>22 December 2010  | <p>Encourages Member States to support the Mission and the Somali security sector institutions through the provision of appropriate and necessary equipment and technical assistance (para. 8)</p> <p>Reiterates its call to Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Mission without caveats, or to make direct bilateral donations in support of the Mission, and encourages donors to work closely with the United Nations and the African Union in order to ensure that the appropriate funds and equipment are promptly provided, particularly in relation to the salaries of Mission soldiers, self-sustainment and the costs of contingent-owned equipment, in particular lethal equipment (para. 9)</p>  |
| Resolution 2010 (2011)<br>30 September 2011 | <p>Commending the contribution of AMISOM to lasting peace and stability in Somalia, recognizing the significant sacrifices made by these forces, expressing its appreciation for the continued commitment of troops and equipment to the Mission by the Governments of Uganda and Burundi, and calling upon other States members of the African Union to consider contributing troops to the Mission (sixteenth preambular paragraph)</p> <p>Reiterates its call to Member States and regional and international organizations to support the Mission through the provision of equipment, technical assistance and funding without caveats to the United Nations trust fund for AMISOM, or to make direct bilateral donations in support of the Mission, including for the urgent need for the reimbursement of contingent-owned equipment, and for the provision of compassionate flights for Mission troops, and encourages donors to work closely with the United Nations and the African Union in order to ensure that the appropriate funds and equipment are promptly provided (para. 14)</p> |

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## IX. Special economic problems of the nature described in Article 50 of the Charter

### Article 50

*If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.*

### Note

Section IX covers the practice of the Security Council in relation to Article 50 of the Charter, regarding the right of Member States to consult the Council with a view to resolving special economic problems arising from the implementation of preventive or enforcement measures, such as sanctions, imposed by the Council.

During the period under review, the Council continued its practice of applying targeted sanctions, such as travel bans, arms embargoes and asset freezes on designated States, entities or individuals.<sup>327</sup> There were no instances in which Security Council committees mandated to oversee the implementation of sanctions measures were approached by Member States, or other States, regarding special economic problems arising from the implementation of sanctions measures.<sup>328</sup> The Council did not explicitly invoke Article 50 in any of its decisions, and the subsidiary bodies of the Council did not include any explicit references to Article 50 in their annual reports to the Council. However, in a number of instances, the Council adopted decisions which, without explicitly referring to Article 50, may be of relevance to the interpretation and application of Article 50 by the Council. For instance, in connection with the situation in Somalia, the Council, *inter alia*, requested cooperating States to take appropriate steps to ensure

that the authorized activities did not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State.<sup>329</sup> In connection with the item entitled “Peace and security in Africa”, the Council, *inter alia*, expressed its deep concern about the threat of piracy and armed robbery at sea in the Gulf of Guinea, and requested the States concerned to take appropriate steps to ensure that the activities they undertook pursuant to the resolution did not have the practical effect of denying or impairing freedom of navigation on the high seas or the right of innocent passage in the territorial sea to vessels of third States.<sup>330</sup>

Also during the period, the question of protection against the negative effects of measures imposed by the Council on Member States was discussed on one occasion. At the 6347th meeting, on 29 June 2010, under the item entitled “The promotion and strengthening of the rule of law in the maintenance of international peace and security”, the representative of Brazil said that sanctions should be implemented in ways that balanced effectiveness to achieve the desired results against possible adverse socioeconomic and humanitarian consequences. She further said that in devising and implementing sanctions regimes the Council should avoid adverse effects for individuals and entities not targeted, or for third States.<sup>331</sup> Similarly, the representative of Turkey said that sanctions should be carefully targeted in order to minimize adverse consequences on populations and third-party States.<sup>332</sup>

There were no explicit references to Article 50 in communications received by the Council. However, in a report transmitted on 12 May 2010, the Panel of Experts established pursuant to resolution 1874 (2009) highlighted the economic implications associated with the implementation of sanctions measures imposed on the Democratic People’s Republic of Korea. The Panel reported that several Governments had requested guidelines or information on the disposal of proscribed items after seizure. Government officials of Member

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<sup>327</sup> For more information on sanctions measures, see sect. III above.

<sup>328</sup> See also the annual reports of the Secretary-General to the General Assembly (A/65/217 and A/66/213) on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions.

<sup>329</sup> Resolutions 1950 (2010), para. 10; and 2020 (2011), para. 12.

<sup>330</sup> Resolution 2018 (2011), para. 3.

<sup>331</sup> S/PV.6347, p. 16.

<sup>332</sup> *Ibid.*, p. 27.

States with whom the Panel had consultations had frequently mentioned that disposal of seized items could entail great financial and other burdens for the Member State seizing items, and that appropriate

remedies should be developed to lessen such burdens.<sup>333</sup>

<sup>333</sup> S/2010/571, para. 92.

## X. Right of self-defence in accordance with Article 51 of the Charter

### Article 51

*Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.*

### Note

Section X covers the practice of the Security Council in relation to Article 51 of the Charter, regarding the inherent right of individual or collective self-defence in the case of an armed attack against a Member State. The section is divided into three sub-sections: subsection A covers decisions adopted by the Council relating to Article 51; subsection B covers the discussions of the Council of relevance to the interpretation and application of Article 51; and subsection C covers references to Article 51 and the principle of self-defence in other instances, in particular communications received by the Council.

### A. Decisions of the Security Council relating to Article 51

During the period under review, the Council did not explicitly refer to Article 51 in any of its decisions. However, a reference was made to the right of self-defence of States in a statement by the President adopted on 19 March 2010, in connection with the item entitled “Central African region: impact of illicit arms trafficking on peace and security”. In the statement, the

Council, inter alia, while acknowledging the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs, consistent with international law and the Charter of the United Nations, underlined the vital importance of effective regulations and controls of the transparent trade in small arms and light weapons in order to prevent their illegal diversion and re-export.<sup>334</sup>

### B. Discussion relating to Article 51

During the period, explicit references to Article 51 were made at several meetings of the Council,<sup>335</sup> but there were no discussions that could be considered to be of a constitutional nature. The question of the application and interpretation of Article 51 was also implicitly referred to in connection with the Central African region and Palestine, as detailed below.

#### Central African region

At its 6288th meeting, on 19 March 2010, the Council considered the impact of illicit arms trafficking on peace and security in the Central African region. The representative of Lebanon said that a binding international instrument to regulate the illegal trade of weapons did not infringe the inherent right of States to individual or collective self-defence in the event of aggression against a Member of the United Nations, as stipulated in Article 51 of the Charter.<sup>336</sup> The representative of the United Kingdom said that, with regard to the arms trade, his country acknowledged the right of States to legally trade in conventional arms for self-defence and to that end had played a leading role in developing a legally binding arms trade treaty that would set standards for the arms

<sup>334</sup> S/PRST/2010/6, third paragraph.

<sup>335</sup> See S/PV.6288, p. 15 (Lebanon); S/PV.6347 (Resumption 1), p. 22 (Azerbaijan); and S/PV.6362, p. 4 (Eritrea).

<sup>336</sup> S/PV.6288, p. 15.

trade, ensuring respect for human rights and international humanitarian law while respecting a State's inherent right to self-defence.<sup>337</sup>

*The situation in the Middle East, including the Palestinian question*

On 31 May 2010, the Council convened an emergency meeting at the request of Turkey and Lebanon,<sup>338</sup> following the military interception by Israel of a flotilla attempting to deliver humanitarian aid to Gaza and to break the naval blockade off the coast of Gaza, which resulted in civilian and military casualties. The representative of Turkey, noting that international law dictated that, even in wartime, civilians were not to be attacked or harmed, said that the use of force had been disproportionate. He added that the doctrine of self-defence did not in any way justify the actions taken by the Israeli forces. He urged the Council to adopt a presidential statement that would condemn the Israeli "act of aggression".<sup>339</sup> The representative of Israel said that, once it became clear that the flotilla intended to violate the naval blockade despite repeated warnings, Israeli naval personnel boarded the ships. They were then attacked violently with life-threatening means, and therefore had acted in self-defence.<sup>340</sup>

At several subsequent meetings held in connection with the same item, speakers raised the question of the right of Israel to invoke self-defence as a legitimate ground for its action during the flotilla incident.<sup>341</sup>

**C. References to Article 51 and the principle of self-defence in other instances**

During the period under review, references to Article 51 and the principle of self-defence were found in several communications addressed to the President of the Council whereby Member States informed the Council of actions carried out in self-defence or declared an intention to consider possible future action

invoking their individual right to self-defence. The Council received such communications concerning Cambodia and Thailand,<sup>342</sup> Eritrea and Ethiopia,<sup>343</sup> Nagorny Karabakh<sup>344</sup> and Palestine.<sup>345</sup> In connection with the issue of non-proliferation, the Council also received communications concerning the Islamic Republic of Iran<sup>346</sup> and the Democratic People's Republic of Korea.<sup>347</sup>

Article 51 was explicitly mentioned in several other instances. In a letter dated 4 April 2011, the representative of Sao Tome and Principe transmitted to the Secretary-General the Sao Tome Declaration on a Central African Common Position on the Arms Trade Treaty, in which the signatories confirmed their commitment to the inherent right of all States to

<sup>342</sup> Letter dated 5 February 2011 from the representative of Thailand to the President of the Security Council (S/2011/57). For implicit references, see identical letters dated 8 August 2010 from the representative of Cambodia to the President of the General Assembly and the President of the Security Council (S/2010/426); letter dated 7 February 2011 from the representative of Thailand to the President of the Security Council (S/2011/59); letter dated 22 April 2011 from the representative of Cambodia to the President of the Security Council (S/2011/264); and letter dated 22 April 2011 from the representative of Thailand to the President of the Security Council (S/2011/265).

<sup>343</sup> Letter dated 3 May 2010 from the representative of Mexico to the President of the Security Council (S/2010/225); and letters dated 3 November 2011 and 20 December 2011 from the representative of Eritrea to the President of the Security Council (S/2011/681 and S/2011/792).

<sup>344</sup> Letter dated 13 October 2010 from the representative of Azerbaijan to the Secretary-General (S/2010/531).

<sup>345</sup> Identical letters dated 12 January 2010 from the representative of Israel to the Secretary-General and the President of the Security Council (S/2010/21). For implicit references, see identical letters dated 1 September 2010, 14 September 2010 and 16 September 2010 from the representative of Israel to the Secretary-General and the President of the Security Council (S/2010/459, S/2010/477 and S/2010/483).

<sup>346</sup> Identical letters dated 4 August 2010 from the representative of the Islamic Republic of Iran to the Secretary-General, the President of the General Assembly and the President of the Security Council (S/2010/431); and letter dated 11 November 2011 from the representative of the Islamic Republic of Iran to the President of the Security Council (S/2011/710).

<sup>347</sup> Letter dated 19 December 2010 from the representative of the United States of America to the Secretary-General (S/2010/648).

<sup>337</sup> *Ibid.*, p. 23.

<sup>338</sup> S/2010/266 and S/2010/267, respectively.

<sup>339</sup> S/PV.6325, pp. 4-5.

<sup>340</sup> *Ibid.*, p. 14.

<sup>341</sup> See S/PV.6363, pp. 12-13 (Lebanon); and S/PV.6404 (Resumption 1), p. 21 (Nicaragua).

individual and collective self-defence, in accordance with Article 51 of the Charter. They further confirmed the right of all States to manufacture, import, export, transfer and possess conventional arms for their legitimate self-defence and security needs, for the maintenance of order and in order to participate in peace support operations.<sup>348</sup>

The Non-Aligned Movement, in the outcome document of its sixteenth ministerial conference, reaffirmed its principled positions concerning the peaceful settlement of disputes, and the non-use or threat of use of force and, in that connection, stated that, consistent with the practice of the United Nations and international law, Article 51 of the Charter was restrictive and should not be rewritten or reinterpreted.<sup>349</sup>

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<sup>348</sup> [S/2011/225](#), p. 30.

<sup>349</sup> Letter dated 29 June 2011 from the representative of Egypt to the Secretary-General ([S/2011/407](#), p. 26).

In a letter to the Council dated 4 November 2011,<sup>350</sup> the representative of Turkey referred to the conclusions of the Human Rights Council on the situation in Gaza, including its resolution 14/1 of 2 June 2010, and the report of the international fact-finding mission,<sup>351</sup> which found that Israel's interception of the *Mavi Marmara* on the high seas was unlawful and could not be justified under Article 51 of the Charter.

Finally, in his report on Somalia the Secretary-General cited the joint communiqué of the Transitional Federal Government of Somalia and Kenya issued on 31 October 2011, which clarified that the Kenyan security operation inside Somalia was aimed at eliminating the threat posed by Al-Shabaab to the national security and economic well-being of Kenya, and was based on the legitimate right to self-defence under Article 51 of the Charter.<sup>352</sup>

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<sup>350</sup> [S/2011/690](#)

<sup>351</sup> [A/HRC/15/21](#).

<sup>352</sup> [S/2011/759](#), para. 5.





## **Part VIII**

### **Regional arrangements**

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## Introductory note

### Article 52

1. *Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.*

2. *The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.*

3. *The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.*

4. *This Article in no way impairs the application of Articles 34 and 35.*

### Article 53

1. *The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.*

2. *The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.*

### Article 54

*The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.*

Chapter VIII of the Charter provides the constitutional basis for the involvement of regional arrangements in the maintenance of international peace and security.<sup>1</sup> While Article 52 encourages the

involvement of regional arrangements in the pacific settlement of disputes prior to the Council's consideration, Article 53 allows the Council to utilize regional arrangements for enforcement action under its authority and with its explicit authorization. Finally, Article 54 stipulates that regional arrangements should inform the Council of their activities at all times.

The practice of the Security Council under Chapter VIII of the Charter is described in the following

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<sup>1</sup> Chapter VIII of the Charter refers to "regional arrangements or agencies". The *Repertoire* follows the practice of the Council in its use of these terms synonymously with regional and subregional organizations and other international organizations.

five sections: section I captures relevant decisions and debates involving Chapter VIII under items of a thematic nature; section II illustrates various ways in which the Council, in dealing with specific situations under its consideration, encouraged, supported and otherwise reacted to efforts by regional organizations in the peaceful settlement of disputes, or called upon the parties in conflict to cooperate with regional organizations, within the framework of Article 52 of the Charter; section III deals with Council practice relating

to peacekeeping operations deployed by regional and other international organizations, ranging from their involvement in the pacific settlement of disputes (Article 52), enforcement action (Article 53), to reporting requirements (Article 54); section IV describes instances in which the Council authorized enforcement action by regional organizations outside the context of regional peacekeeping operations; and section V covers the modalities and mechanisms of reporting to the Council by regional arrangements.

## I. Consideration of the provisions of Chapter VIII of the Charter under thematic items

### Note

Section I examines the practice of the Security Council in 2010 and 2011 in cooperating with regional organizations in the maintenance of international peace and security within the framework of Chapter VIII of the Charter, in connection with items of a thematic nature. Subsection A deals with decisions adopted under thematic items relating to Chapter VIII of the Charter and subsection B covers discussions under thematic items concerning the interpretation and application of Chapter VIII of the Charter.

### A. Decisions adopted under thematic items relating to Chapter VIII of the Charter

In 2010 and 2011, the Security Council adopted a number of decisions under thematic items, which included provisions that could be considered to fall within the framework of Chapter VIII of the Charter (see table 1).

The Council referred explicitly to Chapter VIII of the Charter in several presidential statements relating to the following items: (a) cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security;<sup>2</sup> (b) maintenance of international peace and security;<sup>3</sup>

<sup>2</sup> S/PRST/2010/1, second paragraph.

<sup>3</sup> S/PRST/2010/14, ninth paragraph; S/PRST/2010/18, seventeenth paragraph; and S/PRST/2011/18, eleventh paragraph.

(c) peace and security in Africa;<sup>4</sup> and (d) United Nations peacekeeping operations.<sup>5</sup> In those decisions, the Council recalled that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, “consistent with Chapter VIII”, could improve collective security, while reiterating its primary responsibility under the Charter for the maintenance of international peace and security;<sup>6</sup> encouraged the development of peaceful settlement of local disputes through regional arrangements “in accordance with Chapter VIII”;<sup>7</sup> and recognized the role of regional organizations in peacekeeping “in accordance with Chapter VIII”.<sup>8</sup>

The Council recognized that, in deploying peacekeeping operations authorized by the Council, the African Union was contributing towards the maintenance of international peace and security “in a manner consistent with the provisions of Chapter VIII”<sup>9</sup> and affirmed its commitment to strengthening its partnership with the Peace and Security Council of the African Union “consistent with Chapter VIII” in conflict prevention, peacekeeping and peacebuilding, among others.<sup>10</sup>

In other decisions adopted during the period under review, without explicitly mentioning Chapter VIII, the

<sup>4</sup> S/PRST/2010/21, second, fourth and seventh paragraphs.

<sup>5</sup> S/PRST/2011/17, third paragraph.

<sup>6</sup> S/PRST/2010/1, second paragraph; and S/PRST/2010/21, second paragraph.

<sup>7</sup> S/PRST/2010/14, ninth paragraph; and S/PRST/2011/18, eleventh paragraph.

<sup>8</sup> S/PRST/2011/17, third paragraph.

<sup>9</sup> S/PRST/2010/21, fourth paragraph.

<sup>10</sup> S/PRST/2010/21, seventh paragraph.

Council frequently referred to the role played by regional arrangements in various fields including conflict prevention and resolution, peacemaking, peacekeeping and post-conflict peacebuilding. Frequently, it stressed the importance of promoting partnership and cooperation between the United Nations and regional and subregional organizations in order to ensure the coherence, synergy and collective effectiveness of their efforts in those fields.<sup>11</sup>

The Council, in a number of decisions, recognized the contribution of regional and subregional organizations in the pacific settlement of local disputes and conflict prevention.<sup>12</sup> For example, in a presidential statement of 13 January 2010 concerning cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, the Council considered that regional and subregional organizations were well positioned to understand the root causes of many conflicts and other challenges and underlined the importance of utilizing the existing and potential capacities of those organizations, including by

encouraging countries in the region to resolve differences peacefully through dialogue, reconciliation, consultation, negotiation, good offices, mediation and judicial settlement of disputes.<sup>13</sup>

Among several references to peacekeeping efforts by regional arrangements,<sup>14</sup> in a presidential statement of 22 October 2010 in connection with peace and security in Africa, the Council welcomed the continuing important efforts and enhanced peacekeeping role of the African Union and its subregional organizations, consistent with Council resolutions and decisions, to prevent, mediate and settle conflict on the African continent.<sup>15</sup> In the same presidential statement,<sup>16</sup> it reiterated that regional organizations had the responsibility to secure human, financial, logistical and other resources for their organizations, and expressed its determination to continue working, in accordance with its responsibilities under the Charter, towards a more predictable and sustainable solution to the funding challenges observed by the Secretary-General in his progress report on support to African Union peacekeeping operations authorized by the United Nations.<sup>17</sup> At the same time, the Council reiterated the need for further enhancement of regular interaction, coordination and consultations between the United Nations and the African Union on matters of mutual interest.<sup>18</sup>

<sup>11</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PRST/2010/1](#), third paragraph. In connection with the maintenance of international peace and security, see [S/PRST/2010/14](#), ninth paragraph; [S/PRST/2011/4](#), eleventh paragraph; and [S/PRST/2011/18](#), eleventh paragraph. In connection with post-conflict peacebuilding, see [S/PRST/2010/7](#), twelfth paragraph; and [S/PRST/2010/20](#), sixth paragraph. In connection with United Nations peacekeeping operations, see [S/PRST/2010/2](#), ninth paragraph.

<sup>12</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PRST/2010/1](#), fifth paragraph. In connection with the maintenance of international peace and security, see [S/PRST/2010/14](#), ninth and tenth paragraphs; and [S/PRST/2010/18](#), eighth paragraph.

<sup>13</sup> [S/PRST/2010/1](#), fifth paragraph.

<sup>14</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PRST/2010/1](#), sixth paragraph. In connection with peace and security in Africa, see [S/PRST/2010/21](#), third, fifth, eleventh, twelfth, thirteenth and fourteenth paragraphs.

<sup>15</sup> [S/PRST/2010/21](#), third paragraph.

<sup>16</sup> *Ibid.*, eleventh and thirteenth paragraphs.

<sup>17</sup> [S/2010/514](#).

<sup>18</sup> [S/PRST/2010/21](#), eighth paragraph.

Table 1

**Decisions adopted under thematic items containing provisions relating to Chapter VIII of the Charter**

| <i>Decision and date</i>   | <i>Provision</i>   |
|--|--|
| <b>Central African region: impact of illicit arms trafficking on peace and security</b>  |  |
| <p><a href="#">S/PRST/2010/6</a><br/>19 March 2010</p>   | <p>The Council calls upon the States of the subregion to strengthen efforts to establish mechanisms and regional networks among their relevant authorities for information-sharing to combat the illicit circulation of and trafficking in small arms and light weapons. The Council also stresses the need for the States of the subregion to strengthen their cooperation, including through regional and subregional organizations, in particular the African Union, in order to identify and take appropriate measures against individuals and entities that engage in illegal trafficking in small arms and light weapons in the Central African subregion (eighth paragraph)</p> <p>The Council encourages the Economic Community of Central African States to assist Central African countries in ensuring the effective implementation of arms embargoes imposed by the Council and, in this context, to establish measures such as inquiries into illicit arms trafficking routes, follow-up of possible violations and cooperation in border monitoring, in consultation with the countries concerned. In this regard, the Council encourages the committees in charge of monitoring arms embargoes in Central African countries and neighbouring countries, consistent with their mandates, to continue to include in their annual reports a substantive section on the implementation of arms embargoes and on possible violations of the measures reported to the committees, with recommendations, as appropriate, for strengthening the effectiveness of arms embargoes. This information could also be shared with the International Weapons and Explosives Tracking System of the International Criminal Police Organization (INTERPOL) (tenth paragraph)</p> |
| <b>Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security</b> |  |
| <p><a href="#">S/PRST/2010/1</a><br/>13 January 2010</p>   | <p>The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional and subregional organizations, in accordance with the Charter of the United Nations and the relevant statutes of the regional and subregional organizations (first paragraph)</p> <p>The Council recalls the purposes and principles of the Charter, reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and further recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, consistent with Chapter VIII of the Charter, can improve collective security (second paragraph)</p>  |

The Council expresses its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding, and to ensure the coherence, synergy and collective effectiveness of their efforts. In this regard, it welcomes the strong cooperation initiatives already existing between the United Nations and regional organizations (third paragraph)

The Council commends the ongoing efforts and contributions made by the Secretariat to consolidate partnerships with regional and subregional organizations and welcomes the convening of the Secretary-General's retreat with heads of regional and other organizations on 11 and 12 January 2010. The Council expresses its intention to hold informal interactive dialogues with regional and subregional organizations in the future (fourth paragraph)

The Council reaffirms its commitment to the peaceful settlement of disputes, acknowledges the important contribution of regional and subregional organizations to the peaceful settlement of local disputes and preventive diplomacy, as they are well positioned to understand the root causes of many conflicts and other security challenges. The Council underlines the importance of utilizing the existing and potential capabilities of regional and subregional organizations in this regard, including by encouraging countries in the region to resolve differences peacefully through dialogue, reconciliation, consultation, negotiation, good offices, mediation and judicial settlement of disputes. The Council is resolved to strengthen United Nations support for the peaceful settlement of disputes through improved interaction and cooperation with regional and subregional organizations (fifth paragraph)

The Council invites the Secretariat and all regional and subregional organizations that have a capacity for peacekeeping to enhance their working relations and to further explore how their collaboration could better contribute to the fulfilment of United Nations mandates and goals, so as to ensure a coherent framework for peacekeeping. The Council underlines the importance of regional and subregional organizations enhancing their peacekeeping capabilities and the value of international support to their efforts, in particular to the African Union, in terms of the 2006 United Nations-African Union Ten-year Capacity-Building Programme for the African Union (sixth paragraph)

The Council recognizes the role that regional and subregional organizations can play in post-conflict peacebuilding, recovery, reconstruction and development processes and affirms the importance of interaction and cooperation between the Peacebuilding Commission and regional and subregional organizations. The Council encourages the Commission to continue to work in close consultation with regional and subregional organizations, with a view to ensuring more consistent and integrated strategies for post-conflict peacebuilding and recovery (seventh paragraph)



The Council recognizes the need for close cooperation with regional and subregional organizations, as appropriate, for the coherent and effective implementation of its resolutions, including those on thematic issues applicable to a wide range of conflict situations (eighth paragraph)

The Council encourages the Secretariat and regional and subregional organizations to further explore information-sharing on their respective capabilities and lessons learned in maintaining international peace and security and to continue to compile best practices, in particular in the field of mediation, good offices and peacekeeping. The Council also encourages the strengthening of cooperation and dialogue among regional and subregional organizations in this regard (ninth paragraph)

**Maintenance of international peace and security: conflict prevention**

[S/PRST/2011/18](#)  
22 September 2011

The Council encourages the peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter. The Council acknowledges the efforts undertaken to strengthen operational and institutional cooperation between the United Nations and regional and subregional organizations for conflict prevention, and in this regard reiterates the need to continue strengthening strategic dialogue, partnerships and more regular exchange of views and information at the working level, with the aim of building national and regional capacities in relation to the preventive diplomacy tools of, inter alia, mediation, gathering and analysis of information, early warning, prevention and peacemaking (eleventh paragraph)

**Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security**

[S/PRST/2010/18](#)  
23 September 2010

The Council calls upon Member States to resolve differences peacefully and draws particular attention to the importance of preventive diplomacy as a cost-effective and efficient way of crisis management and conflict resolution. The Council encourages and reaffirms its support for endeavours aimed at enhancing the preventive capacities of the Member States, the United Nations, and regional and subregional organizations. The Council stresses, in particular, the importance of developing early warning, assessment, mediation and response capabilities of these actors, as well as ensuring a sound coordination among them (seventh paragraph)

The Council pays tribute to the efforts undertaken by the Secretary-General in using his good offices, his Representatives, Special Envoys and mediators, as well as by regional and subregional organizations to help to facilitate durable and comprehensive settlements, and undertakes to continue to support their work (eighth paragraph)

Decision and date

Provision

The Council reiterates its commitment to strengthening its strategic partnerships with and support to regional and subregional organizations, consistent with Chapter VIII of the Charter, in conflict prevention, peacemaking, peacekeeping and peacebuilding. The Council also underlines that it should continue to strengthen its partnerships with all other relevant players both at the strategic level and on the ground, in particular the General Assembly, the Economic and Social Council, the Peacebuilding Commission, international financial institutions, such as the World Bank, and civil society (seventeenth paragraph)

**Maintenance of international peace and security: moving forward with security sector reform: prospects and challenges in Africa**

[S/PRST/2011/19](#)  
12 October 2011

The Council notes that the bulk of the international community's assistance in the area of security sector reform takes place in and is directed to countries in Africa. At the same time, a number of African countries are becoming important providers of such assistance. The Council welcomes this intra-African collaboration and emphasizes that there is a need to expand the consideration given to African perspectives on security sector reform. This includes enhancing cooperation with regional and subregional organizations, as well as sharing knowledge and experience with women and members of civil society. Focusing security sector reform efforts on the needs and priorities of populations in post-conflict countries will considerably enhance the legitimacy, viability and sustainability of such support (second paragraph)

The Council recognizes the importance of regional frameworks as a foundation for multilateral security sector reform efforts. In this regard, the Council welcomes the partnership between the United Nations and the African Union in developing a continental security sector reform policy framework, for its implementation. The Council encourages other regions to consider establishing such partnerships in order to better facilitate the exchange of lessons learned and best practices, as well as develop regional frameworks for security sector reform support, reflecting the participation of regional and subregional organizations. The Council also recognizes the support provided by bilateral actors, as well as regional actors, including the European Union, to security sector reform efforts in Africa and other initiatives in the area of security sector reform in Africa carried out by organizations such as the Economic Community of West African States (ECOWAS) and the Community of Portuguese-speaking Countries (fifth paragraph)

The Council recognizes the important role that the United Nations has played in supporting national efforts to build sustainable security institutions, and commends the efforts of the United Nations, in particular the Department of Peacekeeping Operations of the Secretariat, including the Security Sector Reform Unit and the United Nations Inter-Agency Security Sector Reform Task Force, in further strengthening a comprehensive United Nations approach to security sector reform, through the development of guidance and civilian capacities, coordination mechanisms and collaboration with regional and subregional organizations, in particular the African Union (ninth paragraph)

**Maintenance of international peace and security: optimizing the use of preventive diplomacy tools: prospects and challenges in Africa**

[S/PRST/2010/14](#)  
16 July 2010

The Council encourages the development of peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter and reiterates its support for the efforts of regional and subregional organizations, in particular the African Union, ECOWAS, the Southern African Development Community, the East African Community, the Intergovernmental Authority on Development and the Economic Community of Central African States, as regards conflict prevention. The Council acknowledges the need for closer and more operational cooperation between the United Nations and regional and subregional organizations in Africa to build national and regional capacities in relation to the preventive diplomacy tools of mediation, information-gathering and analysis, early warning, prevention and peacemaking, and in this context the Council recognizes the important role that regional United Nations offices, such as the United Nations Office for West Africa, can play and stresses the valuable contribution of mediation capacities such as the Council of Elders, the Panel of the Wise and the good offices of the Secretary-General and his special envoys, and of regional and subregional organizations, to ensuring the coherence, synergy and collective effectiveness of their efforts (ninth paragraph)

The Council underlines the importance of continually engaging the potential and existing capacities and capabilities of the United Nations Secretariat, regional and subregional organizations as well as national Governments in preventive diplomacy efforts, including mediation, and welcomes the promotion of regional approaches to the peaceful settlement of disputes (tenth paragraph)

**Maintenance of international peace and security: the interdependence between security and development**

[S/PRST/2011/4](#)  
11 February 2011

The Council encourages close cooperation within the United Nations system and with regional, subregional and other organizations on the ground and at Headquarters in order to properly engage in conflict and post-conflict situations, in accordance with its responsibilities under the Charter, and expresses its willingness to consider ways to improve such cooperation (eleventh paragraph)

**Peace and security in Africa**

[S/PRST/2010/21](#)  
22 October 2010

The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional organizations, in particular the African Union, in accordance with the Charter of the United Nations and the relevant statutes of the regional organizations (first paragraph)

The Council reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security and consistent with Chapter VIII of the Charter can improve collective security (second paragraph)

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*Decision and date**Provision*

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The Council welcomes the continuing important efforts and enhanced peacekeeping role of the African Union and its subregional organizations, consistent with Council resolutions and decisions, to prevent, mediate and settle conflicts on the African continent, and, taking into account the increasing importance of conflict prevention, notes with appreciation the positive efforts made towards peace and security in Africa (third paragraph)

The Council recognizes that, in deploying peacekeeping operations authorized by the Council, the African Union is contributing towards the maintenance of international peace and security, in a manner consistent with the provisions of Chapter VIII of the Charter (fourth paragraph)

The Council recalls the statement by its President of 26 October 2009, in which it requested the Secretary-General to submit a progress report on United Nations support to the African Union when it undertakes peacekeeping operations authorized by the United Nations, following his report of 18 September 2009, which detailed ways in which effective support could be provided by the United Nations, including an assessment of the recommendations contained in the report of the African Union-United Nations panel on modalities for support to African Union peacekeeping operations (fifth paragraph)

The Council reaffirms the importance of and its commitment to strengthening its partnership with the Peace and Security Council of the African Union, consistent with Chapter VIII of the Charter, by reviewing the degree of cooperation between them with regard to conflict prevention and resolution, peacekeeping, peacebuilding, including the maintenance of constitutional order, the promotion of human rights, democracy and the rule of law in Africa, as stressed in the communiqués of their members, including that of 9 July 2010 (seventh paragraph)

The Council reiterates the need for further enhancement of regular interaction, coordination and consultation between the United Nations and the African Union on matters of mutual interest. The Council welcomes in this regard the inaugural meeting of the United Nations-African Union Joint Task Force on Peace and Security, held in New York on 25 September 2010, and encourages the Task Force to focus on strategic and country-specific issues on the continent of interest to both organizations (eighth paragraph)

The Council welcomes the establishment, on 1 July 2010, of the United Nations Office to the African Union, which integrates the mandates of the former United Nations Liaison Office to the African Union, the African Union Peacekeeping Support Team, the United Nations Planning Team for the African Union Mission in Somalia, and the support elements of the African Union-United Nations Hybrid Operation in Darfur Joint Support and Coordination Mechanism, as a concrete step in the strengthening of cooperation between the United Nations Secretariat and the African Union Commission (ninth paragraph)

The Council underscores the importance of expediting the implementation, in close consultation with other international partners, of the 2006 United Nations-African Union Ten-year Capacity-building Programme for the African Union focusing mainly on peace and security, in particular the operationalization of the African Standby Force and the Continental Early Warning System. The Council supports the ongoing efforts to strengthen the African Peace and Security Architecture and reiterates its call for the international community, particularly donors, to fulfil their commitments as endorsed in the 2005 World Summit Outcome (tenth paragraph)

The Council reiterates that regional organizations have the responsibility to secure human, financial, logistical and other resources for their organizations, including through contributions by their members and support from partners. The Council welcomes the valuable financial support provided by the African Union's partners towards its peacekeeping operations, including through the African Peace Facility, and calls upon all partners to render more support (eleventh paragraph)

The Council reaffirms its resolution [1809 \(2008\)](#), in which it recognizes the need to enhance the predictability, sustainability and flexibility of financing for regional organizations when they undertake peacekeeping under a United Nations mandate (twelfth paragraph)

The Council notes the observation of the Secretary-General in his report that, while the African Union is taking critical measures to enhance its institutional capacity to undertake peacekeeping operations with the support of United Nations and key partners, the issue of securing sustainable, predictable and flexible financing remains a key challenge. The Council expresses its determination to continue working, in accordance with its responsibilities under the Charter, towards a more predictable and sustainable solution to these funding challenges (thirteenth paragraph)

The Council notes the continuing efforts of the African Union to enhance its institutional capacity to enable it to effectively plan, manage and deploy peacekeeping operations (fourteenth paragraph)

The Council, in this regard, calls upon the African Union to work towards the implementation of a long-term and comprehensive capacity-building strategic framework in consultation with the United Nations and other international partners (fifteenth paragraph)

### **Post-conflict peacebuilding**

[S/PRST/2010/7](#)  
16 April 2010

The Council emphasizes the need for the United Nations system to strengthen strategic partnership with other international, regional and subregional organizations, as well as financial institutions, in particular by promoting coherence and coordination among their plans and programmes. In this connection, the Council looks forward to further strengthening of the cooperation between the United Nations and the World Bank at both the headquarters and the field levels, and to the Secretary-General including in his follow-up report details of the steps that have been taken in generating more timely, predictable and accountable responses for the key peacebuilding sectors as requested (twelfth paragraph)

| <i>Decision and date</i>                          | <i>Provision</i>   |
|---|--|
| <a href="#">S/PRST/2010/20</a><br>13 October 2010 | The Council welcomes and encourages more coordinated, coherent and integrated peacebuilding efforts, which includes forging stronger partnerships among Member States, regional and subregional organizations, the World Bank and other international financial institutions, other multilateral partners, civil society and the private sector with a focus on delivering greater impact and results on the ground (sixth paragraph)  |
| <a href="#">S/PRST/2011/2</a><br>21 January 2011  | The Council stresses its willingness to make greater use of the advisory role of the Peacebuilding Commission. The Council notes the potential role that the Commission can play in helping to achieve critical peacebuilding objectives, including the development of viable and accountable institutions in the countries on its agenda. The Council also stresses the importance of focused and well-defined partnerships among the United Nations, development agencies, bilateral partners and all other relevant actors, in particular regional and subregional organizations and the international financial institutions, to implement national strategies aimed at effective institution-building which are based on the achievement of results and mutual accountability (fifth paragraph) |
| <b>United Nations peacekeeping operations</b>     |  |
| <a href="#">S/PRST/2010/2</a><br>12 February 2010 | The Council recognizes the contribution of regional and subregional organizations to transition. The Council calls upon all Member States and subregional, regional and international partners to promote coherence and coordination of their peacebuilding plans and programmes with those of the United Nations peacekeeping operation and the wider United Nations presence on the ground (ninth paragraph)   |
| <a href="#">S/PRST/2011/17</a><br>26 August 2011  | The Council stresses the role of the United Nations peacekeepers in supporting efforts to promote political processes and peaceful settlements of disputes. The Council underlines the need for precise, full and effective implementation of mandates and its intention to continue to review and monitor such implementation on a regular basis. The Council recognizes the role of regional organizations in peacekeeping in accordance with Chapter VIII of the Charter (third paragraph)  |
| <b>Women and peace and security</b>               |  |
| <a href="#">S/PRST/2010/22</a><br>26 October 2010 | The Council reiterates its request to Member States and international, regional and subregional organizations to take measures to increase the participation of women in conflict prevention, conflict resolution and peacebuilding, including in decision-making roles in post-conflict governance institutions, appointed and elected. The Council urges the Secretary-General to appoint more women as mediators and special representatives and envoys to pursue good offices on his behalf (sixteenth paragraph)  |
| <a href="#">S/PRST/2011/20</a><br>28 October 2011 | The Council welcomes the commitments and efforts of Member States, regional organizations and the Secretary-General to implement its resolutions on women and peace and security. The Council, however, remains concerned about the persistence of gaps and challenges that seriously hinder the implementation of resolution <a href="#">1325 (2000)</a> , including the continued low number of women in formal institutions of conflict prevention and resolution, particularly in preventive diplomacy and mediation efforts (fifth paragraph)   |

The Council encourages efforts by Member States, the United Nations Secretariat, United Nations field missions, United Nations agencies, funds and programmes, international financial institutions and regional and subregional organizations to, as appropriate, provide support and strengthen the capacities of relevant government institutions and women's organizations engaged in issues related to armed conflict or post-conflict situations. The Council underlines the importance of the participation of women in conflict prevention and resolution efforts, including in the negotiation and implementation of peace agreements, as well as international dialogues, contact groups, engagement conferences and donor conferences in support of conflict resolution. In this regard, the Council reiterates the need to support, as appropriate, local women's peace initiatives, processes for conflict resolution and initiatives that involve women in implementation mechanisms of the peace agreements, including through the local-level presence of United Nations field missions (twelfth paragraph)

The Council acknowledges the significant contribution that women can have in conflict prevention and mediation efforts and encourages Member States, international and regional organizations to take measures to increase the number of women involved in mediation efforts and the number of women in representative roles in regional and international organizations. The Council therefore stresses the importance of creating enabling conditions for women's participation during all stages of peace processes and for countering negative societal attitudes regarding full and equal participation of women in conflict resolution and mediation (thirteenth paragraph)

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## B. Constitutional discussions under thematic items concerning interpretation and application of Chapter VIII of the Charter

In 2010 and 2011, on numerous occasions, speakers in Council deliberations under thematic items referred explicitly to Chapter VIII,<sup>19</sup> as well as

<sup>19</sup> In connection with the briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), see *S/PV.6268*, p. 5 (Chairman-in-Office of OSCE); p. 6 (Russian Federation); p. 9 (Austria, China); p. 11 (Bosnia and Herzegovina); p. 12 (Nigeria, Gabon); and p. 13 (Mexico); *S/PV.6481*, p. 2 (Chairperson-in-Office of OSCE); and p. 7 (Germany, Russian Federation). In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see *S/PV.6257*, p. 4 (Secretary-General); p. 5 (Secretary General of the League of Arab States (LAS)); p. 7 (Commissioner for Peace and Security of the African Union Commission); p. 8 (Viet Nam, on behalf of the Association of Southeast Asian Nations (ASEAN)); p. 11 (Acting Head of the European Union delegation to the United Nations); p. 18 (Head of the External Cooperation Department of OSCE); p. 23 (United Kingdom); p. 25 (United States); p. 27 (Austria); pp. 28-29 (Russian Federation); p. 29 (Japan); p. 31 (France); p. 34 (Turkey); p. 37 (Bosnia and Herzegovina); and p. 38 (Lebanon); *S/PV.6306*, p. 7 (United Kingdom); p. 8 (Turkey); p. 9 (Russian Federation); p. 10 (Japan); and p. 15 (Gabon, Lebanon); *S/PV.6477*, p. 9 (Russian Federation); p. 10 (South Africa); p. 14 (Lebanon); and p. 15 (India). In connection with the implementation of the note by the President of the Security Council, see *S/PV.6300*, p. 4 (Russian Federation); *S/PV.6300 (Resumption 1)*, p. 26 (Qatar); *S/PV.6672*, p. 11 (Lebanon); and p. 12 (India); *S/PV.6672 (Resumption 1)*, p. 2 (Mexico). In connection with the maintenance of international peace and security, see *S/PV.6322*, p. 8 (Russian Federation); *S/PV.6360*, p. 17 (Russian Federation); and p. 22 (Turkey); *S/PV.6360 (Resumption 1)*, p. 10 (Senegal); p. 11 (Burkina Faso); and p. 16 (Benin); *S/PV.6389*, p. 9 (Nigeria); and p. 15 (Russian Federation); *S/PV.6621*, p. 5 (Colombia); p. 9 (Gabon); and p. 23 (Russian Federation). In connection with peace and security in Africa, see *S/PV.6409*, pp. 3-4 (Secretary-General); pp. 6-7 (Commissioner for Peace and Security of the African Union Commission); p. 12 (Russian Federation); p. 15 (France); p. 20 (Gabon); p. 21 (Lebanon); p. 22 (Mexico); p. 27 (Algeria); p. 28 (South Africa); p. 31 (Portugal); p. 35 (Ethiopia); and p. 36 (Sudan); *S/PV.6561*, p. 5 (South Africa); p. 9 (Bosnia and Herzegovina); p. 12 (Colombia, India); p. 14 (Lebanon); p. 15 (Portugal); and p. 16 (Russian Federation); *S/PV.6633*, p. 23 (Benin). In connection with post-conflict peacebuilding, see *S/PV.6299 (Resumption 1)*, p. 21 (Solomon Islands); *S/PV.6472 (Resumption 1)*,

Articles 52<sup>20</sup> and 54,<sup>21</sup> but this did not always give rise to a constitutional discussion. The three case studies that follow concern discussions on cooperation with regional organizations in peacemaking, peacekeeping and post-conflict peacebuilding (case 1); financing of regional peacekeeping operations authorized by the Council (case 2); and relations with the Organization for Security and Cooperation in Europe (case 3).

### Case 1 Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

In the concept paper for the debate concerning cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, it was stated that while the Charter of the United Nations had assigned primary responsibility for the maintenance of international peace and security to the Security Council, in Chapter VIII of the Charter, the founding Members of the United Nations had also encouraged the development of pacific settlement of local disputes through regional arrangements.<sup>22</sup>

At the 6257th meeting, on 13 January 2010, many speakers provided concrete examples of cooperation with regional organizations in peacemaking, peacekeeping and post-conflict peacebuilding, and recognized the comparative advantages of regional organizations in dealing with local conflicts and their complementary roles in maintaining international peace and security.<sup>23</sup> A number of speakers also called

p. 27 (Argentina). In connection with United Nations peacekeeping operations, see *S/PV.6270*, p. 22 (Russian Federation); *S/PV.6370*, p. 26 (Lebanon); and p. 28 (Russian Federation); *S/PV.6603*, p. 7 (Portugal); and p. 20 (South Africa); *S/PV.6603 (Resumption 1)*, p. 18 (Uganda).

<sup>20</sup> *S/PV.6299 (Resumption 1)*, p. 34; and *S/PV.6561*, pp. 6 and 11.

<sup>21</sup> *S/PV.6257*, p. 29; *S/PV.6477*, p. 15; *S/PV.6481*, pp. 11 and 12; and *S/PV.6672 (Resumption 1)*, p. 3.

<sup>22</sup> *S/2010/9*.

<sup>23</sup> *S/PV.6257*, p. 7 (Commissioner for Peace and Security of the African Union Commission); pp. 8-9 (Viet Nam, on behalf of ASEAN); p. 13 (Deputy Secretary-General of the North Atlantic Treaty Organization (NATO)); pp. 15-16 (Secretary for Political Affairs of the Organization of American States); p. 20 (Australia, on behalf of the Pacific Islands Forum); p. 22 (Uganda); pp. 24-25 (Mexico); p. 26 (United States); p. 27 (Austria); pp. 28-29 (Russian Federation); pp. 29-31 (Japan); pp. 32-33 (Brazil); p. 36 (Gabon); pp. 37-38 (Bosnia and Herzegovina); p. 38 (Lebanon); and p. 39 (China).



for the further strengthening of such cooperation by, for example, developing common goals and establishing a clear division of labour.<sup>24</sup> The Commissioner for Peace and Security of the African Union Commission pointed out that a major challenge for regional organizations and the United Nations was to develop shared, adequate and effective responses to events and situations on which they sometimes took different positions, particularly with regard to unconstitutional changes of government, religious extremism and terrorism, as well as in situations where the regional consensus decisions by organizations such as the African Union were not universally supported.<sup>25</sup>

The Secretary-General recalled that Chapter VIII of the Charter had foreseen a world in which regional organizations and the United Nations would work together on all continents, consistent with the principles of the Charter, to prevent, manage and resolve crises. While over the years the Council had made ample use of its authority to engage in global and regional partnerships, more could and should be done.<sup>26</sup> The representative of the League of Arab States proposed a more in-depth interpretation of Chapter VIII on the basis of lessons learned and past experience of cooperation with regional and subregional organizations, in view of the unprecedented growth of the role of regional organizations and the lack of coherent policies and planning in addressing crises.<sup>27</sup> The Commissioner for Peace and Security of the African Union Commission said that Chapter VIII had proved very flexible and adaptable in dealing with new realities not envisaged in 1945 and that such creativity should be encouraged so that the United Nations and regional organizations could make gains in effectiveness.<sup>28</sup>

The representative of Brazil said that the Charter had laid the foundations for cooperation with regional organizations, which was never an abdication by the Council of its primary responsibility for the maintenance of international peace and security but was rather an effective means by which the Council

could discharge its responsibility.<sup>29</sup> The representative of the Russian Federation stated that the leading role of the Council as enshrined in the Charter remained inviolable on issues related to the maintenance of international peace and security, particularly with regard to mandate authorization and oversight of regional or coalition peacekeeping operations that allowed for the use of force.<sup>30</sup> The representative of the United Kingdom opined that the Security Council should retain its pre-eminence in matters pertaining to the maintenance of international peace and security, and said that the Council's responsibility was to set the strategic direction for cooperation with regional organizations, which had been envisaged by the founding fathers of the United Nations but which had seen a significant increase in scale and variety.<sup>31</sup> Stressing that cooperation between the United Nations and regional organizations as provided for under Chapter VIII aligned with the interests of both, the representative of France held that, while the operations of regional and subregional organizations needed the essential political and legal legitimacy conferred by the Council's mandates, the United Nations could benefit from the operational expertise and means of regional organizations, particularly at a time when the mobilization of all available resources was required.<sup>32</sup>

Several speakers underlined the importance of the United Nations, particularly the Security Council, engaging, consulting and exchanging views with regional and subregional organizations in order to work effectively together in the maintenance of international peace and security.<sup>33</sup> The representative of Japan, citing Article 54 of the Charter, said that the thematic debate was a timely opportunity to have a strategic dialogue, and stressed the significance of high-level dialogue and information-sharing for better cooperation with regional organizations.<sup>34</sup>

<sup>24</sup> Ibid., p. 13 (Deputy Secretary-General of NATO); p. 23 (United Kingdom); p. 24 (Mexico); p. 27 (Austria); p. 28 (Russian Federation); p. 31 (Japan); p. 35 (Turkey); and p. 38 (Bosnia and Herzegovina).

<sup>25</sup> Ibid., p. 7.

<sup>26</sup> Ibid., p. 4.

<sup>27</sup> Ibid., p. 5.

<sup>28</sup> Ibid., pp. 7-8.

<sup>29</sup> Ibid., p. 32.

<sup>30</sup> Ibid., p. 28.

<sup>31</sup> Ibid., p. 23.

<sup>32</sup> Ibid., p. 31.

<sup>33</sup> Ibid., p. 9 (Viet Nam, on behalf of ASEAN); p. 22 (Uganda); p. 25 (Mexico); p. 28 (Austria); and p. 38 (Lebanon).

<sup>34</sup> Ibid., pp. 29-30.

## Case 2 Peace and security in Africa

In his report dated 14 October 2010<sup>35</sup> on support to African Union peacekeeping operations authorized by the United Nations, the Secretary-General reported that the complex challenges in the world required a revitalized and evolving interpretation of Chapter VIII of the Charter. Highlighting the need for the Security Council to enunciate a vision of strategic partnership which would entail a clearly defined expectation of the role of regional organizations, the Secretary-General emphasized that cooperation between the United Nations and regional organizations did not absolve the Council of its Charter-mandated primacy in the maintenance of international peace and security. He opined that efforts to work with regional organizations to collectively address the challenges of peace and security must be undertaken in line with Chapter VIII and coordinated under the auspices of the United Nations. Among the challenges related to relying on United Nations assessed contributions for African Union peace support operations was that, under existing rules and procedures, United Nations support required a case-by-case authorization by the Council, after which the General Assembly determined the scope of the support package and the level of assessed contributions to be provided. In his opinion, the current financial frameworks for partnership in peacekeeping operations were not conducive to building a sustainable long-term strategy, and the support package for regional peacekeeping operations, such as that for the African Union Mission in Somalia (AMISOM), and the support provided to the United Nations peacekeeping operations, should be identical.

At the 6409th meeting, held on 22 October 2010, concerning peace and security in Africa, the President of the Council (Uganda) stated that the efforts of the African Union to deploy peacekeeping operations effectively continued to be hampered by the lack of sustainable, predictable and flexible funding. Citing AMISOM as a case in point, he called for the Council to take decisive action on practical ways to actualize that support, including through assessed contributions.<sup>36</sup> The Secretary-General called for a solution that would provide predictable, sustainable and flexible resources to the African Union when it undertook peacekeeping operations authorized by the

Council under Chapter VIII of the Charter.<sup>37</sup> The Commissioner for Peace and Security of the African Union Commission said that support using United Nations assessed contributions was the most viable response to challenges in the funding of peace support operations led by the African Union. He urged the Council to address the funding issue, which, in his view, had made progress more slowly than Africa had expected, by building on the relevant experiences including the use of support packages extended to the African Union Mission in the Sudan (AMIS) and AMISOM, in line with the Council's primary responsibility for the maintenance of international peace and security. He added that this responsibility should be exercised in full, including its financial implications.<sup>38</sup>

A majority of speakers recognized the importance, as well as the challenges, of securing predictable, sustainable and flexible funding for African Union peacekeeping operations.<sup>39</sup>

The representative of Lebanon stressed that African Union peacekeeping operations should not be financed by voluntary contributions which did not guarantee the sustainability of operations, stating that the African Union, when deploying a peacekeeping operation, acted on behalf, and relied on the support, of the Council, which bore the primary responsibility for international peace and security. He therefore held that the request by the African Union to consider using assessed contributions to finance its operations in specific cases was eminently justified.<sup>40</sup> The representative of Ethiopia also supported the use of assessed contributions to support African Union peacekeeping operations authorized by the United Nations.<sup>41</sup> The representative of Turkey held that, in the light of the experiences of financing the logistical support package for AMISOM through United Nations assessed contributions, the Council must be ready to consider the use of assessed contributions to support

<sup>37</sup> *Ibid.*, p. 4.

<sup>38</sup> *Ibid.*, pp. 6-7.

<sup>39</sup> *Ibid.*, p. 9 (Nigeria); p. 10 (China); p. 12 (Bosnia and Herzegovina, Russian Federation); p. 13 (Turkey); p. 14 (Japan); p. 17 (United States); p. 19 (Gabon); p. 22 (Lebanon); p. 23 (Mexico); p. 24 (United Kingdom); p. 25 (Austria); p. 26 (Finland); p. 29 (South Africa); p. 32 (Portugal); p. 33 (Kenya); p. 34 (Australia); p. 35 (Ethiopia); and p. 37 (Sudan).

<sup>40</sup> *Ibid.*, p. 22.

<sup>41</sup> *Ibid.*, p. 35.

<sup>35</sup> S/2010/514.

<sup>36</sup> S/PV.6409, p. 3.

similar United Nations-authorized operations on a case-by-case basis in the future. He said that it could help the Council to overcome the biggest challenge standing in the way of African peacekeeping operations, and could enhance United Nations-African Union strategic cooperation.<sup>42</sup>

The representative of Brazil pointed out that elements of the support package for AMISOM not covered by assessed contributions, such as reimbursement for contingency-owned equipment and troop allowances, had suffered from piecemeal donor support and that caveats and earmarks seriously undermined the effectiveness of the support provided.<sup>43</sup> The representative of the Sudan drew attention to the challenge of being financially dependent on the contributions of international donors, as the position of donors might change and the pledged contribution might not be forthcoming.<sup>44</sup>

Recognizing the need to work towards longer-term and more predictable, sustainable and flexible financing for African Union-led operations under a United Nations mandate, the representative of the United Kingdom stated that the sustained engagement and commitment of a broader base of donors was essential, and pointed out the need to build on progress made by the African Union in enhancing its financial management capacity, as part of a transition to a more predictable funding process.<sup>45</sup>

The representative of the Russian Federation called for a rational approach to the issue of the provision of logistical and financial support by the United Nations to peacekeeping efforts by the African Union, and a thorough analysis of the conditions for the deployment and the needs of specific peacekeeping operations, as well as consultations with the African Union on all aspects of United Nations support. He held that the African Union's peacekeeping role demonstrated the need for rational utilization of the capacities of regional organizations by the Council, pursuant to Chapter VIII of the Charter, and noted that the existence of robust regional organizations capable of bearing a greater share of responsibility for the situation in their regions enabled the United Nations to

focus on global issues to a greater extent, which was in the interests of the entire world community.<sup>46</sup>

For his part, the representative of France was opposed, for both operational and budgetary reasons, to resorting to obligatory contributions for operations which the United Nations did not lead. He stressed the importance of ensuring stricter financial tracking of peacekeeping operations, the budgets of which had recently increased exponentially, and he argued that the partners of the United Nations, such as the African Union, could not stay in the background. While noting the efforts undertaken by the African Union to reform its management methods and to diversify its peacekeeping funding sources, he affirmed that the United Nations must retain the primary responsibility for the operations that it funded. He further emphasized that the African Peace Facility of the European Union represented a first appropriate response to the African request for predictable and sustained financing for African-led peacekeeping operations.<sup>47</sup> Other speakers also welcomed the African Peace Facility as a source of such funding: it had financed a number of African-led peace operations, including AMIS, AMISOM and the Mission for the Consolidation of Peace in the Central African Republic.<sup>48</sup>

In the presidential statement adopted at the meeting, the Council noted that the issue of securing sustainable, predictable and flexible financing remained a key challenge, and expressed its determination to continue working towards a more predictable and sustainable solution to those funding challenges.<sup>49</sup>

### **Case 3 Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe**

At the 6481st meeting, held on 15 February 2011 in connection with the briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE), the Chairperson-in-Office of OSCE stated that OSCE was the largest regional organization

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<sup>42</sup> Ibid., p. 14.

<sup>43</sup> Ibid., p. 20.

<sup>44</sup> Ibid., p. 37.

<sup>45</sup> Ibid., pp. 23-24.

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<sup>46</sup> Ibid., p. 12.

<sup>47</sup> Ibid., pp. 16-17.

<sup>48</sup> Ibid., p. 19 (Gabon); p. 24 (United Kingdom); and p. 30 (European Union).

<sup>49</sup> [S/PRST/2010/21](#), thirteenth paragraph.

of the world under Chapter VIII of the Charter, with 56 participating States spanning the Euro-Atlantic and Eurasian regions. He praised the ongoing close and practical cooperation between OSCE and the United Nations in the maintenance of international peace and security and said that the more effective OSCE could be in promoting security and cooperation in Europe, the more time the Council would have to devote to other challenges in other areas of the world.<sup>50</sup>

Many speakers underlined and supported the importance of close cooperation between OSCE and the United Nations, some citing concrete examples not only in conflict management and resolution but also in such areas as counter-terrorism, non-proliferation and drug trafficking.<sup>51</sup>

Supporting the role of regional organizations in the maintenance of international peace and security under Chapter VIII of the Charter, the representative of India welcomed the briefing by the Chairperson-in-

<sup>50</sup> S/PV.6481, pp. 2 and 4.

<sup>51</sup> Ibid., pp. 4-5 (United States); p. 6 (United Kingdom); p. 7 (Germany, Russian Federation); p. 8 (Nigeria); p. 9 (Lebanon); p. 10 (Colombia); pp. 10-11 (Portugal); p. 12 (China); p. 13 (Bosnia and Herzegovina); and p. 15 (Gabon, Brazil).

Office of OSCE, explicitly citing Article 54.<sup>52</sup> Also citing Article 54 as the basis for the briefing, the representative of South Africa stated that the efforts by regional organizations did not absolve the Council of its Charter-mandated responsibilities as the guardian of international peace and security, and that such efforts complemented each other, as confirmed in the briefing.<sup>53</sup> The representative of the Russian Federation said that cooperation between the United Nations, the Security Council and regional and subregional arrangements should be based on the strong foundation of the Charter, in particular Chapter VIII, and take into due account the comparative advantages of the Organization and those mechanisms. He also stressed that the Security Council held the primary responsibility for the maintenance of international peace and security.<sup>54</sup> The representative of China opined that the Council needed the support and cooperation of regional and subregional organizations in fulfilling its primary responsibility of maintaining international peace and security; the representative of Lebanon expressed a similar view.<sup>55</sup>

<sup>52</sup> Ibid., p. 11.

<sup>53</sup> Ibid., p. 12.

<sup>54</sup> Ibid., p. 7.

<sup>55</sup> Ibid., p. 9 (Lebanon); and p. 12 (China).

## II. Recognition by the Security Council of the efforts of regional arrangements in the pacific settlement of disputes

### Note

Section II deals with recognition by the Security Council of efforts by regional and subregional organizations in the pacific settlement of local disputes, within the framework of Article 52 of the Charter. As there were no pertinent discussions on the application and interpretation of Article 52 during the period under review, this section features only decisions of the Council recognizing the efforts of regional organizations in the pacific settlement of disputes.

### Decisions recognizing the efforts of regional arrangements in the pacific settlement of disputes

In 2010 and 2011, the Security Council, in its decisions, frequently welcomed and supported the

efforts by regional and subregional organizations in the pacific settlement of disputes, which involved facilitating mediation, peace and/or political processes independently or jointly with the United Nations and promoting and consolidating peace and stability in the countries and regions under its consideration. Most frequently referred to were the efforts by the African Union in dealing with Chad/the Central African Republic, Côte d'Ivoire, Djibouti/Eritrea, Darfur, the Sudan, Guinea-Bissau, Liberia, Libya, Somalia and the Sudan/South Sudan, including Abyei. At the same time, the Council also acknowledged efforts by the Caribbean Community, the Collective Security Treaty Organization, the Economic Community of West African States (ECOWAS), the European Union, the Gulf Cooperation Council, the Intergovernmental Authority on Development (IGAD), the League of Arab States, the Mano River Union, the Organization of American States, the Organization of the Islamic

Conference (OIC), the Organization for Security and Cooperation in Europe (OSCE), the Shanghai Cooperation Organization and the South Asian Association for Regional Cooperation, as summarized below. See also table 2, which cites relevant decisions recognizing efforts by regional and subregional organizations in the pacific settlement of disputes.

In Africa, in connection with the reports of the Secretary-General on the Sudan, the Council underlined, without prejudice to its primary responsibility for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union “consistent with Chapter VIII of the Charter”, with regard to the maintenance of peace and security in Africa, particularly in the Sudan.<sup>56</sup> In reaffirming the importance of promoting the African Union-United Nations-led peace and political process for Darfur, and urging the parties to urgently reach agreement on Abyei and other outstanding Comprehensive Peace Agreement issues, the Council, throughout the period under review, recognized, welcomed and supported the role and the work of the African Union, in particular the African Union High-level Implementation Panel, under the leadership of the President of South Africa, Thabo Mbeki, and the African Union-United Nations Joint Chief Mediator for Darfur,<sup>57</sup> as well as IGAD<sup>58</sup> and LAS.<sup>59</sup>

With regard to Côte d’Ivoire, the Council commended the Facilitator, the President of Burkina Faso, Blaise Compaoré, for his mediation efforts;<sup>60</sup> commended the continuing efforts of ECOWAS and the African Union, including the constructive efforts of the African Union High-level Panel for the Resolution of the Crisis in Côte d’Ivoire, to promote peace and

stability and to resolve the crisis in the country, including the post-presidential election crisis.<sup>61</sup> The Council also welcomed the appointment of a High Representative for the implementation of the overall political solution by the Peace and Security Council of the African Union.<sup>62</sup>

Concerning Somalia, the Council welcomed the work of the African Union High Representative for Somalia and the Special Representative of the Chairperson of the African Union Commission for Somalia; welcomed and supported the endeavours of the African Union, IGAD and other regional organizations to promote peace and stability in Somalia, and requested the strengthening of cooperation among IGAD, the African Union and the United Nations to allow for an appropriate division of responsibilities in Somalia in an effort to reduce duplication of effort and ensure proper utilization of resources.<sup>63</sup>

The Council reiterated its full support, in connection with the situation in Chad, the Central African Republic and the subregion, for the efforts of the African Union and other international and regional actors to find solutions to the armed conflicts in the region;<sup>64</sup> welcomed the continued engagement of the African Union in efforts to resolve the border dispute between Eritrea and Djibouti and supported the call by the African Union in that regard;<sup>65</sup> welcomed the appointment by the Chairperson of the African Union Commission of a Special Representative for Guinea-Bissau;<sup>66</sup> expressed its appreciation for the continued support of ECOWAS and the African Union in Liberia;<sup>67</sup> welcomed the efforts of the African Union, LAS, the European Union and OIC in Libya;<sup>68</sup> and welcomed the role played by ECOWAS and encouraged the States members of the Mano River Union and other regional organizations to continue their dialogue aimed

<sup>56</sup> Resolutions 1935 (2010), seventh preambular paragraph; and 2003 (2011), tenth preambular paragraph.

<sup>57</sup> Resolutions 1919 (2010), eighth and tenth preambular paragraphs; 1935 (2010), sixth and eighth preambular paragraphs and paras. 3 and 11; 1945 (2010), tenth preambular paragraph; 1990 (2011), fifth preambular paragraph; 2003 (2011), seventh and ninth preambular paragraphs and para. 4; 2024 (2011), third preambular paragraph; and 2032 (2011), eighth preambular paragraph; S/PRST/2010/24, third and tenth paragraphs; S/PRST/2010/28, eighth paragraph; S/PRST/2011/3, sixth and tenth paragraphs; and S/PRST/2011/8, tenth paragraph.

<sup>58</sup> Resolution 1919 (2010), tenth preambular paragraph; and S/PRST/2010/24, third paragraph.

<sup>59</sup> Resolution 1945 (2010), tenth preambular paragraph.

<sup>60</sup> Resolutions 1911 (2010), fifth preambular paragraph; 1933 (2010), fifth preambular paragraph; and 1962 (2010), tenth preambular paragraph.

<sup>61</sup> Resolutions 1962 (2010), twelfth preambular paragraph; 1975 (2011), fourth preambular paragraph; 1980 (2011), sixth preambular paragraph; and 2000 (2011), seventeenth preambular paragraph.

<sup>62</sup> Resolution 1975 (2011), para. 2.

<sup>63</sup> S/PRST/2011/6, last paragraph; S/PRST/2011/10, third paragraph; and resolution 2010 (2011), seventh and eighth preambular paragraphs and para. 28.

<sup>64</sup> Resolution 1923 (2010), eighth preambular paragraph.

<sup>65</sup> Resolution 2023 (2011), fifth preambular paragraph and para. 2.

<sup>66</sup> Resolution 1949 (2010), eighth preambular paragraph.

<sup>67</sup> Resolution 1938 (2010), eleventh preambular paragraph.

<sup>68</sup> Resolutions 1973 (2011), para. 2; and 2009 (2011), eleventh preambular paragraph.

at consolidating regional peace and security, in connection with the situation in Sierra Leone.<sup>69</sup>

Concerning the Americas, the Council recognized the important contribution of the Organization of American States and other international, regional and subregional organizations in supporting the political process in Haiti.<sup>70</sup>

With regard to Asia, the Council recognized the importance of the contributions of the European Union, OIC, OSCE, the Shanghai Cooperation Organization, the Collective Security Treaty Organization and the South Asian Association for Regional Cooperation to the stabilization of Afghanistan in the context of promoting regional cooperation and good-neighbourly relations.<sup>71</sup>

Concerning the Middle East, the Council welcomed the engagement of the Gulf Cooperation Council and reaffirmed its support for the latter's efforts to resolve the political crisis in Yemen; it also welcomed the statement of 23 September 2011, in which the Gulf Cooperation Council had called for the immediate signing by President Saleh and implementation of the Gulf Cooperation Council initiative.<sup>72</sup> Concerning non-proliferation, the Council encouraged the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution.<sup>73</sup>

<sup>69</sup> Resolutions 1941 (2010), last preambular paragraph; and 2005 (2011), last preambular paragraph.

<sup>70</sup> S/PRST/2011/7, third paragraph.

<sup>71</sup> Resolutions 1943 (2010), twenty-fifth preambular paragraph; 1974 (2011), para. 13; and 2011 (2011), thirty-fifth preambular paragraph.

<sup>72</sup> Resolution 2014 (2011), fifth and eighth preambular paragraphs.

<sup>73</sup> Resolution 1929 (2010), para. 33.

Table 2

**Decisions recognizing the efforts of regional and subregional organizations in the pacific settlement of disputes**

| <i>Decision and date</i>   | <i>Provision</i>   |
|--|--|
| <b>Peace and security in Africa [Djibouti and Eritrea]</b>               |  |
| Resolution 2023 (2011)<br>[adopted under Chapter VII]<br>5 December 2011 | Reiterating its grave concern about the border dispute between Eritrea and Djibouti and the importance of resolving it, calling upon Eritrea to pursue with Djibouti in good faith the scrupulous implementation of the Agreement of 6 June 2010, concluded under the auspices of Qatar, in order to resolve their border dispute and consolidate the normalization of their relations, and welcoming the mediation efforts of Qatar, the continued engagement of regional actors, the African Union and the United Nations (fifth preambular paragraph)<br><br>Supports the call by the African Union for Eritrea to resolve its border disputes with its neighbours and calls upon the parties to peacefully resolve their disputes, normalize their relations and promote durable peace and lasting security in the Horn of Africa, and encourages the parties to provide the necessary cooperation to the African Union in its efforts to resolve these disputes (para. 2) |
| <b>Peace consolidation in West Africa</b>                                |  |
| S/PRST/2010/3<br>16 February 2010  | The Council reiterates its support for the efforts of the Economic Community of West African States (ECOWAS) and the African Union. It commends President Blaise Compaoré of Burkina Faso for his mediation efforts and welcomes the communiqués issued on 26 January 2010 by the International Contact Group on Guinea and on 3 February 2010 by the African Union summit (second paragraph)  |

### The situation in Chad, the Central African Republic and the subregion

Resolution [1923 \(2010\)](#)  
25 May 2010

Reiterating its full support for the efforts of the Secretary-General, the African Union and other international and regional actors to find solutions to the armed conflicts in the region (eighth preambular paragraph)

### The situation in Côte d'Ivoire

Resolution [1911 \(2010\)](#)  
[adopted under Chapter VII]  
28 January 2010

Expressing again its appreciation to President Blaise Compaoré of Burkina Faso (“the Facilitator”) for his continued efforts to support the peace process in Côte d'Ivoire, in particular through the follow-up mechanisms of the Ouagadougou Political Agreement, commending and encouraging the continued efforts of the African Union and ECOWAS to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them (fifth preambular paragraph)

*Same provision in resolution [1933 \(2010\)](#), fifth preambular paragraph*

Resolution [1962 \(2010\)](#)  
[adopted under Chapter VII]  
20 December 2010

Welcoming the decisions taken at the Extraordinary Session of the Authority of Heads of State and Government of ECOWAS on Côte d'Ivoire, held in Abuja on 7 December 2010, and the decisions of the two hundred and fifty-second meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 9 December 2010 (sixth preambular paragraph)

Paying tribute to President Blaise Compaoré of Burkina Faso (“the Facilitator”) for his critical role to support the peace process and the holding and completion of the presidential election (tenth preambular paragraph)

Commending also the continuing efforts of the African Union and ECOWAS to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them (twelfth preambular paragraph)

Resolution [1975 \(2011\)](#)  
[adopted under Chapter VII]  
30 March 2011

Commending the constructive efforts of the African Union High-level Panel for the Resolution of the Crisis in Côte d'Ivoire, and reiterating its support for the African Union and ECOWAS for their commitment to resolve the crisis in Côte d'Ivoire (fourth preambular paragraph)

Welcoming the decision of the Peace and Security Council of the African Union adopted at its two hundred and sixty-fifth meeting, held at the level of Heads of State and Government in Addis Ababa on 10 March 2011, which reaffirms all its previous decisions on the rapidly deteriorating post-electoral crisis facing Côte d'Ivoire since the second round of the presidential election, on 28 November 2010, which recognize the election of Mr. Alassane Dramane Ouattara as the President of Côte d'Ivoire (fifth preambular paragraph)

Welcoming also the political initiatives and noting the communiqué and the resolution on Côte d'Ivoire adopted by the Authority of Heads of State and Government of ECOWAS on 24 March 2011 (sixth preambular paragraph)

Calls upon all parties to pursue the overall political solution of the African Union, and in this regard welcomes the decision of the Peace and Security Council of the African Union, taken at its summit of 10 March 2011, to appoint a High Representative for the implementation of the overall political solution, and calls upon all parties to fully cooperate with him (para. 2)

| <i>Decision and date</i>   | <i>Provision</i>   |
|--|--|
| Resolution <a href="#">1980 (2011)</a><br>[adopted under Chapter VII]<br>28 April 2011     | Emphasizing the imperative of sustained efforts by all Ivoirians to promote national reconciliation and the consolidation of peace through dialogue and consultation, and welcoming the assistance of the African Union and ECOWAS in this regard (sixth preambular paragraph)   |
| Resolution <a href="#">2000 (2011)</a><br>[adopted under Chapter VII]<br>27 July 2011      | Commending the African Union and ECOWAS for their efforts during the post-election crisis, and encouraging them to remain committed in support of the stabilization of the situation in Côte d'Ivoire and the implementation of the outstanding tasks of the peace process (seventeenth preambular paragraph)  |
| <b>The situation in Guinea-Bissau</b>  |  |
| Resolution <a href="#">1949 (2010)</a><br>[adopted under Chapter VII]<br>23 November 2010  | Reiterating the importance of regional and subregional cooperation in addressing the challenges faced by Guinea-Bissau, and in this regard welcoming the appointment by the Chairperson of the African Union Commission of a Special Representative for Guinea-Bissau as well as the establishment and operationalization of the African Union Liaison Office in the country (eighth preambular paragraph)   |
| <b>The situation in Liberia</b>  |  |
| Resolution <a href="#">1938 (2010)</a><br>[adopted under Chapter VII]<br>15 September 2010 | Expressing its appreciation for the continuing support of the international community, ECOWAS and the African Union (eleventh preambular paragraph)  |
| <b>The situation in Libya</b>  |  |
| Resolution <a href="#">1973 (2011)</a><br>[adopted under Chapter VII]<br>17 March 2011     | Taking note of the final communiqué of the Organization of the Islamic Conference of 8 March 2011 and the communiqué of the Peace and Security Council of the African Union of 10 March 2011, by which it established the Ad Hoc High-level Committee on Libya (eleventh preambular paragraph)<br><br>Stresses the need to intensify efforts to find a solution to the crisis which responds to the legitimate demands of the Libyan people, and notes the decisions of the Secretary-General to send his Special Envoy to the Libyan Arab Jamahiriya and of the Peace and Security Council of the African Union to send its Ad Hoc High-level Committee on Libya to the Libyan Arab Jamahiriya with the aim of facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution (para. 2) |
| Resolution <a href="#">2009 (2011)</a><br>[adopted under Chapter VII]<br>16 September 2011 | Reaffirming that the United Nations should lead the effort of the international community in supporting the Libyan-led transition and rebuilding process aimed at establishing a democratic, independent and united Libya, welcoming the contributions in this regard of the Secretary-General's high-level meeting of regional organizations of 26 August 2011 and the Paris Conference on Libya, of 1 September 2011, and welcoming also the efforts of the African Union, the League of Arab States, the European Union and the Organization of Islamic Cooperation (eleventh preambular paragraph)   |



### **The situation in Sierra Leone**

- Resolution [1941 \(2010\)](#)  
29 September 2010
- Welcoming the role played by ECOWAS, and encouraging the States members of the Mano River Union and other regional organizations to continue their dialogue aimed at consolidating regional peace and security (thirteenth preambular paragraph)
- Resolution [2005 \(2011\)](#)  
14 September 2011
- Welcoming the role played by the African Union and ECOWAS, and encouraging the States members of the Mano River Union and other regional organizations to continue their dialogue aimed at consolidating regional peace and security (fourteenth preambular paragraph)

### **The situation in Somalia**

- Resolution [1964 \(2010\)](#)  
[adopted under Chapter VII]  
22 December 2010
- Noting the decisions on Somalia adopted by the African Union summit held in Kampala from 19 to 27 July 2010, and the recommendations on Somalia of the ministerial meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 15 October 2010, and welcoming the appointment of former President Jerry Rawlings as the African Union High Representative for Somalia (tenth preambular paragraph)
- [S/PRST/2011/6](#)  
10 March 2011
- The Council welcomes the endeavours of the African Union, the Intergovernmental Authority on Development (IGAD) and other regional organizations to promote peace and stability in Somalia and reiterates its full support to the African Union Mission in Somalia and its troop- and police-contributing countries, especially Burundi and Uganda (last paragraph)
- [S/PRST/2011/10](#)  
11 May 2011
- The Council expresses its support for the work of Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia, the United Nations and the African Union to promote peace and reconciliation in Somalia (third paragraph)
- Resolution [2010 \(2011\)](#)  
30 September 2011
- Commending the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, as well as the Special Representative of the Chairperson of the African Union Commission for Somalia, Mr. Boubacar Gaoussou Diarra, and reaffirming its strong support for their efforts (seventh preambular paragraph)
- Welcoming the work of former President Jerry Rawlings as the African Union High Representative for Somalia (eighth preambular paragraph)
- Requests the strengthening of cooperation among IGAD, the African Union and the United Nations to allow for an appropriate division of responsibilities in Somalia in an effort to reduce duplication of effort and ensure proper utilization of resources, and to include updates on this topic in the regular reports of the Secretary-General on Somalia (para. 28)

*Decision and date**Provision***Reports of the Secretary-General on the Sudan**

Resolution 1919 (2010)  
29 April 2010

Recognizing that, regardless of the results of the referendum, both parties to the Comprehensive Peace Agreement will need to continue to discuss critical issues in a peaceful and constructive manner and that the United Nations, the African Union and other regional organizations can play an important role in supporting and promoting this dialogue (eighth preambular paragraph)

Commending also the work of the African Union in the Sudan, in particular the African Union High-level Implementation Panel for the Sudan and the role that it has played in focusing attention on the interrelatedness of conflicts in the Sudan and assisting the Sudanese parties to comprehensively address these issues, along with IGAD and other regional actors (tenth preambular paragraph)

Resolution 1935 (2010)  
30 July 2010

Expressing its strong commitment and determination to promote and support the Darfur political process and the efforts of the Joint African Union-United Nations Chief Mediator for Darfur, welcoming his commitment to progress and the negotiations between the Government of the Sudan and the Liberation and Justice Movement on an agreement under the auspices of the Joint Chief Mediator, and deploring the fact that some groups continue to refuse to join the political process (sixth preambular paragraph)

Underlining, without prejudice to the primary responsibility of the Security Council for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union, consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in the Sudan (seventh preambular paragraph)

Welcoming the important role of the African Union in the Sudan, in particular the efforts of the African Union High-level Implementation Panel for the Sudan, working in cooperation with the Joint Chief Mediator and the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to promote peace, reconciliation and accountability in Darfur, including through the early convening of a Darfur-Darfur conference, with a view to encouraging early progress in the African Union-United Nations-led peace process (eighth preambular paragraph)

Reaffirms the importance of promoting the African Union-United Nations-led political process for Darfur and, in this regard, underlines the need for the systematic and sustained engagement of all Darfurian stakeholders, including newly elected officials, civil society, including women and women-led organizations, community groups and tribal leaders, in order to create an environment conducive to peace and security through constructive and open dialogue, welcomes the priority given to the continuing efforts of UNAMID to promote such engagement in support of and to complement the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Yipènè Bassolé, and the African Union-United Nations-led political process for Darfur, and welcomes the work of the African Union High-level Implementation Panel for the Sudan in this regard (para. 3)

|   |   |
|---|---|
|   | <p>Reiterates that there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of UNAMID are essential to re-establishing peace, and reaffirms its full support for the work of the Joint Chief Mediator, Mr. Djibril Yipènè Bassolé, and the African Union-United Nations-led political process for Darfur (para. 11)</p>   |
| <p>Resolution <a href="#">1945 (2010)</a><br/>[adopted under Chapter VII]<br/>14 October 2010</p> | <p>Commending the efforts of, and reiterating its full support for, UNAMID, the African Union-United Nations Joint Chief Mediator for Darfur, the United Nations Secretary-General, the League of Arab States, the African Union High-level Implementation Panel on the Sudan and the leaders of the region to promote peace and stability in Darfur, and expressing its strong support for the political process under the African Union-United Nations-led mediation (tenth preambular paragraph)</p>   |
| <p><a href="#">S/PRST/2010/24</a><br/>16 November 2010</p>  | <p>The Council recalls that the Sudanese parties have full responsibility for the implementation of the Comprehensive Peace Agreement, reaffirms its support for and encourages their further efforts to that end and welcomes the leadership of the African Union and the support provided by the African Union High-level Implementation Panel on the Sudan, under the leadership of President Thabo Mbeki, and by IGAD. The Council recognizes the commitment of the parties to the implementation of the Agreement, remains actively seized of the matter and expresses its readiness to act as necessary in support of full implementation of the Agreement by the parties. The Council underlines the importance of close coordination between international actors involved in assisting the Sudanese peace processes (third paragraph)</p> <p>The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions, and all parties immediately to cease hostilities and engage constructively in negotiations with a view to finding a lasting peace in Darfur. The Council expresses concern about attacks on civilians by militias and calls for all support to such groups to cease. The Council expresses its willingness to consider measures against any party whose actions undermine peace in Darfur (tenth paragraph)</p> <p><i>Similar provisions in <a href="#">S/PRST/2010/28</a>, eighth paragraph; <a href="#">S/PRST/2011/3</a>, tenth paragraph; and <a href="#">S/PRST/2011/8</a>, tenth paragraph</i></p> |
| <p><a href="#">S/PRST/2010/28</a><br/>16 December 2010</p>  | <p>The Council notes with deep concern the absence of an agreement on Abyei. The Council strongly urges the parties to calm rising tensions in Abyei, to urgently reach agreement on Abyei and other outstanding Comprehensive Peace Agreement issues, and to resolve critical post-referendum issues, including the border, security, citizenship, debts, assets, currency and natural resources. The Council welcomes the work of the African Union High-level Implementation Panel on the Sudan led by the former President of South Africa, Mr. Thabo Mbeki, and its continuing efforts in this regard (third paragraph)</p>  |

*Decision and date**Provision*

[S/PRST/2011/3](#)  
9 February 2011

The Council reaffirms its support for the work of the African Union High-level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki, and notes the commitments made by the parties to the Comprehensive Peace Agreement at the Presidency meeting of 27 January 2011, and encourages them to continue to strive for a timely agreement on the implementation of outstanding Agreement issues. The Council urges the parties to reach quickly an agreement on Abyei and other critical issues, including border demarcation, security arrangements, citizenship, debts, assets, currency, wealth-sharing and natural resource management. The Council welcomes the start of the popular consultation process in Blue Nile State and stresses the importance of inclusive, timely and credible popular consultations processes in Blue Nile and Southern Kordofan States, in accordance with the Agreement (sixth paragraph)

Resolution [1990 \(2011\)](#)  
[paragraph 3 adopted under  
Chapter VII]  
27 June 2011

Commending the assistance provided to the parties by the African Union High-level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, and the Special Representative of the Secretary-General for the Sudan, Mr. Haile Menkerios (fifth preambular paragraph)

Resolution [2003 \(2011\)](#)  
29 July 2011

Expressing its strong commitment and determination to support the African Union-United Nations Darfur peace process hosted by Qatar, deploring the fact that some groups continue to refuse to join this process, and strongly urging them to do so without further delay or preconditions (seventh preambular paragraph)

Welcoming also the establishment of the Implementation Follow-up Commission, chaired by Qatar, and the continued engagement of Qatar with the African Union and the United Nations to support an internationally facilitated Darfur peace process, including the Government of the Sudan and all the armed movements, and encouraging the African Union and the United Nations actively to pursue their efforts (ninth preambular paragraph)

Underlining, without prejudice to the primary responsibility of the Security Council for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union, consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in the Sudan, and welcoming, in particular, the efforts of the African Union High-level Implementation Panel on the Sudan under the leadership of President Thabo Mbeki, working in cooperation with UNAMID, to address in a comprehensive and inclusive manner the challenges of peace, justice and reconciliation in Darfur (tenth preambular paragraph)

Reaffirms the importance of promoting the African Union-United Nations-led peace and political process for Darfur, welcomes the priority given to the continuing efforts of UNAMID to support and complement this work in accordance with paragraphs 6, 7 and 8 [of the resolution], and welcomes the efforts of the African Union High-level Implementation Panel on the Sudan in this regard (para. 4)

*Decision and date*

*Provision*

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Resolution [2024 \(2011\)](#)  
14 December 2011

Commending the assistance provided to the parties by the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the Head of Mission for the United Nations Interim Security Force for Abyei, Lieutenant General Tadesse Werede Tesfay (third preambular paragraph)

*Similar provision in resolution [2032 \(2011\)](#), eighth preambular paragraph*

### **The question concerning Haiti**

[S/PRST/2011/7](#)  
6 April 2011

The Council welcomes the ongoing electoral process in Haiti and stresses the importance of its completion in a peaceful, credible and legitimate way, which will contribute to the consolidation of democracy, allow for the completion of constitutional reform and provide a strong basis for the continuing reconstruction efforts. The Council recognizes the important contribution of the United Nations Stabilization Mission in Haiti and the Organization of American States and other international, regional and subregional organizations in supporting the political process (third paragraph)

### **The situation in Afghanistan**

Resolution [1943 \(2010\)](#)  
13 October 2010

Recognizing the importance of the contribution of neighbouring and regional partners as well as regional organizations, including the European Union, the Organization for Security and Cooperation in Europe, the Shanghai Cooperation Organization and the Collective Security Treaty Organization, to the stabilization of Afghanistan, stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan, welcoming the regional efforts in this regard, and looking forward to the inaugural meeting in Istanbul, Turkey, in November 2010 of the Core Group established in support of enhanced regional cooperation in conjunction with the Kabul Conference (twenty-fifth preambular paragraph)

Resolution [1974 \(2011\)](#)  
22 March 2011

Welcomes ongoing efforts by the Government of Afghanistan, its neighbouring and regional partners and international organizations, including the Organization of the Islamic Conference, to foster trust and cooperation with each other, as well as recent cooperation initiatives developed by the countries concerned and regional organizations, including the Fifth Trilateral Summit of Afghanistan, Pakistan and Turkey, held in Istanbul, Turkey, on 24 December 2010, and the results of the latest Istanbul Conference, of 3 November 2010, notes the proposed Afghanistan regional conference to be organized by Turkey, and looks forward to the Fifth Regional Economic Cooperation Conference on Afghanistan, to be held in Tajikistan in the fall of 2011, further welcomes the reaffirmation in the Kabul Conference communiqué of the principles set out in the Kabul Declaration on Good-neighbourly Relations of 22 December 2002, and stresses the importance of increasing cooperation between Afghanistan and its partners against the Taliban, Al-Qaida, other violent extremist groups and illegal armed groups, in promoting peace and prosperity in Afghanistan and in fostering cooperation in the economic and development sectors as a means to achieve the full integration of Afghanistan into regional dynamics and the global economy (para. 13)

| <i>Decision and date</i>                                  | <i>Provision</i>  |
|---|---|
| Resolution <a href="#">2011 (2011)</a><br>12 October 2011 | Recognizing the importance of the contribution of neighbouring and regional partners as well as regional organizations, including the European Union, the Organization for Security and Cooperation in Europe, the Shanghai Cooperation Organization, the Collective Security Treaty Organization and the South Asian Association for Regional Cooperation, to the stabilization of Afghanistan, stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan, and welcoming and supporting increased regional efforts towards the continued implementation of previous declarations of good-neighbourly relations (thirty-fifth preambular paragraph)                     |
| <b>The situation in the Middle East</b>                   |   |
| Resolution <a href="#">2014 (2011)</a><br>21 October 2011 | Welcoming also the engagement of the Gulf Cooperation Council, and reaffirming the support of the Security Council for the efforts of the Gulf Cooperation Council to resolve the political crisis in Yemen (fifth preambular paragraph)<br><br>Welcoming the statement of 23 September 2011 by the Ministerial Council of the Gulf Cooperation Council, in which it called for the immediate signing by President Saleh and implementation of the Gulf Cooperation Council initiative, condemned the use of force against unarmed demonstrators and called for restraint, a commitment to a full and immediate ceasefire and the formation of a commission to investigate the events that led to the killing of innocent Yemeni people (eighth preambular paragraph) |
| <b>Non-proliferation</b>                                  |   |
| Resolution <a href="#">1929 (2010)</a><br>9 June 2010     | Encourages the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to creating the conditions necessary for resuming talks, and encourages the Islamic Republic of Iran to respond positively to such proposals (para. 33)   |

### III. Regional peacekeeping operations

#### Note

Section III concerns the practice of the Security Council in connection with cooperation with regional organizations in the area of peacekeeping, which can be considered as relevant to all Articles of Chapter VIII of the Charter — Articles 52, 53 and 54.

The section comprises two subsections: A, Decisions concerning regional peacekeeping operations; and B, Discussions concerning regional peacekeeping operations.

#### A. Decisions concerning regional peacekeeping operations

No new peacekeeping operations by regional and other organizations were authorized by the Council during the period under review. The Council did renew the mandates of three peacekeeping operations led by regional and other organizations, by decisions adopted under Chapter VII of the Charter, including the authorization of the use of force; the operations were the International Security Assistance Force in Afghanistan led by the North Atlantic Treaty

Organization (NATO), the European Union Force and the NATO presence in Bosnia and Herzegovina, and the African Union Mission in Somalia.<sup>74</sup> The three operations are discussed individually below.

The Council, for the first time in its decisions, recognized the contribution of the Mission for the Consolidation of Peace in the Central African Republic in support of durable peace and security in that country, and called upon regional and subregional organizations, upon request of the Government of the Central African Republic, to consider further actions to support security in that country, such as reinforcing that Mission.<sup>75</sup>

A number of policing and training operations deployed by regional and other organizations in Afghanistan, Bosnia and Herzegovina and Somalia were also acknowledged by the Council during the period under review: the NATO Training Mission-Afghanistan, the European Gendarmerie Force and the European Union Police Mission in Afghanistan that had been assisting in enhancing the capacities of the Afghan National Police;<sup>76</sup> the European Union Police Mission to Bosnia and Herzegovina, which had been deployed since 1 January 2003;<sup>77</sup> and the European Union training mission in Somalia for Somali security forces.<sup>78</sup>

### International Security Assistance Force in Afghanistan

During the period under review, acting under Chapter VII of the Charter, the Council extended the authorization of the International Security Assistance Force (ISAF) in Afghanistan, as defined by resolutions [1386 \(2001\)](#) and [1510 \(2003\)](#), for periods of 12 months, the last of which was until 13 October 2012.<sup>79</sup> The Council called upon Member States to

contribute personnel, equipment and other resources to the Force, in recognizing the need for ISAF to meet all its operational requirements.<sup>80</sup>

The Council recognized the significance of the agreement reached between the Government of Afghanistan and countries contributing to ISAF at the Lisbon summit in November 2010 to gradually transfer lead security responsibility in Afghanistan to the Government countrywide by the end of 2014. It welcomed the Enduring Partnership Declaration agreed by NATO and the Government of Afghanistan at the Lisbon summit, in particular the intention expressed therein to provide sustained practical support aimed at improving and sustaining Afghanistan's capacity and capability to tackle continued threats to its security, stability and integrity, and to contribute to the security of the region through the stabilization of the situation in Afghanistan.<sup>81</sup>

By a series of resolutions, the Council authorized the Member States participating in ISAF to "take all measures necessary" to fulfil its mandate;<sup>82</sup> encouraged ISAF to sustain its efforts to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country;<sup>83</sup> and called upon ISAF and the Senior Civilian Representative of NATO to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with resolutions [1917 \(2010\)](#) and [1974 \(2011\)](#) as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of ISAF.<sup>84</sup> Moreover, the Council requested the leadership of ISAF to keep the Council regularly informed, through the Secretary-General, on

<sup>74</sup> For the African Union-United Nations Hybrid Operation in Darfur (UNAMID), see part X, sect. I, "Peacekeeping operations".

<sup>75</sup> [S/PRST/2010/26](#), seventh paragraph; and [S/PRST/2010/29](#), seventh paragraph.

<sup>76</sup> Resolutions [1917 \(2010\)](#), paras. 24 and 25; [1943 \(2010\)](#), twenty-first preambular paragraph; [1974 \(2011\)](#), paras. 25 and 26; and [2011 \(2011\)](#), twenty-seventh preambular paragraph.

<sup>77</sup> Resolutions [1948 \(2010\)](#), para. 20; and [2019 \(2011\)](#), para. 20.

<sup>78</sup> Resolutions [1964 \(2010\)](#), eleventh preambular paragraph; and [2010 \(2011\)](#), twentieth preambular paragraph.

<sup>79</sup> Resolutions [1943 \(2010\)](#), para. 1; and [2011 \(2011\)](#), para. 1.

<sup>80</sup> Resolutions [1943 \(2010\)](#), para. 3; and [2011 \(2011\)](#), para. 3.

<sup>81</sup> Resolution [2011 \(2011\)](#), ninth preambular paragraph and paras. 3 and 4.

<sup>82</sup> Resolutions [1943 \(2010\)](#), para. 2; and [2011 \(2011\)](#), para. 2.

<sup>83</sup> Resolutions [1943 \(2010\)](#), para. 4; and [2011 \(2011\)](#), para. 5.

<sup>84</sup> Resolutions [1943 \(2010\)](#), para. 5; and [2011 \(2011\)](#), para. 6.

the implementation of its mandate, including through the timely provision of quarterly reports.<sup>85</sup>

During the reporting period, the Council repeatedly noted the synergies in the objectives of the United Nations Assistance Mission in Afghanistan and of ISAF, and stressed the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities.<sup>86</sup> The Council also recognized the role and efforts of ISAF in minimizing the risk of civilian casualties;<sup>87</sup> improving the security situation and building the security capacities of the Government of Afghanistan;<sup>88</sup> supporting the efforts to address drug

production and trafficking;<sup>89</sup> supporting the Afghan Independent Election Commission and Electoral Complaints Commission in organizing 2010 parliamentary elections;<sup>90</sup> and providing the leadership operating within the framework of the counter-terrorism operations in the country and in accordance with international law.<sup>91</sup> The Council further welcomed the continued coordination between ISAF and the Operation Enduring Freedom coalition and in-theatre cooperation between ISAF and the European Union presence in Afghanistan.<sup>92</sup>

For the provisions of Council decisions relating to the mandate of ISAF or its renewal, authorization of the use of force, and reporting requirements, see table 3. Table 4 lists Council documents relating to ISAF issued during the period under review.

<sup>85</sup> Resolutions 1943 (2010), para. 6; and 2011 (2011) para. 7.

<sup>86</sup> Resolutions 1917 (2010), thirteenth preambular paragraph; 1943 (2010), tenth preambular paragraph; 1974 (2011), seventeenth preambular paragraph; and 2011 (2011), fourteenth preambular paragraph. For more information regarding the mandate of the United Nations Assistance Mission in Afghanistan, see part X, sect. II, "Political and peacebuilding missions".

<sup>87</sup> Resolutions 1917 (2010), para. 20; 1943 (2010), eighteenth and nineteenth preambular paragraphs; 1974 (2011), twenty-second preambular paragraph and para. 20; and 2011 (2011), twenty-fifth preambular paragraph.

<sup>88</sup> Resolutions 1943 (2010), fifth preambular paragraph; and 1974 (2011), fifth preambular paragraph.

<sup>89</sup> Resolutions 1943 (2010), twelfth preambular paragraph; and 2011 (2011), sixteenth preambular paragraph.

<sup>90</sup> Resolution 1943 (2010), twenty-fourth preambular paragraph.

<sup>91</sup> Resolutions 1943 (2010), twenty-eighth preambular paragraph; and 2011 (2011), thirty-eighth preambular paragraph.

<sup>92</sup> Resolutions 1943 (2010), twenty-seventh preambular paragraph; and 2011 (2011), thirty-seventh preambular paragraph.

Table 3  
Decisions relating to ISAF, 2010-2011

### Resolution 1943 (2010) of 13 October 2010

[adopted under Chapter VII]

|                                   |  |
|-----------------------------------|--|
| Renewal of mandate                | Decides to extend the authorization of the International Security Assistance Force (ISAF), as defined in resolutions 1386 (2001) and 1510 (2003), for a period of 12 months, until 13 October 2011 (para. 1)   |
| Authorization of the use of force | Authorizes the Member States participating in ISAF to take all measures necessary to fulfil its mandate (para. 2)  |
| Mandate                           | Stresses the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, encourages ISAF and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes the increasing leadership role played by the Afghan authorities in security responsibilities throughout the country, and stresses the importance of supporting the planned expansion of the Afghan National Army and the Afghan National Police as endorsed by the Joint Coordination and Monitoring Board in January 2010 (para. 4) |



|                        |  |
|------------------------|--|
| Mandate                | Calls upon ISAF and the Senior Civilian Representative of the North Atlantic Treaty Organization (NATO) to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with Security Council resolution <a href="#">1917 (2010)</a> as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of the Force (para. 5) |
| Reporting requirements | Requests the leadership of ISAF to keep the Security Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports (para. 6)  |

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**Resolution [2011 \(2011\)](#) of 12 October 2011**

[adopted under Chapter VII]

|                                   |  |
|-----------------------------------|--|
| Renewal of mandate                | Decides to extend the authorization of ISAF, as defined in resolutions <a href="#">1386 (2001)</a> and <a href="#">1510 (2003)</a> , for a period of 12 months, until 13 October 2012 (para. 1)  |
| Authorization of the use of force | Authorizes the Member States participating in ISAF to take all necessary measures to fulfil its mandate (para. 2)  |
| Mandate                           | Stresses the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, encourages ISAF and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, sustainable, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes the increasing leadership role played by the Afghan authorities in security responsibilities throughout the country, and stresses the importance of supporting the planned expansion of the Afghan National Army and the Afghan National Police (para. 5) |
| Mandate                           | Calls upon ISAF and the Senior Civilian Representative of NATO to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with Security Council resolution <a href="#">1974 (2011)</a> , as well as with the Operation Enduring Freedom coalition, in the implementation of the mandate of the Force (para. 6)   |
| Reporting requirements            | Requests the leadership of ISAF to keep the Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports (para. 7)   |

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Table 4  
Council documents relating to ISAF, 2010-2011

| <i>Symbol</i>              | <i>Date</i>      | <i>Description</i>   |
|----------------------------|------------------|--|
| <a href="#">S/2010/35</a>  | 20 January 2010  | Quarterly report on the operations of ISAF covering the period from 1 August to 31 October 2009  |
| <a href="#">S/2010/353</a> | 1 July 2010      | Quarterly report on the operations of ISAF covering the period from 1 November 2009 to 31 January 2010   |
| <a href="#">S/2010/437</a> | 19 August 2010   | Quarterly report on the operations of ISAF covering the period from 1 February to 30 April 2010  |
| <a href="#">S/2010/542</a> | 19 October 2010  | Letter dated 6 October 2010 from the Minister for Foreign Affairs of Afghanistan to the Secretary-General welcoming the proposed extension of the ISAF mandate |
| <a href="#">S/2010/548</a> | 22 October 2010  | Quarterly report on the operations of ISAF covering the period from 1 May to 31 July 2010  |
| <a href="#">S/2010/657</a> | 29 December 2010 | Quarterly report on the operations of ISAF covering the period from 1 August to 31 October 2010  |
| <a href="#">S/2011/124</a> | 11 March 2011    | Quarterly report on the operations of ISAF covering the period from 1 November 2010 to 31 January 2011   |
| <a href="#">S/2011/364</a> | 17 June 2011     | Quarterly report on the operations of ISAF covering the period from 1 February to 30 April 2011  |
| <a href="#">S/2011/562</a> | 8 September 2011 | Quarterly report on the operations of ISAF covering the period from 1 May to 31 July 2011  |
| <a href="#">S/2011/760</a> | 7 December 2011  | Quarterly report on the operations of ISAF covering the period from 1 August to 31 October 2011  |

#### **African Union Mission in Somalia**

In 2010 and 2011, the Council, acting under Chapter VII of the Charter, renewed the authorization to the States members of the African Union to maintain the African Union Mission in Somalia (AMISOM) three times, for 12, 8 and 13 months respectively, the last renewal until 31 October 2012.<sup>93</sup> The Council also authorized AMISOM to “take all measures necessary” to carry out its existing mandate, as set out in paragraph 9 of resolution [1772 \(2007\)](#).<sup>94</sup>

In renewing the mandate of AMISOM, the Council also renewed, three times, its request to the Secretary-General to continue to provide the logistical support package for AMISOM, as called for in resolution [1863](#)

(2009), for the duration of the mandate.<sup>95</sup> The Council requested AMISOM to ensure that all equipment and services provided under the support package were used in a transparent and effective manner for their designated purposes, and requested the African Union to report to the Secretary-General on the usage of such equipment and services in accordance with the memorandum of understanding established between the two organizations.<sup>96</sup> Following the exchange of letters

<sup>93</sup> Resolutions [1910 \(2010\)](#), para. 1; [1964 \(2010\)](#), para. 1; and [2010 \(2011\)](#), para. 1.

<sup>94</sup> *Ibid.*

<sup>95</sup> Resolutions [1910 \(2010\)](#), para. 4; [1964 \(2010\)](#), para. 7; and [2010 \(2011\)](#), para. 10. The logistical support package was authorized for the maximum authorized strength of the Mission and comprised equipment and services, including public information support, but not including the transfer of funds, as described in the letter dated 30 January 2009 from the Secretary-General to the President of the Council ([S/2009/60](#)).

<sup>96</sup> Resolution [1910 \(2010\)](#), para. 6.

between the Secretary-General and the President of the Council of 21 and 29 September 2011, by which the logistical support package was extended to include some additional elements, as proposed by the Secretary-General,<sup>97</sup> the Council, by resolution [2010 \(2011\)](#), on an exceptional basis and owing to the “unique character” of AMISOM, decided to extend the logistical support package.<sup>98</sup> The Council requested the African Union to increase the force strength of AMISOM from the mandated strength of 8,000 to 12,000 troops, thereby enhancing the Mission’s ability to carry out its mandate.<sup>99</sup> Throughout the period under review, the African Union was requested to maintain the deployment of AMISOM in Somalia<sup>100</sup> and to increase its force strength to its mandated level.<sup>101</sup> Noting the important role that an effective police presence could play in the stabilization of Mogadishu and stressing the need to continue to develop an effective Somali police force, the Council welcomed the desire of the African Union to develop a police component within AMISOM.<sup>102</sup> The Council encouraged the United Nations to work with the African Union to develop a guard force of an appropriate size, within the mandated troop levels of AMISOM, as an increase in United Nations organizations and their staff and other official international visitors in Mogadishu was placing additional pressure on AMISOM to provide security, escort and protection services.<sup>103</sup>

In a series of resolutions, the Council requested AMISOM to continue to assist the Transitional Federal Government in the deployment of the Somali Police Force and the National Security Force and to assist with the integration of Somali units trained by other Member States or organizations inside and outside Somalia.<sup>104</sup> The Council also urged AMISOM to continue to undertake efforts to prevent civilian casualties and to develop an effective approach to the

protection of civilians as requested by the Peace and Security Council of the African Union.<sup>105</sup>

During the period under review, the Council repeatedly commended the contribution of AMISOM to lasting peace and stability in Somalia; recognized the progress made by AMISOM and the Somali security forces in consolidating security and stability in Mogadishu; and reiterated its support for AMISOM and expressed its appreciation for the continued commitment to AMISOM by the Governments of Uganda and Burundi.<sup>106</sup> The Council called upon other States members of the African Union to consider contributing to AMISOM.<sup>107</sup> The Council also frequently encouraged Member States and regional and international organizations to support AMISOM through the provision of equipment, technical assistance, direct bilateral donations and funding, including through the United Nations trust fund for AMISOM.<sup>108</sup> The Secretary-General was repeatedly requested to continue to provide technical and expert advice to the African Union in the planning and deployment of AMISOM.<sup>109</sup>

The Council repeatedly recalled its statement of intent regarding the establishment of a United Nations peacekeeping operation as expressed in resolution [1863 \(2009\)](#), noted that any decision to deploy such an operation would take into account, inter alia, the conditions set out in the report of the Secretary-General dated 16 April 2009 and requested the Secretary-General to take the three-phase incremental approach identified in that report.<sup>110</sup>

For the provisions of Council decisions relating to the mandate of AMISOM and its renewal, authorization of the use of force, and the composition of the Mission, see table 5. Table 6 lists Council documents relating to AMISOM issued during the period under review.

<sup>97</sup> [S/2011/591](#) and [S/2011/602](#). The additional elements were (a) catering equipment and training to ensure the safe preparation of rations; (b) additional VHF/UHF, HF, telephone and TETRA communications; (c) sanitary and cleaning materials; and (d) furniture and stationery.

<sup>98</sup> Resolution [2010 \(2011\)](#), para. 11.

<sup>99</sup> Resolution [1964 \(2010\)](#), para. 2.

<sup>100</sup> Resolutions [1910 \(2010\)](#), para. 2; and [1964 \(2010\)](#), para. 2.

<sup>101</sup> Resolutions [1910 \(2010\)](#), para. 2; [1964 \(2010\)](#), para. 2; and [2010 \(2011\)](#), para. 1.

<sup>102</sup> Resolution [2010 \(2011\)](#), para. 9.

<sup>103</sup> *Ibid.*, para. 5.

<sup>104</sup> Resolutions [1910 \(2010\)](#), para. 3; [1964 \(2010\)](#), para. 6; and [2010 \(2011\)](#), para. 8.

<sup>105</sup> Resolution [2010 \(2011\)](#), para. 7.

<sup>106</sup> Resolutions [1910 \(2010\)](#), sixth preambular paragraph; [1964 \(2010\)](#), eighth preambular paragraph; and [2010 \(2011\)](#), sixteenth and eighteenth preambular paragraphs; [S/PRST/2011/6](#), ninth and fifteenth paragraphs; [S/PRST/2011/10](#), ninth and tenth paragraphs; and [S/PRST/2011/13](#), sixth paragraph.

<sup>107</sup> Resolution [2010 \(2011\)](#), sixteenth preambular paragraph.

<sup>108</sup> Resolutions [1910 \(2010\)](#), para. 8; [1964 \(2010\)](#), twelfth preambular paragraph and para. 9; and [2010 \(2011\)](#), twenty-first preambular paragraph and para. 14.

<sup>109</sup> Resolutions [1910 \(2010\)](#), para. 7; [1964 \(2010\)](#), para. 5; and [2010 \(2011\)](#), para. 6.

<sup>110</sup> [S/2009/210](#), paras. 82-86.

Table 5  
Decisions relating to AMISOM, 2010-2011

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**Resolution 1910 (2010) of 28 January 2010**

[adopted under Chapter VII]

|   |   |
|---|---|
| Renewal of mandate; and authorization of the use of force | Decides to authorize the States members of the African Union to maintain until 31 January 2011 the African Union Mission in Somalia (AMISOM), which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772 (2007) (para. 1) |
| Composition   | Requests the African Union to maintain the deployment in Somalia of the Mission and to increase its force strength with a view to achieving its originally mandated strength of 8,000 troops, thereby enhancing its ability to carry out its mandate in full (para. 2)                                  |
| Mandate   | Requests the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia (para. 3)        |

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**Resolution 1964 (2010) of 22 December 2010**

[adopted under Chapter VII]

|   |  |
|---|--|
| Renewal of mandate; and authorization of the use of force | Decides to authorize the States members of the African Union to maintain the deployment until 30 September 2011 of AMISOM, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772 (2007) (para. 1)             |
| Composition   | Requests the African Union to maintain the deployment of the Mission in Somalia and to increase its force strength from the current mandated strength of 8,000 troops to 12,000 troops, thereby enhancing its ability to carry out its mandate (para. 2)   |
| Mandate   | Requests the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia (para. 6) |

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**Resolution 1910 (2010) of 30 September 2011**

[adopted under Chapter VII]

|  |  |
|--|--|
| Renewal of mandate; authorization of the use of force; and composition | Decides to authorize the States members of the African Union to maintain the deployment until 31 October 2012 of AMISOM, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772 (2007), and requests the African Union to urgently increase its force strength to its mandated level of 12,000 uniformed personnel, thereby enhancing its ability to carry out its mandate (para. 1) |
| Mandate  | Welcomes the progress made by the Mission in reducing civilian casualties during its operations, and urges the Mission to continue to undertake its efforts to prevent civilian casualties and to develop an effective approach to the protection of civilians as requested by the Peace and Security Council (para. 7)  |

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|         |   |
|---------|---|
| Mandate | Requests the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, in particular the implementation of an effective chain of command and control of the Somali security forces, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia (para. 8) |
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Table 6  
**Council documents relating to AMSOM, 2010-2011**

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| <i>Symbol</i>              | <i>Date</i>       | <i>Description</i>  |
|----------------------------|-------------------|---|
| <a href="#">S/2010/234</a> | 11 May 2010       | Report of the Secretary-General on Somalia covering the period since his report of 8 January 2010 ( <a href="#">S/2009/684</a> )  |
| <a href="#">S/2010/447</a> | 9 September 2010  | Report of the Secretary-General on Somalia covering the period since 11 May 2010  |
| <a href="#">S/2010/539</a> | 18 October 2010   | Communiqué of the 245th meeting of the Peace and Security Council of the African Union held on 15 October 2010 on the situation in Somalia  |
| <a href="#">S/2010/675</a> | 30 December 2010  | Report of the Secretary-General on Somalia covering the period since 9 September 2010   |
| <a href="#">S/2011/277</a> | 28 April 2011     | Report of the Secretary-General on Somalia covering the period from 30 December 2010 to 15 April 2011   |
| <a href="#">S/2011/549</a> | 30 August 2011    | Report of the Secretary-General on Somalia covering the period from 28 April 2011 to 15 August 2011   |
| <a href="#">S/2011/586</a> | 19 September 2011 | Communiqué of the 293rd meeting of the Peace and Security Council of the African Union held on 13 September 2011 and report of the Chairperson of the African Union Commission on the situation in Somalia                                    |
| <a href="#">S/2011/591</a> | 22 September 2011 | Letter dated 21 September 2011 from the Secretary-General to the President of the Council, proposing additional support requirements in the logistical support package for AMISOM and recommending the establishment of an AMISOM guard force |
| <a href="#">S/2011/602</a> | 29 September 2011 | Letter dated 29 September 2011 from the President of the Council to the Secretary-General concerning the extension of the logistical support package for AMISOM   |
| <a href="#">S/2011/759</a> | 9 December 2011   | Report of the Secretary-General on Somalia covering the period from 30 August to 20 November 2011   |

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### **European Union Force and the North Atlantic Treaty Organization Headquarters presence in Bosnia and Herzegovina**

In 2010 and 2011, welcoming the intention of the European Union to maintain its military operation to Bosnia and Herzegovina, the Council, acting under Chapter VII of the Charter, twice renewed the authorization of a multinational stabilization force, the European Union Force (EUFOR), for periods of 12 months, the last of which was until 25 November 2012.<sup>111</sup> At the same time, the Council welcomed the decision of NATO to continue to maintain its Headquarters in order to continue to assist in implementing the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto,<sup>112</sup> in conjunction with EUFOR. It twice authorized the Member States acting through or in cooperation with NATO to continue to maintain a NATO Headquarters.<sup>113</sup>

The Council authorized the Member States acting through or in cooperation with EUFOR and the NATO presence to “take all necessary measures”, at the request of either EUFOR or NATO Headquarters, in defence of EUFOR or the NATO presence and to assist both organizations in carrying out their missions; to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement; and to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic.<sup>114</sup>

The Council also requested the Member States acting through or in cooperation with the European

Union and NATO to report to the Council on the activities of EUFOR and the NATO Headquarters presence, respectively, through the appropriate channels and at least at three-monthly intervals.<sup>115</sup>

During the period under review, the Council repeatedly emphasized its appreciation to the Commander and personnel of EUFOR as well as the Senior Military Representative and personnel of NATO Headquarters Sarajevo for their contributions to the implementation of the Peace Agreement;<sup>116</sup> welcomed the decision taken by the Ministers for Foreign Affairs of the European Union on 25 January 2010 to start providing non-executive capacity-building and training support within EUFOR;<sup>117</sup> welcomed the increased engagement, and later the reinforced role, of the European Union in Bosnia and Herzegovina and the continued engagement of NATO;<sup>118</sup> and paid tribute to those Member States which had participated in EUFOR and the continued NATO presence, and welcomed their willingness to assist the parties to the Peace Agreement by continuing to deploy EUFOR and by maintaining a continued NATO presence.<sup>119</sup>

For the provisions of Council decisions relating to the renewal of the mandate of EUFOR and the NATO presence, authorization of the use of force and the reporting requirements, see table 7. Table 8 lists Council documents relating to EUFOR and the NATO presence for the period under review.

<sup>111</sup> Resolutions 1948 (2010), para. 10; and 2019 (2011), para. 10.

<sup>112</sup> See S/1995/999.

<sup>113</sup> Resolutions 1948 (2010), para. 11; and 2019 (2011), para. 11.

<sup>114</sup> Resolutions 1948 (2010), paras. 14-16; and 2019 (2011), paras. 14-16.

<sup>115</sup> Resolutions 1948 (2010), para. 18; and 2019 (2011), para. 18.

<sup>116</sup> Resolutions 1948 (2010), seventh preambular paragraph; and 2019 (2011), seventh preambular paragraph.

<sup>117</sup> Resolutions 1948 (2010), sixteenth preambular paragraph; and 2019 (2011), seventeenth preambular paragraph.

<sup>118</sup> Resolutions 1948 (2010), twentieth preambular paragraph; and 2019 (2011), twenty-first preambular paragraph.

<sup>119</sup> Resolutions 1948 (2010), para. 8; and 2019 (2011), para. 8.

Table 7

**Decisions relating to EUFOR and the NATO presence, 2010-2011**

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**Resolution 1948 (2010) of 18 November 2010**

[adopted under Chapter VII]

|                                   |   |
|-----------------------------------|---|
| Renewal of mandate                | Authorizes the Member States acting through or in cooperation with the European Union to establish for a further period of 12 months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force (EUFOR)) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization (NATO) Headquarters presence in accordance with the arrangements agreed between NATO and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement (para. 10) |
| Authorization of the use of force | Authorizes the Member States acting under paragraphs 10 and 11 [of the resolution] to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by EUFOR and the NATO presence as may be necessary to ensure the implementation of those annexes and the protection of EUFOR and the NATO presence (para. 14)   |
| Authorization of the use of force | Authorizes Member States to take all necessary measures, at the request of either EUFOR or the NATO Headquarters, in defence of EUFOR or the NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both EUFOR and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack (para. 15)   |
| Authorization of the use of force | Authorizes the Member States acting under paragraphs 10 and 11 [of the resolution], in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic (para. 16)   |
| Reporting requirements            | Requests the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with NATO to report to the Security Council on the activity of EUFOR and the NATO Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals (para. 18)  |

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**Resolution 2019 (2011) of 26 November 2011**

[adopted under Chapter VII]

|                                   |  |
|-----------------------------------|--|
| Renewal of mandate                | Authorizes the Member States acting through or in cooperation with the European Union to establish for a further period of 12 months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force-Althea) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the NATO Headquarters presence in accordance with the arrangements agreed between NATO and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR-Althea will have the main peace stabilization role under the military aspects of the Peace Agreement (para. 10) |
| Authorization of the use of force | Authorizes the Member States acting under paragraphs 10 and 11 [of the resolution] to take all measures necessary to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by EUFOR-Althea and the NATO presence as may be necessary to ensure the implementation of those annexes and the protection of EUFOR-Althea and the NATO presence (para. 14)  |
| Authorization of the use of force | Authorizes Member States to take all necessary measures, at the request of either EUFOR-Althea or the NATO Headquarters, in defence of EUFOR-Althea or the NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both EUFOR-Althea and the NATO presence to take all measures necessary to defend themselves from attack or threat of attack (para. 15)   |
| Authorization of the use of force | Authorizes the Member States acting under paragraphs 10 and 11 [of the resolution], in accordance with annex 1-A of the Peace Agreement, to take all measures necessary to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic (para. 16)  |
| Reporting requirements            | Requests the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with NATO to report to the Security Council on the activity of EUFOR-Althea and the NATO Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals (para. 18)  |

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Table 8  
Council documents relating to EUFOR and the NATO presence, 2010-2011

| <i>Symbol</i>   | <i>Date</i>      | <i>Description</i>  |
|---|------------------|---|
| <a href="#">S/2010/113</a>                                | 4 March 2010     | Twentieth report on the activities of EUFOR, covering the period from 1 September to 30 November 2009   |
| <a href="#">S/2010/235</a>                                | 17 May 2010      | Thirty-seventh report of the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement, covering the period from 1 November 2009 to 30 April 2010 |
| <a href="#">S/2010/510</a>                                | 5 October 2010   | Twenty-first and twenty-second reports on the activities of EUFOR, covering the periods from 1 December 2009 to 28 February 2010 and from 1 March to 31 May 2010, respectively      |
| <a href="#">S/2010/575</a>                                | 8 November 2010  | Thirty-eighth report of the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement, covering the period from 1 May to 15 October 2010          |
| <a href="#">S/2010/656</a>                                | 22 December 2010 | Twenty-third report on the activities of EUFOR, covering the period from 1 June to 31 August 2010   |
| <a href="#">S/2011/283</a>                                | 4 May 2011       | Thirty-ninth report of the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement, covering the period from 16 October 2010 to 20 April 2011   |
| <a href="#">S/2011/682</a>                                | 4 November 2011  | Fortieth report of the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement, covering the period from 21 April to 15 October 2011            |
| <a href="#">S/2012/138</a><br>(annex II,<br>enclosure II) | 7 March 2012     | Combined twenty-fourth and twenty-fifth reports on the activities of EUFOR, covering the period from 1 September 2010 to 28 February 2011   |
| <a href="#">S/2011/717</a>                                | 15 November 2011 | Twenty-sixth report on the activities of EUFOR, covering the period from 1 March to 31 May 2011   |

## B. Discussions concerning regional peacekeeping operations

Among the discussions in the Security Council concerning regional peacekeeping operations during the period under review was a debate on the adequacy of the mandate of the European Union Rule of Law Mission in Kosovo to investigate allegations of illicit trafficking in human organs in Kosovo (see case 4 below).

### Case 4

**Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

In his report dated 31 October 2011 on the United Nations Interim Administration Mission in Kosovo (UNMIK), the Secretary-General informed the Council

that the European Union Rule of Law Mission in Kosovo (EULEX) had appointed a lead prosecutor to head its Special Investigative Task Force, which had taken over the preliminary investigation launched by EULEX on 27 January 2011 into the allegations contained in the report of the Special Rapporteur of the Council of Europe, Dick Marty, entitled “Investigation of allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo”. The Secretary-General also noted that Belgrade remained of the view that an independent body, with investigative powers in Albania and beyond, should be established by the Security Council to lead the investigation.<sup>120</sup>

<sup>120</sup> [S/2011/675](#), para. 29.

At the 6670th meeting, on 29 November 2011, the Minister for Foreign Affairs of Serbia welcomed the appointment of a lead prosecutor for the EULEX Special Investigative Task Force, which in his opinion could make an invaluable contribution to uncovering what had occurred inside Kosovo. He expressed the view, however, that EULEX had neither an adequate mandate nor sufficient temporal and territorial jurisdiction to carry out an investigation that would be comprehensive in scope, since EULEX could not operate at full capacity anywhere outside Kosovo and the EULEX Special Investigative Task Force had no ability to enforce the cooperation of all concerned. He said that, while he was not opposed to the centrality of EULEX in an investigation mechanism, it must be empowered by, and accountable to, the Security Council. He added that human organ harvesting and trafficking was not an organized crime but a war crime, and that this case should be treated in the same way as all of the war crimes committed in the Balkans had thus far been treated, with the Council being kept abreast of the investigations.<sup>121</sup> Noting the concern expressed by the representative of Serbia, the representative of China supported the United Nations carrying out investigations into such cases.<sup>122</sup> The representative of the Russian Federation called for a full and objective investigation of the facts of the illicit trafficking in human organs, and said that the investigation should proceed under the auspices of the United Nations and should report to the Security Council, noting the extremely unsatisfactory situation in Kosovo relating to witness protection, as confirmed by the Council of Europe.<sup>123</sup>

Several speakers agreed that the investigations should be independent, credible, impartial and thorough and hold the perpetrators accountable, and some raised concerns about witness protection.<sup>124</sup> The representative of India, noting that Serbia continued to be interested in a role for the Security Council in the investigation, called for the creation of a mechanism that enjoyed the support and confidence of all stakeholders.<sup>125</sup> Similarly, the representative of Nigeria maintained that it was necessary to accommodate the views of all stakeholders in

designing the form of negotiations in order to ensure the broadest possible support for the final outcome of the investigations.<sup>126</sup> The representative of Brazil also reiterated her interest in exploring options that took into account the need to involve various jurisdictions and the importance of ensuring consistency with resolution 1244 (1999).<sup>127</sup>

Other speakers welcomed the appointment of the lead prosecutor and expressed confidence in the EULEX Special Investigative Task Force's investigations into the alleged crimes.<sup>128</sup> The representative of the United States pointed out that the European Union joint action explicitly provided for EULEX to investigate and prosecute serious crimes, such as those alleged in the Marty report, and to do so independently. Given that neighbouring States, including Serbia, had offered to cooperate with the Task Force, she held that there was no need for the Security Council to interfere with the ongoing investigations.<sup>129</sup> In a similar vein, the representative of the United Kingdom stated that EULEX had the appropriate authority and jurisdiction to take the "important work" of the investigations forward.<sup>130</sup> The representative of France also opined that EULEX had the resources to undertake a credible investigation that should be carried out calmly without any undue influence being brought to bear in the context of dialogue.<sup>131</sup> The representative of Germany was of the view that EULEX had the capacities, the competence and the jurisdiction for those investigations, and that it was unnecessary to set up an additional mechanism for investigations, in the light of the EULEX mandate.<sup>132</sup> The representative of Portugal, while underlining the essential role of EULEX in promoting and upholding the rule of law and law enforcement in Kosovo, believed that the Council would benefit from hearing more directly about the work of EULEX and its future perspectives on the investigations it had undertaken in diverse areas, including in human organ trafficking.<sup>133</sup>

<sup>121</sup> S/PV.6670, pp. 7 and 26.

<sup>122</sup> Ibid., p. 16.

<sup>123</sup> Ibid., p. 19.

<sup>124</sup> Ibid., p. 21 (Lebanon); p. 22 (South Africa); and p. 23 (Brazil).

<sup>125</sup> Ibid., p. 12.

<sup>126</sup> Ibid., p. 17.

<sup>127</sup> Ibid., p. 23.

<sup>128</sup> Ibid., p. 14 (United States); p. 15 (United Kingdom); p. 18 (France); and p. 20 (Germany).

<sup>129</sup> Ibid., p. 14.

<sup>130</sup> Ibid., p. 15.

<sup>131</sup> Ibid., p. 18.

<sup>132</sup> Ibid., p. 20.

<sup>133</sup> Ibid., p. 25.

## IV. Authorization by the Security Council of enforcement action by regional arrangements

### Note

Section IV deals with the practice of the Security Council in authorizing enforcement actions by regional arrangements, as provided in Article 53 of the Charter. Also covered here is the cooperation with regional arrangements in implementing Chapter VII measures which do not involve the use of force, such as sanctions and judicial measures. Given that the authorizations by the Council to regional peacekeeping operations to use force in the implementation of their mandates are discussed in section III above, this section focuses on the authorization of enforcement actions by regional and other organizations outside the context of regional peacekeeping operations.

The section consists of two subsections: A, decisions relating to Council authorization of the use of force by regional arrangements and requests for cooperation in implementation of Chapter VII measures; and B, discussions concerning enforcement actions by regional arrangements.

### A. Decisions relating to Council authorization of the use of force by regional arrangements and requests for cooperation in implementation of Chapter VII measures

In 2010 and 2011, there were three instances in which the Council authorized the use of force by regional arrangements. On 17 March 2011, the Council authorized the use of force by regional arrangements to protect civilians in Libya and to enforce the no-fly zone authorized by it.<sup>134</sup> This authorization was kept under review<sup>135</sup> and then terminated on 27 October 2011.<sup>136</sup>

In authorizing the use of force in Libya in the context of the protection of civilians and the no-fly zone, the Council took note of the decision of the Council of the League of Arab States (LAS) of 12 March 2011 to call for the imposition of a no-fly

zone on Libyan military aviation and establishment of safe areas in places exposed to shelling as a precautionary measure that allowed the protection of the Libyan people and foreign nationals residing in the country. It also recognized the important role of LAS in matters relating to the maintenance of international peace and security in the region and, “bearing in mind Chapter VIII of the Charter”, requested States members of LAS to cooperate with other Member States in the implementation of the use of force for protection of civilians. It further called upon Member States, acting nationally or through regional organizations or arrangements, to provide assistance for the purpose of implementing the measures authorized and decided that Member States concerned should inform the Secretary-General of the United Nations and the Secretary General of LAS of measures taken in enforcing the no-fly zone.<sup>137</sup> Subsequently, the Council expressed its readiness, as appropriate and when circumstances permitted, to terminate the authorization given, in consultation with the Libyan authorities<sup>138</sup> and did so on 27 October 2011, taking note of the National Transitional Council’s “Declaration of Liberation” of 23 October 2011.<sup>139</sup>

The other two instances in which the Council authorized the use of force by regional organizations concerned the fight against piracy and armed robbery at sea off the coast of Somalia (see table 9, under “The situation in Somalia”).

With regard to measures under Chapter VII not involving the use of force, the Council in its decisions requested the cooperation of regional and other organizations in the context of sanctions measures against Libya,<sup>140</sup> Somalia<sup>141</sup> and the Sudan<sup>142</sup> and in connection with the non-proliferation of weapons of mass destruction,<sup>143</sup> as well as in relation to the

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<sup>134</sup> Resolution 1973 (2011), paras. 4 and 8.

<sup>135</sup> Resolution 2009 (2011), para. 20.

<sup>136</sup> Resolution 2016 (2011), third preambular paragraph and paras. 5 and 6.

<sup>137</sup> Resolution 1973 (2011), twelfth preambular paragraph and paras. 5, 9 and 11.

<sup>138</sup> Resolution 2009 (2011), para. 20.

<sup>139</sup> Resolution 2016 (2011), third preambular paragraph and paras. 5 and 6.

<sup>140</sup> Resolution 1973 (2011), paras. 13 and 15.

<sup>141</sup> Resolutions 1916 (2010), para. 12; and 2002 (2011), para. 10.

<sup>142</sup> Resolution 1945 (2010), para. 5.

<sup>143</sup> Resolution 1977 (2011), paras. 14 and 18.

referral of the situation in the Libyan Arab Jamahiriya to the International Criminal Court, by urging concerned regional and other international organizations to cooperate with the Court and the Prosecutor.<sup>144</sup>

Relevant provisions of Council decisions adopted during the period under review are cited in full in table 9.

<sup>144</sup> Resolution 1970 (2011), para. 5.

Table 9

**Decisions adopted under Chapter VII of the Charter in which the Council authorized enforcement action by regional arrangements or requested their cooperation in implementing Chapter VII measures**

| <i>Decision and date</i>                   | <i>Provision</i>   | <i>Category</i>  |
|--|--|--|
| <b>The situation in Libya</b>              |  |  |
| Resolution 1970 (2011)<br>26 February 2011 | Decides also that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the International Criminal Court and the Prosecutor pursuant to the present resolution and, while recognizing that States not party to the Rome Statute of the Court have no obligation under the Rome Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor (para. 5)   | Cooperation in implementation of Chapter VII measures (referral to the International Criminal Court) |
| Resolution 1973 (2011)<br>17 March 2011    | Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by the present paragraph which shall be immediately reported to the Security Council (para. 4) | Use of force (protection of civilians)   |
|  | Recognizes the important role of the League of Arab States in matters relating to the maintenance of international peace and security in the region, and, bearing in mind Chapter VIII of the Charter of the United Nations, requests the States members of the League of Arab States to cooperate with other Member States in the implementation of paragraph 4 above (para. 5)   | Cooperation in implementation of use of force (protection of civilians)                              |

| <i>Decision and date</i> | <i>Provision</i>  | <i>Category</i>   |
|--------------------------|---|---|
|                          | <p>Authorizes Member States that have notified the Secretary-General of the United Nations and the Secretary General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all measures necessary to enforce compliance with the ban on flights imposed by paragraph 6 [of the resolution], as necessary, and requests the States concerned, in cooperation with the League of Arab States, to coordinate closely with the Secretary-General of the United Nations on the measures they are taking to implement this ban, including by establishing an appropriate mechanism for implementing the provisions of paragraphs 6 and 7 [of the resolution] (para. 8)</p>   | Use of force (no-fly zone)                                  |
|                          | <p>Calls upon all Member States, acting nationally or through regional organizations or arrangements, to provide assistance, including any necessary overflight approvals, for the purposes of implementing paragraphs 4, 6, 7 and 8 [of the resolution] (para. 9)</p>  | Cooperation in implementation of use of force (no-fly zone) |
|                          | <p>Decides that the Member States concerned shall inform the Secretary-General of the United Nations and the Secretary General of the League of Arab States immediately of measures taken in exercise of the authority conferred by paragraph 8 above, including to supply a concept of operations (para. 11)</p>   |   |
|                          | <p>Decides that paragraph 11 of resolution 1970 (2011) shall be replaced by the following paragraph:<br/> “Calls upon all Member States, in particular States of the region, acting nationally or through regional organizations or arrangements, in order to ensure strict implementation of the arms embargo established by paragraphs 9 and 10 of resolution 1970 (2011), to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of resolution 1970 (2011) as modified by the present resolution, including the provision of armed mercenary personnel, calls upon all flag States of such vessels and aircraft to cooperate with such inspections, and authorizes Member States to use all measures commensurate to the specific circumstances to carry out such inspections” (para. 13)</p> | Cooperation in implementation of sanctions                  |

| <i>Decision and date</i>                                   | <i>Provision</i>  | <i>Category</i>  |
|--|---|--|
|  | Requires any Member State, whether acting nationally or through regional organizations or arrangements, when it undertakes an inspection pursuant to paragraph 13 above, to submit promptly an initial written report to the Committee containing, in particular, an explanation of the grounds for the inspection, the results of such inspection, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and their intended destination, if this information is not in the initial report (para. 15) |  |
| Resolution <a href="#">2016 (2011)</a><br>27 October 2011  | Decides that the provisions of paragraphs 4 and 5 of resolution <a href="#">1973 (2011)</a> shall be terminated from 23.59 hours Libyan local time on 31 October 2011 (para. 5)   | Use of force (protection of civilians)                 |
|  | Decides that the provisions of paragraphs 6 to 12 of resolution <a href="#">1973 (2011)</a> shall be terminated from 23.59 hours Libyan local time on 31 October 2011 (para. 6)   | Use of force (no-fly zone)                             |
| <b>The situation in Somalia</b>                            |   |  |
| Resolution <a href="#">1916 (2010)</a><br>19 March 2010    | Urges that all parties and all States, particularly those in the region, including international, regional and subregional organizations, cooperate fully with the work of the Monitoring Group and ensure the safety of its members, and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate (para. 12)  | Cooperation in implementation of sanctions             |
| Resolution <a href="#">1950 (2010)</a><br>23 November 2010 | Renews its call upon States and regional organizations that have the capacity to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with the present resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use (para. 4)   | Cooperation in implementation of use of force (piracy) |

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| <i>Decision and date</i>                                   | <i>Provision</i>   | <i>Category</i>  |
|--|--|--|
|  | Encourages Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea, and decides to renew, for a further period of twelve months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution <a href="#">1846 (2008)</a> and paragraph 6 of resolution <a href="#">1851 (2008)</a> , as renewed by resolution <a href="#">1897 (2009)</a> , granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General (para. 7) | Use of force (piracy)                                  |
| Resolution <a href="#">2002 (2011)</a><br>29 July 2011     | Urges all parties and all States, including Eritrea, other States in the region, and the Transitional Federal Government, as well as international, regional and subregional organizations, to ensure cooperation with the Monitoring Group, and ensure the safety of the members of the Monitoring Group and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate (para. 10)   | Cooperation in implementation of sanctions             |
| Resolution <a href="#">2020 (2011)</a><br>22 November 2011 | Renews its call upon States and regional organizations that have the capacity to do so, to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use (para. 7)  | Cooperation in implementation of use of force (piracy) |
|  | Encourages Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, and decides to renew for a further period of twelve months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution <a href="#">1846 (2008)</a> and paragraph 6 of resolution <a href="#">1851 (2008)</a> , as renewed by paragraph 7 of resolution  | Use of force (piracy)                                  |

| <i>Decision and date</i>                                | <i>Provision</i>   | <i>Category</i>                            |
|---|--|--|
|   | 1897 (2009) and paragraph 7 of resolution 1950 (2010), granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General (para. 9)   |  |
| <b>Reports of the Secretary-General on the Sudan</b>    |  |  |
| Resolution 1945 (2010)<br>14 October 2010               | Urges all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions 1556 (2004) and 1591 (2005) (para. 5)   | Cooperation in implementation of sanctions |
| <b>Non-proliferation of weapons of mass destruction</b> |  |  |
| Resolution 1977 (2011)<br>20 April 2011                 | Urges States and relevant international, regional and subregional organizations to inform the 1540 Committee, as appropriate, of areas in which they are able to provide assistance; and calls upon States and such organizations, if they have not done so previously, to provide the Committee with a point of contact for assistance by 31 August 2011 (para. 14)   | Cooperation in implementation of sanctions |
|   | Calls upon relevant international, regional and subregional organizations to designate and provide the 1540 Committee by 31 August 2011 with a point of contact or coordinator for the implementation of resolution 1540 (2004), and encourages them to enhance cooperation and information-sharing with the Committee on technical assistance and all other issues of relevance for the implementation of resolution 1540 (2004) (para. 18) |  |

## **B. Discussions concerning Council authorization of enforcement action by regional arrangements**

During the period under review, the Council discussed the authorization of a new enforcement action by regional arrangements in connection with the situation in Libya. This is the subject of case 5 below, which illustrates the reaction of the Council to the call by the League of Arab States to use force in protecting civilians and to impose a no-fly zone on Libya.

### **Case 5 The situation in Libya**

At its 6498th meeting, on 17 March 2011, in connection with the situation in Libya, the Security Council adopted resolution 1973 (2011), by 10 votes in favour, none against and 5 abstentions (Brazil, China, Germany, India, Russian Federation). By that resolution, taking note of the decision of the Council of the League of Arab States of 12 March 2011 to call for the imposition of a no-fly zone on Libyan military aviation, it authorized Member States that had notified the Secretary-General, acting nationally or through regional



organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures to protect civilians and civilian populated areas under threat of attack in Libya. The Council decided to establish a ban on flights in the airspace of Libya to help to protect civilians; and authorized Member States that had notified the Secretary-General and the Secretary General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all necessary measures to enforce compliance with that ban.<sup>145</sup>

The representative of France, speaking before the vote, considered that the draft resolution<sup>146</sup> provided the Council with the means to protect the civilian population in Libya, by establishing a no-fly zone and by authorizing the members of LAS and those Member States that so wished to take the measures necessary to implement its provisions, and he called on all Council members to support that initiative. He expressed the readiness of his country to act with Member States, in particular Arab States, that wished to do so.<sup>147</sup> After the adoption of the resolution, the representative of the United Kingdom welcomed the fact that the Council had acted swiftly and comprehensively in response to the “appalling” situation in Libya and to the appeal of LAS. He emphasized that resolution 1973 (2011) authorized Member States to take all necessary measures to protect civilians and civilian populated areas under threat of attack, while ruling out a foreign occupation force of any form on any part of Libyan territory. His country stood ready to implement the resolution, along with partners in the Arab world and in NATO.<sup>148</sup> The representative of Lebanon emphasized that the aim of the resolution, which would not result in the occupation of any parts of Libyan territory, was to protect Libyan civilians. He made it clear that his country would never advocate the use of force or support war in any part of the world, including Libya, and hoped that the resolution would have a deterring effect, would ensure that the Libyan authorities moved away from using violence against their own people, and would avert the

need for the use of force.<sup>149</sup> According to the representative of the United States, resolution 1973 (2011) was a powerful response to the call by LAS of 12 March 2011 and the urgent needs on the ground.<sup>150</sup> Similarly, the representative of Colombia stated that the Council had effectively responded to an express request made by a regional organization, LAS, which had not acted on its own, but had rather called for the Council to discharge the functions assigned to it by the Charter.<sup>151</sup>

The representative of Brazil, on the other hand, was of the view that resolution 1973 (2011) contemplated measures that went beyond the call by LAS and she doubted that the use of force as provided for in the resolution would lead to the realization of the common objective, namely the immediate end to violence and the protection of civilians.<sup>152</sup> The representative of the Russian Federation stated that, although his delegation had given its full attention to the request by LAS, a whole range of concrete and legitimate questions raised in the discussion on the draft resolution remained unanswered, such as how the no-fly zone was to be enforced, what the rules of engagement would be and what limits on the use of force there would be. He also stated that the draft resolution had transcended the initial concept stated by LAS, and provisions had been introduced into the text that could potentially open the door to large-scale military intervention, although statements had been heard claiming an absence of any such intentions.<sup>153</sup> Echoing the statement by the representative of the Russian Federation, the representative of China said that his country was always against the use of force in international relations.<sup>154</sup> The representative of India stated that far-reaching measures under Chapter VII of the Charter had been authorized, with relatively little credible information on the situation on the ground. He lamented the lack of clarity about details of enforcement measures, including who would participate and with what assets, and exactly how the measures would be implemented.<sup>155</sup>

<sup>145</sup> Resolution 1973 (2011), twelfth preambular paragraph and paras. 4, 6 and 8.

<sup>146</sup> S/2011/142.

<sup>147</sup> S/PV.6498, p. 3.

<sup>148</sup> Ibid., p. 4.

<sup>149</sup> Ibid., pp. 3-4.

<sup>150</sup> Ibid., p. 5.

<sup>151</sup> Ibid., pp. 7-8.

<sup>152</sup> Ibid., p. 6.

<sup>153</sup> Ibid., p. 8.

<sup>154</sup> Ibid., p. 10.

<sup>155</sup> Ibid., p. 6.

## V. Reporting by regional arrangements on their activities in the maintenance of international peace and security

### Note

Section V deals with the reporting by regional and subregional organizations on their activities in the maintenance of international peace and security, within the framework of Article 54 of the Charter.

The section is divided into two subsections: A, Decisions and documents relating to reporting by regional arrangements; and B, Discussions relating to reporting by regional arrangements.

### A. Decisions and documents relating to reporting by regional arrangements

In 2010 and 2011, the Council made no explicit reference to Article 54 in its decisions. However, on a number of occasions, it requested regional organizations to report on their activities in the maintenance of international peace and security.

In the context of regional peacekeeping operations authorized by the Council, the International Security Assistance Force in Afghanistan was requested to keep the Council regularly informed on the implementation of its mandate including “through the timely provision of quarterly reports”.<sup>156</sup> In connection with the situation in Bosnia and Herzegovina, the Council requested Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization (NATO) to report to the Security Council on the activity of the European Union Force and the NATO Headquarters presence in Bosnia and Herzegovina, respectively, “through the appropriate channels and at least at three-monthly intervals”.<sup>157</sup> In authorizing the use of force in the fight against piracy off the coast of Somalia, the Council requested regional

organizations cooperating with the Transitional Federal Government to inform the Security Council and the Secretary-General in nine months’ time of the progress of actions undertaken in the exercise of the authorization.<sup>158</sup>

During the period under review, several communications issued as Council documents cited Article 54 explicitly, transmitting decisions of regional organizations to the Council.<sup>159</sup> In addition, in his report dated 28 June 2011 on the role of regional and subregional arrangements in implementing the responsibility to protect, the Secretary-General, citing Article 54 together with other provisions of Chapter VIII, stated that, while they were not “always strictly observed in practice”, those provisions underlined the value of ongoing working relationships among global, regional and subregional organizations for prevention and protection purposes.<sup>160</sup>

<sup>158</sup> Resolutions [1950 \(2010\)](#), para. 21; and [2020 \(2011\)](#), para. 28.

<sup>159</sup> See the following letters addressed to the President of the Council: letters dated 12 March, 19 April and 5 October 2010 and 25 January, 9 March and 14 March 2011 from the representative of LAS transmitting resolution 7165 of 3 March 2010 of the Council of LAS; resolutions and statements adopted at its summit on 27 and 28 March 2010; resolution 7234 of 6 September 2010; resolutions adopted by the Arab Economic, Development and Social Summit on 19 January 2011; and resolutions 7310 of 2 March 2011 and 7360 of 12 March 2011 ([S/2010/144](#), [S/2010/204](#), [S/2010/516](#), [S/2011/215](#), [S/2011/122](#) and [S/2011/137](#), respectively); letters dated 19 March and 9 December 2010 and 2 June 2011 from the representative of the African Union, transmitting communiqués adopted by the Peace and Security Council of the African Union on 17 March and 9 December 2010 and the Declaration adopted by the Assembly of the African Union on 25 May 2011 ([S/2010/149](#), [S/2010/697](#) and [S/2011/337](#), respectively).

<sup>160</sup> [S/2011/393](#), para. 5.

<sup>156</sup> Resolutions [1943 \(2010\)](#), para. 6; and [2011 \(2011\)](#), para. 7. For more information on the International Security Assistance Force in Afghanistan, including its communication with the Council, see sect. III.A above.

<sup>157</sup> Resolutions [1948 \(2010\)](#), para. 18; and [2019 \(2011\)](#), para. 18. For more information on the European Union Force and the NATO Headquarters presence, including their communication with the Council, see sect. III.A above.

## B. Discussions relating to reporting by regional arrangements

During the period under review, Article 54 was explicitly referred to in a few deliberations.<sup>161</sup>

At its 6306th meeting, on 4 May 2010, the Council for the first time considered the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security” solely with the European Union, and heard a briefing by its High Representative for Foreign Affairs and Security Policy on the cooperation between the United Nations and the European Union in the area of peace and security.<sup>162</sup> At

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<sup>161</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PV.6257](#), p. 29 (Japan); and [S/PV.6477](#), p. 15 (India). In connection with briefing by the Chairperson-in-Office of OSCE, see [S/PV.6481](#), p. 11 (India); and p. 12 (South Africa). In connection with implementation of the note by the President of the Security Council ([S/2010/507](#)), see [S/PV.6672 \(Resumption 1\)](#), p. 3 (Slovenia). See also section I above, cases 1 and 3.

<sup>162</sup> [S/PV.6306](#), pp. 2-4.

the same meeting, the representative of Japan stated that, as envisaged in Chapter VIII, the Council should be kept informed of the activities of regional organizations and, in that spirit, he welcomed the briefing by the High Representative.<sup>163</sup>

During the reporting period, the Council also received briefings from the representatives of regional and subregional organizations involved in situations under its consideration.<sup>164</sup>

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<sup>163</sup> *Ibid.*, p. 10.

<sup>164</sup> See, for example, in connection with the reports of the Secretary-General on the Sudan, the briefings by the Chairperson of the African Union High-level Implementation Panel ([S/PV.6338](#), pp. 2-4; [S/PV.6425](#), pp. 7-8; and [S/PV.6559](#), pp. 2-3). In connection with the situation in Libya, see the briefing by the Minister for Foreign Affairs and Cooperation of Mauritania, speaking on behalf of the African Union Ad Hoc High-level Committee on Libya ([S/PV.6555](#), pp. 2-5). In connection with the situation in Somalia, see the briefings by the Commissioner for Peace and Security of the African Union Commission ([S/PV.6259](#), pp. 4-6; [S/PV.6313](#), pp. 6-8; and [S/PV.6407](#), pp. 4-6).

## **Part IX**

### **Subsidiary organs of the Security Council: committees, tribunals and other bodies**

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## **Introductory note**

### *Article 29*

*The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.*

### *Rule 28*

*The Security Council may appoint a commission or committee or a rapporteur for a specified question.*

The power of the Security Council to establish subsidiary organs is set out in Article 29 of the Charter of the United Nations and rule 28 of its provisional rules of procedure. Part IX covers the procedures of the Council relating to committees, working groups, investigative bodies and tribunals, ad hoc commissions and special advisers, envoys and representatives as well as the Peacebuilding Commission, established under the Charter. There were no instances during the period under review of subsidiary organs that were proposed but not established. Field-based missions, including peacekeeping and political missions, are covered in part X of the present supplement.

During the period 2010-2011, the Council held a number of meetings under the item “Briefings by Chairmen of subsidiary bodies of the Security Council” during which it heard briefings by the Chairs of various subsidiary bodies. An overview of the meetings can be found in part I, section 35, “Briefings”.

The present part is divided into eight sections: committees; working groups; investigative bodies; tribunals; ad hoc commissions; special advisers, envoys and representatives; Peacebuilding Commission; and subsidiary organs of the Council proposed but not established. Brief background information and a summary of the major developments during the period under review are provided for each subsidiary organ. For each organ, a table illustrates the mandate active at the start of the period under review and any subsequent changes, with the full text of all paragraphs of Council decisions that relate to changes in the mandate of the organ in 2010 and 2011. Other documents of the Council relating to the subsidiary bodies are listed in the annex to this part.

The mandates of the subsidiary organs are grouped on the basis of a system of general categories and labels relating to their mandate and functions. This system of categorization is provided only as a convenience to readers and does not reflect any practice or decision of the Council.

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## I. Committees

### Note

Section I focuses on the decisions of the Security Council concerning the establishment, implementation of and changes to the mandates of committees, and their termination during the period under review. It covers standing committees and committees established under Chapter VII of the Charter of the United Nations. The description for each committee includes a summary of the categories of measures that it is mandated to oversee, for example, arms embargo, asset freeze and travel ban. The descriptions are provided only as a convenience to readers; they do not represent an interpretation of the decisions or serve as legal definitions of measures.<sup>1</sup>

The committees of the Council consist of all 15 members of the Council. Their meetings are held in private, unless a committee itself decides otherwise, and decisions are reached by consensus. The Bureaux of the committees generally consist of a Chair and a Vice-Chair, who are elected by the Council annually.<sup>2</sup> The Council has standing committees that continue to exist but do not meet unless an issue under their mandate is being considered by the Council, and committees that are established on an ad hoc basis to respond to the requirements of the Council, such as the oversight of sanctions measures established under Chapter VII of the Charter, or to provide support to the work of the Council on such issues as counter-terrorism or weapons of mass destruction.

### A. Standing committees

During the period under review, the Committee of Experts on Rules of Procedure, the Committee of Experts established by the Council at its 1506th meeting in connection with the question of associate membership, and the Committee on Council Meetings away from Headquarters continued to exist but did not meet.

During the same period, the Committee on Admission of New Members met to consider two applications for membership to the United Nations.

**South Sudan.** At its 108th meeting, on 11 July 2011, the Committee considered the application of the Republic of South Sudan,<sup>3</sup> and decided to recommend to the Council that it be admitted to membership in the United Nations.<sup>4</sup>

**Palestine.** At its 109th and 110th meetings, on 30 September 2011 and 3 November 2011, respectively, the Committee considered the application of Palestine.<sup>5</sup> At its 111th meeting, the Committee approved its report to the Council, in which the Committee stated that it was unable to make a unanimous recommendation to the Council, thereby concluding its consideration of the application of Palestine for admission to membership in the United Nations.<sup>6</sup>

### B. Committees established under Chapter VII of the Charter

During the period under review, the Security Council established new sanctions committees to oversee the implementation of measures or to perform other tasks adopted pursuant to Chapter VII of the Charter, extended the mandate of existing committees and terminated measures in relation to other committees. Subsection 1 deals with the 13 committees overseeing specific sanctions measures, including those that were terminated during the period. Subsection 2 deals with two other committees with broader mandates, namely, the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and the Committee established pursuant to resolution 1540 (2004), also related to terrorism. Within each subsection, the committees are dealt with in the order of their establishment. Other subsidiary bodies, including groups or panels of experts, whose mandates include assisting and/or reporting to the sanctions committees, are grouped together with the relevant committees.

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<sup>1</sup> For information on the measures mandated by the Council pursuant to Article 41 of the Charter, see part VII, sect. III.

<sup>2</sup> For the Bureaux of the committees during the period under review, see [S/2010/2](#), [S/2010/2/Rev.1](#), [S/2010/2/Rev.1/Add.1](#), [S/2010/2/Rev.2](#), [S/2011/2](#), [S/2011/2/Add.1](#), [S/2011/2/Rev.1](#), [S/2011/2/Rev.2](#) and [S/2011/2/Rev.3](#).

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<sup>3</sup> [A/65/900-S/2011/418](#).

<sup>4</sup> For information on the admission of South Sudan to the United Nations, see part IV, sect. I.

<sup>5</sup> [A/66/371-S/2011/592](#).

<sup>6</sup> [S/2011/705](#).



## 1. Committees overseeing specific sanctions measures

In 2010-2011, the Security Council established two new committees to oversee the implementation of measures adopted under Chapter VII of the Charter, namely, the Committee established pursuant to resolution 1970 (2011) concerning Libya;<sup>7</sup> and the Committee established pursuant to resolution 1988 (2011), which oversees the relevant sanctions measures in connection with individuals, groups, undertakings and entities designated as or associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan. During the same period, the Council terminated the mandate of the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone. The total number of committees overseeing specific sanctions measures had therefore increased from 11 to 12 by the end of 2011.

On two occasions, the Council requested the Secretary-General to establish monitoring bodies in the form of panels or committees of experts and monitoring groups or mechanisms, to assist the committees in their work or undertake other tasks, the first concerning the Islamic Republic of Iran and the second concerning the situation in Libya.

Seven other monitoring bodies that the Council had previously established also continued to exist: three panels of experts, concerning Liberia, the Sudan and the Democratic People's Republic of Korea, respectively; two groups of experts, concerning the Democratic Republic of the Congo and Côte d'Ivoire, respectively; one monitoring group concerning Somalia; and the Analytical Support and Sanctions Monitoring Team, concerning Al-Qaida and the Taliban.

### Developments during 2010 and 2011

#### *Overview of the mandates of sanctions-related committees*

The committees that existed during the period under review carried out various mandates decided

upon by the Council. They included: (a) seeking information regarding the implementation of measures imposed under Article 41; (b) considering information concerning violations of the measures and recommending appropriate measures in response thereto; (c) reporting to the Council on the information regarding alleged violations; (d) giving consideration to and deciding upon requests for exemptions from the measures; (e) examining reports submitted to them, including those from the respective monitoring bodies; (f) identifying individuals and entities subject to the measures, maintaining a list of such individuals and entities and considering requests for delisting; (g) making recommendations to the Council on how to improve the effectiveness of the measures; (h) developing narrative summaries of the reasons for listing certain individuals and publishing those summaries on committee websites; (i) drafting due diligence guidelines for the optional use of Member States; and (j) receiving and deciding upon requests for exemptions to the measures imposed.

#### *Monitoring bodies*

The mandates of the monitoring bodies that the Council established to assist the committees generally include: (a) gathering and analysing information on compliance; (b) monitoring implementation of the sanctions measures imposed; (c) making recommendations on improving implementation; (d) providing information relevant to listing and delisting decisions for targeted sanctions measures; (e) identifying areas where the capacities of States could be strengthened to facilitate implementation of the measures; (f) conducting follow-up assessment missions to the States in question to investigate and compile reports on implementation and violations of the measures; and (g) coordinating their activities with relevant United Nations missions and other international efforts to promote political processes.

#### *Cross-cutting mandated tasks*

During the period under review, a number of resolutions referring to Security Council committees included cross-cutting mandated tasks. For example, with regard to the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, the Council, inter alia, called on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to

<sup>7</sup> On 17 October 2011, the Security Council amended the name of the Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya to "Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya".

share with the Group of Experts any information on the recruitment and use of children or on the targeting of women and children in situations of armed conflict.<sup>8</sup> Similarly, with regard to the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea,<sup>9</sup> the Council, inter alia, expanded the sanctions criteria to include leaders recruiting or using children in armed conflicts in Somalia, and those responsible for the targeting of women and children or attacks on schools and hospitals.<sup>10</sup>

#### *Due process, fairness and transparency*

During the period, the Council continued to encourage greater fairness and transparency in the sanctions regimes, on several occasions requesting the committees or monitoring bodies to ensure due process protections and enhanced reporting and accountability mechanisms. For example, regarding the process of listing individuals and entities on the Al-Qaida and Taliban sanctions lists, the Council, by resolution 1989 (2011) of 17 June 2011, inter alia: (a) directed the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities<sup>11</sup> to ensure that fair and clear procedures existed for placing individuals and entities on the Al-Qaida Sanctions List and for removing them, as well as for granting exemptions; (b) reaffirmed that Member States should provide, when proposing a name to the Committee for inclusion on the List, a detailed statement of case that would be releasable, upon request, and that could be used by the Committee to develop narrative summaries of the reasons for listing; (c) directed the Committee to continue its efforts to make accessible on its website narrative summaries of reasons for all listings; and (d) directed the Committee to keep its guidelines under active review.<sup>12</sup> Regarding Liberia, the Council

directed the Committee established pursuant to resolution 1521 (2003) to update, as necessary, the publicly available reasons for listing for entries on the travel ban and asset freeze lists.<sup>13</sup> With regard to Somalia and Eritrea, the Council directed the Monitoring Group to assist the Committee pursuant to resolutions 751 (1992) and 1907 (2009) in compiling narrative summaries of those individuals and entities that had been designated by the Committee.<sup>14</sup>

#### *Focal point mechanism and Office of the Ombudsperson*

During the period, the focal point mechanism, established within the Secretariat pursuant to resolution 1730 (2006) of 19 December 2006 relating to delisting measures, continued to receive requests for delisting and perform related tasks. The Office of the Ombudsperson, established pursuant to resolution 1904 (2009) of 17 December 2009, continued to receive delisting requests specifically from individuals and entities seeking to be removed from the Al-Qaida Sanctions List. The mandate of the Ombudsperson was significantly expanded by resolution 1989 (2011).

Part IX focuses on the mandates of the sanctions committees and monitoring bodies, and does not comprehensively list or examine the mandatory measures that were imposed in relation to the situations overseen by them during the period under review.

For more details, see part VII, section III, which deals with measures not involving the use of armed force in accordance with Article 41 of the Charter.

#### **Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea\***

By its resolution 733 (1992) of 23 January 1992, the Security Council imposed a general and complete arms embargo on Somalia and, by its resolution 751 (1992) of 24 April 1992, established a Committee to undertake the following tasks and report on its work to the Council with its observations and recommendations: (a) to seek from all States information regarding the action taken by them concerning the effective implementation of the general and complete embargo

<sup>8</sup> Resolution 1952 (2010), para. 13.

<sup>9</sup> On 2 March 2010, the Security Council amended the name of the Committee established pursuant to resolution 751 (1992) concerning Somalia to “Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea”.

<sup>10</sup> Resolution 2002 (2011), paras. 1 (d) and (e).

<sup>11</sup> On 30 June 2011, the Council decided to change the name of the Committee to “Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities”.

<sup>12</sup> Resolution 1989 (2011), paras. 13, 16 and 42; see also resolution 1988 (2011), paras. 12, 26 and 30 (d).

<sup>13</sup> Resolution 1961 (2010), para. 4.

<sup>14</sup> Resolution 2002 (2011), para. 6 (b).

\* Formerly “Committee established pursuant to resolution 751 (1992) concerning Somalia”.

on all deliveries of weapons and military equipment to Somalia imposed by resolution 733 (1992); (b) to consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo; and (c) to recommend appropriate measures in response to violations and to provide information to the Secretary-General for general distribution to Member States.

In resolution 1844 (2008) of 20 November 2008, the Council decided to impose targeted sanctions on individuals and entities, consisting of an embargo on the direct or indirect supply of weapons and of training and financial and other assistance, a travel ban on individuals and an asset freeze on designated individuals and entities, and to expand the scope of the Committee's mandate to include the designation of such individuals and entities.

By resolution 1907 (2009) of 23 December 2009, the Council decided to extend the sanctions regime to Eritrea, imposing on States a ban on the sale or supply to Eritrea, by their nationals or from their territories, of arms and related materiel, technical assistance and training. The Council also imposed an asset freeze, travel ban and targeted arms embargo on individuals and entities, including but not limited to the Eritrean political and military leadership, and expanded the mandate of the Committee to include the designation of such individuals and entities.<sup>15</sup> The mandate of the Committee was further expanded by resolution 2023 (2011) of 5 December 2011.<sup>16</sup> Exemptions to the sanctions measures were outlined in resolutions 1907 (2009), 1916 (2010) of 19 March 2010 and 1972 (2011) of 17 March 2011.<sup>17</sup>

By resolution 1425 (2002) of 22 July 2002, the Council established a Panel of Experts to generate independent information on violations of the arms embargo on Somalia. The Panel of Experts was succeeded by the Monitoring Group on Somalia, established pursuant to resolution 1519 (2003) of 16 December 2003. With the adoption of resolution 1907 (2009), by which the Council imposed a sanctions regime against Eritrea, the mandate of the Monitoring Group was expanded to include the

following tasks: (a) to assist the Committee in monitoring the implementation of the measures imposed; (b) to consider any information relevant to the implementation of the measures; (c) to include in its reports to the Council any information relevant to the Committee's designation of the individuals and entities; and (d) to coordinate with panels of experts of other sanctions committees in pursuit of those tasks.

#### Developments during 2010 and 2011

As the Council, by resolution 1907 (2009), expanded the mandate of the Committee, it decided on 26 February 2010 to change the Committee's name to "Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea". By resolution 1916 (2010) of 19 March 2010, the Council requested the Committee to recommend ways to improve implementation of and compliance with the arms embargoes and other measures concerning Somalia and Eritrea, in response to continuing violations. By resolution 2002 (2011) of 29 July 2011, the criteria for designation by the Committee were expanded to include individuals and entities designated by the Committee, inter alia, as individuals engaging in or providing support for acts that threatened the peace, security or stability or Somalia; as acting in violation of the arms embargo; as obstructing the delivery of humanitarian assistance to Somalia; as being political or military leaders recruiting or using child soldiers in armed conflicts; and as being responsible for violations of international law involving the targeting of civilians. The Committee was entrusted with, inter alia, the tasks of monitoring the implementation of the travel ban and asset freeze with the support of the Monitoring Group, seeking from all Member States, in particular those in the region, information regarding the actions taken by them to implement effectively the travel ban and asset freeze, and reporting to the Council on its work and on the implementation of resolution 1844 (2008). By resolution 2023 (2011), the Council expressed concern at the potential use of the Eritrean mining sector as a financial source to destabilize the Horn of Africa region, and requested the Committee to draft, with the assistance of the Monitoring Group, due diligence guidelines for the optional use by Member States. The Council also requested the Committee to review, as a matter of urgency, listing proposals from Member States.

<sup>15</sup> Resolution 1907 (2009), para. 18.

<sup>16</sup> Resolution 2023 (2011), para. 13.

<sup>17</sup> Resolutions 1907 (2009), paras. 11 and 14; 1916 (2010), para. 5; and 1972 (2011), para. 4.

*Monitoring Group*

By resolution [1916 \(2010\)](#) of 19 March 2010, the Council extended the mandate of the Monitoring Group for a period of 12 months, and expanded its mandate to include the following tasks: (a) to investigate all activities, including in the financial, maritime and other sectors, which generated revenues used to commit violations of the Somalia and Eritrea arms embargoes; (b) to investigate any means of transport, routes, seaports, airports and other facilities used in connection with the violations of the Somalia and Eritrea arms embargoes; (c) to continue refining and updating information on the draft list of those individuals and entities engaging in prohibited acts, and their active supporters, for possible future measures by the Council, and to present such information to the Committee; (d) to compile a draft list of individuals and entities for designation for possible future measures by the Council; (e) to continue making recommendations based on its investigations; (f) to work with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and

Eritrea arms embargoes; and (g) to assist in identifying areas where the capacities of States in the region could be strengthened to facilitate implementation of the arms embargoes.

By resolution [2002 \(2011\)](#) of 29 July 2011, the Council extended and expanded the mandate of the Monitoring Group and requested the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a further period of 12 months. By resolution [2023 \(2011\)](#) of 5 December 2011, the Council condemned the use of the “diaspora tax” by the Government of Eritrea, expanded restrictive measures relating to the Eritrean mining sector and the provision of financial services, expanded the mandate of the Monitoring Group to monitor the implementation of those measures and demanded that Eritrea make available information pertaining to Djiboutian combatants missing in action.

Tables 1 and 2 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and the Monitoring Group.

Table 1

**Committee pursuant to resolutions [751 \(1992\)](#) and [1907 \(2009\)](#) concerning Somalia and Eritrea: provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution [1916 \(2010\)](#)**

**Monitoring, assessment and support**

|   |  |
|---|--|
| <p>Make recommendations on improving implementation</p> | <p>Requests the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations contained in the reports of the Monitoring Group of 5 April and 16 October 2006, 17 July 2007, 24 April and 20 November 2008 and 10 March 2010 and recommend to the Council ways to improve implementation of and compliance with the arms embargoes as well as implementation of the measures imposed in paragraphs 1, 3 and 7 of resolution <a href="#">1844 (2008)</a> and paragraphs 5, 6, 8, 10, 12 and 13 of resolution <a href="#">1907 (2009)</a> concerning Eritrea, in response to continuing violations (para. 9)</p> |
|---|--|

## **Resolution 2002 (2011)**

### **Monitoring, enforcement and support**

|  |  |
|--|--|
| Make recommendations on improving implementation | Requests the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations contained in the reports of the Monitoring Group and to recommend to the Council ways to improve implementation of and compliance with the Somalia and Eritrea arms embargoes as well as implementation of the targeted measures imposed by paragraphs 1, 3, and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12, and 13 of resolution 1907 (2009), in response to continuing violations (para. 8) |
|--|--|

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## **Resolution 2023 (2011)**

### **Listing/delisting**

|                                    |  |
|------------------------------------|--|
| Designate individuals and entities | Expresses its intention to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in paragraph 15 of resolution 1907 (2009) and paragraph 1 of resolution 2002 (2011), and requests the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) to review, as a matter of urgency, listing proposals from Member States (para. 9) |
|------------------------------------|--|

### **Procedural**

|                       |  |
|-----------------------|--|
| Promulgate guidelines | Decides that States, in order to prevent funds derived from the mining sector of Eritrea contributing to violations of resolutions 1844 (2008), 1862 (2009), 1907 (2009) or the present resolution, shall take appropriate measures to promote the exercise of vigilance by their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction that are doing business in this sector in Eritrea including through the issuance of due diligence guidelines, and requests in this regard the Committee, with the assistance of the Monitoring Group, to draft guidelines for the optional use of Member States (para. 13) |
|-----------------------|--|

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Table 2

**Monitoring Group on Somalia and Eritrea: provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1916 (2010)**

**General**

Expansion of the mandate      Decides also to extend the mandate of the Monitoring Group on Somalia referred to in paragraph 3 of resolution 1558 (2004), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a period of 12 months, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution 1853 (2008), and consistent with resolution 1907 (2009), with the addition of three experts, in order to fulfil its expanded mandate, this mandate being as follows: (para. 6)

To continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005) and paragraphs 23 (a) to (c) of resolution 1844 (2008) (para. 6 (a))

To carry out additionally the tasks outlined in paragraphs 19 (a) to (d) of resolution 1907 (2009) (para. 6 (b))

**Listing/delisting**

Provide a list of violators      To continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraphs 8 (a) to (c) of resolution 1844 (2008), inside and outside Somalia, and their active supporters, for possible future measures by the Security Council, and to present such information to the Committee as and when the Committee deems appropriate (para. 6 (e))

To compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (a) to (e) of resolution 1907 (2009), inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate (para. 6 (f))

**Monitoring, enforcement and support**

Assist States in complying with measures      To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea (para. 6 (i))

Gather and analyse information on compliance      To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes (para. 6 (c))

To investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes (para. 6 (d))

*Decision or mandated task, by category*      *Provisions*

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Make recommendations on improving implementation      To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions [1425 \(2002\)](#) of 22 July 2002 and [1474 \(2003\)](#) of 8 April 2003, and on the previous reports of the Monitoring Group appointed pursuant to resolutions [1519 \(2003\)](#), [1558 \(2004\)](#), [1587 \(2005\)](#), [1630 \(2005\)](#), [1676 \(2006\)](#), [1724 \(2006\)](#), [1766 \(2007\)](#), [1811 \(2008\)](#) and [1853 \(2008\)](#) (para. 6 (g))

To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution [1844 \(2008\)](#) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution [1907 \(2009\)](#) concerning Eritrea (para. 6 (h))

### Reporting and public information

Reporting      To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis (para. 6 (j))

To submit, for consideration by the Council, through the Committee, a final report covering all the tasks set out above, no later than 15 days prior to the termination of the mandate of the Monitoring Group (para. 6 (k))

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### Resolution [2002 \(2011\)](#)

#### General

Extension      Decides to extend the mandate of the Monitoring Group referred to in paragraph 3 of resolution [1558 \(2004\)](#), which was extended by paragraph 6 of resolution [1916 \(2010\)](#), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group on Somalia and Eritrea for a period of 12 months from the date of the present resolution, consisting of eight experts, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution [1916 \(2010\)](#), and consistent with resolution [1907 \(2009\)](#), in order to fulfil its expanded mandate, this mandate being as follows: (para. 6)

To continue the tasks outlined in paragraphs 3 (a) to (c) of resolution [1587 \(2005\)](#), paragraphs 23 (a) to (c) of resolution [1844 \(2008\)](#), and paragraphs 19 (a) to (d) of resolution [1907 \(2009\)](#) (para. 6 (d))

Assist sanctions committee      To assist the Committee in monitoring the implementation of the measures imposed in paragraph 1, 3, and 7 of resolution [1844 \(2008\)](#), including by reporting any information on violations, and to include in its reports to the Committee any information relevant to the potential designation of the individuals and entities described in paragraph 1 [of the resolution] (para. 6 (a))

To assist the Committee in compiling narrative summaries, referred to in paragraph 14 of resolution [1844 \(2008\)](#), of individuals and entities designated pursuant to paragraph 1 [of the resolution] (para. 6 (b))

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*Decision or mandated task, by category*      *Provisions*

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### **Coordination**

Coordinate with other entities (non-United Nations)      To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes (para. 6 (e))

### **Listing/delisting**

Listing/delisting procedures      See para. 6 (b) of the resolution, under “General” above

To continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraph 1 [of the resolution], inside and outside Somalia, and their active supporters, for possible future measures by the Security Council, and to present such information to the Committee as and when the Committee deems appropriate (para. 6 (g))

Provide a list of violators      To compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (a) to (e) of resolution 1907 (2009) inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate (para. 6 (h))

### **Monitoring, enforcement and support**

Gather and analyse information on compliance      To investigate any seaport operations in Somalia that may generate revenue for Al-Shabaab, an entity designated by the Committee for meeting the listing criteria in resolution 1844 (2008) (para. 6 (c))

See para. 6 (e) of the resolution, under “Coordination” above

To investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes (para. 6 (f))

Make recommendations on improving implementation      To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) and 1474 (2003), and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003), 1558 (2004), 1587 (2005), 1630 (2005), 1676 (2006), 1724 (2006), 1766 (2007), 1811 (2008), 1853 (2008) and 1916 (2010) (para. 6 (i))

To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea (para. 6 (j))



|                                    |   |
|------------------------------------|---|
| Recommend possible future measures | To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution <a href="#">1844 (2008)</a> and paragraphs 5, 6, 8, 10, 12 and 13 of resolution <a href="#">1907 (2009)</a> concerning Eritrea (para. 6 (k)) |
| Recommend possible future measures | See para. 6 (j) of the resolution, under “Monitoring, enforcement and support” above  |

**Reporting and public information**

|           |  |
|-----------|--|
| Reporting | To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis (para. 6 (l))  |
|           | To submit, for consideration by the Council, through the Committee, two final reports, one focusing on Somalia, the other on Eritrea, covering all the tasks set out above, no later than fifteen days prior to the termination of the mandate of the Monitoring Group (para. 6 (m)) |

**Resolution [2023 \(2011\)](#)**

**General**

|                                |  |
|--------------------------------|--|
| Assist the sanctions committee | Assist the Committee in monitoring the implementation of the measures imposed in paragraphs 10 to 14 [of the resolution], including by reporting any information on violations (para. 16 (a))  |
|                                | Consider any information relevant to paragraph 6 [of the resolution] that should be brought to the attention of the Committee (para. 16 (b))   |
| Expansion of the mandate       | Decides to further expand the mandate of the Monitoring Group re-established by resolution <a href="#">2002 (2011)</a> , to monitor and report on the implementation of the measures imposed in the present resolution and undertake the tasks outlined below (para. 16) |

**Monitoring, enforcement and support**

|                        |   |
|------------------------|---|
| Monitor implementation | See para. 16 (a), under “General” above |
|------------------------|---|

**Committee established pursuant to resolution [1132 \(1997\)](#) concerning Sierra Leone**

By resolution [1132 \(1997\)](#) of 8 October 1997, the Security Council established a Committee to monitor the measures concerning the petroleum and arms embargo and travel restrictions against Sierra Leone following the military coup of 25 May 1997. By resolution [1171 \(1998\)](#) of 5 June 1998, the Council lifted the sanctions on the Government and reimposed the arms embargo and travel ban on leading members of the Revolutionary United Front and of the former

military junta. By resolution [1306 \(2000\)](#) of 5 July 2000, the Committee’s mandate was expanded to include monitoring of the diamond ban imposed by that resolution.

**Developments during 2010 and 2011**

By resolution [1940 \(2010\)](#) of 29 September 2010, the Council took note of the report of the Committee<sup>18</sup>

<sup>18</sup> [S/2009/690](#).

and decided to terminate the sanctions regime and dissolve the Committee.

Table 3 provides the full text of all paragraphs in Council decisions that relate to the mandate of the Committee.

Table 3

**Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone: provisions relating to the mandate, 2010-2011**

*Decision or mandated task,  
by category*

*Provisions*

**Resolution 1940 (2010)**

**General**

|             |  |
|-------------|--|
| Termination | Decides to terminate, with immediate effect, the measures set forth in paragraphs 2, 4 and 5 of resolution 1171 (1998) (para. 1)                       |
|             | Decides also to dissolve the Security Council Committee established pursuant to paragraph 10 of resolution 1132 (1997) with immediate effect (para. 2) |

**Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities\***

By resolution 1267 (1999) of 15 October 1999, the Security Council established a Committee to oversee the implementation of targeted sanctions measures against designated individuals, entities and aircraft that were owned, controlled, leased or operated by the Taliban. The measures were subsequently modified, in particular by resolutions 1333 (2000) of 19 December 2000 and 1390 (2002) of 16 January 2002, to include an asset freeze, travel ban and arms embargo affecting designated individuals and entities associated with Osama bin Laden, Al-Qaida and the Taliban wherever they were located. By resolution 1526 (2004) of 30 January 2004, the Council established the Analytical Support and Sanctions Monitoring Team with the mandate, inter alia, to assess and make recommendations on the implementation of the measures, pursue case studies and explore other matters as directed by the Committee. By resolution 1904 (2009) of 17 December 2009, the Council also established an Office of the Ombudsperson to assist the Committee with requests for delisting.

\* Formerly “Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities”. See also Committee established pursuant to resolution 1988 (2011), below.

**Developments during 2010 and 2011**

The Committee pursuant to resolutions 1267 (1999) and 1989 (2011) emerged from the Committee previously known as the “Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities”, which was established on 15 October 1999 with the adoption of resolution 1267 (1999). With the adoption of resolutions 1988 (2011) and 1989 (2011) on 17 June 2011, the Council decided that the previous Consolidated List maintained by the Committee established pursuant to resolution 1267 (1999) would henceforth be known as the “Al-Qaida Sanctions List”, and would include only names of those individuals, groups, undertakings and entities associated with Al-Qaida. In the light of the change in mandate, the Council decided on 30 June 2011 to change the name of the Committee to “Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities”.<sup>19</sup> The Council established a new Committee, pursuant to resolution 1988 (2011), which was consequently mandated to maintain a list of names of individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan. The separate regimes relating to Al-Qaida and the Taliban extended the travel ban, arms embargo and asset freeze of the previously unified regime. By resolution 1989

<sup>19</sup> See S/2011/2/Rev.2.

(2011), the Council also modified the procedures for listing and delisting individuals subject to targeted sanctions by, inter alia, reminding the Committee to remove expeditiously and on a case-by-case basis individuals and entities that no longer met the criteria for listing, and requesting that the Committee give due regard to requests for removal of individuals who met the reconciliation conditions agreed to by the Government of Afghanistan and the international community.

*Analytical Support and Sanctions Monitoring Team*

By resolutions 1988 (2011) and 1989 (2011), the Council expanded the mandate of the Analytical Support and Sanctions Monitoring Team to include, inter alia, providing the following assistance to the two Committees: (a) to regularly review names on the Lists; (b) to follow up on requests of Member States for information; (c) to gather and analyse information regarding non-compliance with the sanctions measures; and (d) to compile and circulate information regarding proposals for listings, and to prepare draft narrative summaries of the reasons for listings. The Monitoring Team was also mandated to bring to the attention of the Committees any new or noteworthy circumstances that could warrant a delisting. Regarding the review and maintenance of the Al-Qaida List, resolution 1989 (2011) also outlined the listing and delisting procedures required. The Monitoring Team was also requested to report to the Committees on its work and to provide recommendations on linkages between any

groups, undertakings or entities eligible for designation that appeared on both the Al-Qaida Sanctions List and the List concerning the Taliban.

*Office of the Ombudsperson*

By resolution 1989 (2011), the Council extended the mandate of the Office of the Ombudsperson pursuant to resolution 1904 (2009), for a period of 18 months. The Council decided that the Ombudsperson should continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the Al-Qaida Sanctions List. The Council also expanded the scope of the Ombudsperson's mandate, by establishing procedures for the presentation by the Ombudsperson of recommendations to the Committee pursuant to resolutions 1267 (1999) and 1989 (2011). In instances when a State submitted a delisting request to the Ombudsperson, the Council decided that the measures described in paragraph 1 of the resolution would terminate with respect to that individual, group, undertaking or entity after 60 days, unless the Committee decided by consensus prior to the end of that period that the measures should remain in place.

Tables 4 and 5 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team. Table 6 provides the full text of all paragraphs in Council decisions that relate to the establishment of the Office of the Ombudsperson.

Table 4

**Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities: provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1989 (2011)**

**Coordination**

|                            |   |
|----------------------------|---|
| Amend committee guidelines | Directs the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Al-Qaida Sanctions List and for removing them as well as for granting exemptions as per resolution 1452 (2002), and directs the Committee to keep its guidelines under active review in support of these objectives (para. 42) |
|                            | Also directs the Committee, as a matter of priority, to review its guidelines with respect to the provisions of the present resolution, in particular paragraphs 10, 12, 14, 15, 17, 21, 23, 27, 28, 30, 33, 37 and 40 (para. 43)   |

*Decision or mandated task, by category*

*Provisions*

Coordinate with other  
United Nations entities

Directs the Committee to transmit to the Security Council Committee established pursuant to resolution 1988 (2011) all listing submissions, delisting requests and proposed updates to the existing information relevant to section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the Consolidated List that were pending before the Committee as of the date of adoption of the present resolution, so that the Committee established pursuant to resolution 1988 (2011) can consider those matters in accordance with resolution 1988 (2011) (para. 3)

Directs the Committee to cooperate with other relevant Security Council sanctions committees, in particular the Committee established pursuant to resolution 1988 (2011) (para. 11)

Reiterates the need to enhance ongoing cooperation between the Committee, the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (Counter-Terrorism Committee) and the Security Council Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, and coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three Committees, expresses its intention to provide guidance to the Committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and requests the Secretary-General to make the necessary arrangements for the groups of experts to be co-located as soon as possible (para. 52)

Coordinate with other entities  
(non-United Nations)

Encourages all Member States, including designating States and States of residence and nationality, to provide all information to the Committee relevant to the review by the Committee of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further encourages the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions (para. 34)

### **Listing/delisting**

Listing/delisting procedures

Encourages all Member States to submit to the Committee for inclusion on the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, and other individuals, groups, undertakings and entities associated with it, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 4 [of the resolution] (para. 12)

Reaffirms that, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008), and provide a detailed statement of case, and decides further that the statement of case shall be releasable, upon request, except for the parts that a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 16 [of the resolution] (para. 13)

Decides that Member States proposing a new designation, as well as Member States that have proposed names for inclusion on the Al-Qaida Sanctions List before the adoption of the present resolution, shall specify whether the Committee, or the Ombudsperson, or the Secretariat or the Analytical Support and Sanctions Monitoring Team on behalf of the Committee, may make known the status of the Member State as a designating State; and strongly encourages designating States to respond positively to such a request (para. 14)

Decides also that Member States, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List shall use the standard form for listing, and provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and directs the Committee to update, as necessary, the standard form for listing in accordance with the provisions of the present resolution; and further directs the Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information (para. 15)

Welcomes efforts by the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing for the corresponding entry, and directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee website narrative summaries of reasons for all listings (para. 16)

Encourages Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing (para. 17)

Calls upon all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help to inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 16 above (para. 18)

Reaffirms that the Secretariat shall, after publication but within three working days after a name is added to the Al-Qaida Sanctions List, notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), in accordance with paragraph 10 of resolution [1735 \(2006\)](#), requests the Secretariat to publish on the Committee website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Al-Qaida Sanctions List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner (para. 19)

Also reaffirms the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the procedures of the Committee for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 21 and annex II to the present resolution, and the provisions of resolution 1452 (2002) regarding available exemptions (para. 20)

Decides further that the requirement for States to take the measures described in paragraph 1 of the present resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a comprehensive report of the Ombudsperson, in accordance with annex II to the present resolution, including paragraph 6 (h) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Council (para. 23)

Decides that, when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall terminate with respect to that individual, group, undertaking or entity after 60 days unless the Committee decides by consensus before the end of that 60-day period that the measures shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Council (para. 27)

Directs the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Al-Qaida Sanctions List of individuals, groups, undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolutions, and set out in paragraph 4 of the present resolution, which shall be placed on the agenda of the Committee upon request of a member of the Committee, and encourages Member States to provide reasons for submitting their delisting requests (para. 30)

Calls upon the Committee when considering delisting requests to give due consideration to the opinions of the designating State(s), State(s) of residence, nationality, location or incorporation, and other relevant States as determined by the Committee, directs Committee members to provide their reasons for objecting to delisting requests at the time the request is objected to, and calls upon the Committee to share its reasons with relevant Member States and national and regional courts and bodies, where appropriate (para. 33)

See para. 34 of the resolution, under “Coordination” above

Reaffirms that the Monitoring Team should circulate to the Committee every six months a list of individuals on the Al-Qaida Sanctions List who are reportedly deceased, along with an assessment of relevant information such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities that would be in a position to receive any unfrozen assets, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove listings of deceased individuals, where credible information regarding death is available (para. 38)

Also reaffirms that the Monitoring Team should circulate to the Committee every six months a list of entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove such listings where credible information is available (para. 39)

Directs the Committee, in the light of the completion of the review described in paragraph 25 of resolution [1822 \(2008\)](#), to conduct an annual review of all names on the Al-Qaida Sanctions List that have not been reviewed in three or more years (“the triennial review”), in which the relevant names are circulated to the designating States and States of residence, nationality, location or incorporation, where known, pursuant to the procedures set forth in the Committee guidelines, to ensure that the Al-Qaida Sanctions List is as updated and accurate as possible by identifying listings that no longer remain appropriate and confirming listings that remain appropriate, and notes that the consideration by the Committee of a delisting request after the date of adoption of the present resolution, pursuant to the procedures set out in annex II to the present resolution, should be considered equivalent to a review conducted pursuant to paragraph 26 of resolution [1822 \(2008\)](#) (para. 40)

Directs the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Al-Qaida Sanctions List and for removing them as well as for granting exemptions as per resolution [1452 \(2002\)](#), and directs the Committee to keep its guidelines under active review in support of these objectives (para. 42)

Decision or mandated task, by category

Provisions

Encourages Member States to share with the private sector, in accordance with their domestic laws and practices, information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions and, if a listed party is found to be using a false identity, including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard (para. 48)

Confirms that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee guidelines (para. 49)

Provide a list of violators

See para. 3 of the resolution, under “Coordination” above

Requests the Monitoring Team to circulate to the Committee every six months a list of individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate (para. 37)

### Monitoring, enforcement and support

Assist States in complying with measures

Requests the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States (para. 51)

Carry out field-based investigations

Requests the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or members of the Committee to enhance the full and effective implementation of the measures referred to in paragraph 1 [of the resolution], with a view to encouraging States to comply fully with the present resolution and resolutions [1267 \(1999\)](#), [1333 \(2000\)](#), [1390 \(2002\)](#), [1455 \(2003\)](#), [1526 \(2004\)](#), [1617 \(2005\)](#), [1735 \(2006\)](#), [1822 \(2008\)](#) and [1904 \(2009\)](#) (para. 54)

Decide on exemptions

Encourages Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a) [of the resolution], set out in paragraphs 1 and 2 of resolution [1452 \(2002\)](#), as amended by resolution [1735 \(2006\)](#), and directs the Committee to review the procedures for exemptions as set out in the Committee guidelines to facilitate their use by Member States and to continue to ensure that exemptions are granted expeditiously and transparently (para. 10)

See para. 42 of the resolution, under “Coordination” above

Gather and analyse information on compliance

Directs the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 [of the resolution] and to determine the appropriate course of action on each case, and requests the Chair of the Committee, in periodic reports to the Council pursuant to paragraph 55 [of the resolution], to provide progress reports on the work of the Committee on this issue (para. 46)



### Reporting and public information

|                              |   |
|------------------------------|---|
| Reporting                    | <p>Requests the Committee to report to the Council on its findings regarding implementation efforts by Member States, and to identify and recommend steps necessary to improve implementation (para. 45)</p> <p>See para. 46 of the resolution, under “Monitoring, enforcement and support” above</p> <p>Also requests the Committee to report orally, through its Chair, at least every 180 days to the Council on the state of the overall work of the Committee and the Monitoring Team and, as appropriate, in conjunction with the reports by the Chairs of the Counter-Terrorism Committee and the Committee established pursuant to resolution <a href="#">1540 (2004)</a>, and further requests the Chair to hold periodic briefings for all interested Member States (para. 55)</p> <p>See para. 19 of the resolution, under “Listing/delisting” above</p> |
| Publish relevant information | <p>See para. 16 of the resolution, under “Listing/delisting” above</p>  |
| <b>Other</b>                 |   |
| Intention to review          | <p>Requests the Committee to report to the Council on its findings regarding implementation efforts by Member States, and to identify and recommend steps necessary to improve implementation (para. 45)</p>  |

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Table 5

### Analytical Support and Sanctions Monitoring Team: provisions relating to the mandate, 2010-2011

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### Resolution [1988 \(2011\)](#)

#### General

|                            |   |
|----------------------------|---|
| Assist sanctions committee | <p>Decides also, in order to assist the Committee in fulfilling its mandate, that the Monitoring Team of the Committee established pursuant to resolution <a href="#">1267 (1999)</a>, established pursuant to paragraph 7 of resolution <a href="#">1526 (2004)</a>, shall also support the Committee for a period of 18 months, with the mandate set forth in the annex to the present resolution, and requests the Secretary-General to make any necessary arrangements to this effect (para. 31)</p> <p>To assist the Committee in regularly reviewing names on the List, including by undertaking travel and contact with Member States, with a view to developing the Committee’s record of the facts and circumstances relating to a listing (annex, para. (b))</p> <p>To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution (annex, para. (c))</p> |
|----------------------------|---|

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Decision or mandated task, by category      Provisions

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To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review (annex, para. (e))

To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary, referred to in paragraph 13 of this resolution (annex, para. (g))

To assist the Committee in facilitating assistance in capacity-building for enhancing implementation of the measures, upon request by Member States (annex, para. (s))

### Coordination

Coordinate with other  
United Nations entities

To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel (annex, para. (d))

To consult with Member States and other relevant organizations and bodies, including the United Nations Assistance Mission in Afghanistan, and engage in regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph (a) of this annex (annex, para. (m))

To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006) (annex, para. (r))

Coordinate with other entities  
(non-United Nations)

To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee (annex, para. (i))

To encourage Member States to submit names and additional identifying information for inclusion on the List, as instructed by the Committee (annex, para. (j))

See para. (m) of the annex, above

To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures (annex, para. (n))

To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure (annex, para. (o))

To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures (annex, para. (p))

To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices (annex, para. (q))

### **Listing/delisting**

Designate individuals and entities

Recognizes that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, urges the Committee to decide on delisting requests in a timely manner, requests the Committee to review each entry on the list on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist, directs the Committee to establish guidelines for such reviews accordingly, and requests the Monitoring Team to circulate to the Committee every six months:

A list of individuals on the List whom the Government of Afghanistan considers to be reconciled along with relevant documentation as outlined in paragraph 21 (a) [of the resolution];

A list of individuals and entities on the List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them; and

A list of individuals on the List who are reportedly deceased and entities that are reported or confirmed to have ceased to exist, along with the documentation requirements outlined in paragraph 21 (c) [of the resolution] (para. 25 (a) to (c))

Listing/delisting procedures

See para. 25 of the resolution, above

To bring to the attention of the Committee new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual (annex, para. (h))

See para. (j) of the annex, under “Coordination” above

Provide information relevant to listing

Calls upon all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help to inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 13 [of the resolution] (para. 14)

See para. (c) of the annex, under “General” above

To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the List (annex, para. (f))

See para. (g) of the annex, under “General” above

| <i>Decision or mandated task, by category</i>    | <i>Provisions</i>   |
|--|---|
|  | To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the List as updated and accurate as possible (annex, para. (k))   |
| <b>Monitoring, enforcement and support</b>       |   |
| Assist States in complying with measures         | See para. (s) of the annex, under “General” above   |
| Carry out field-based investigations             | See para. (b) of the annex, under “General” above   |
|  | See para. (i) of the annex, under “Coordination” above  |
| Facilitate technical assistance                  | To facilitate, through the Monitoring Team and specialized United Nations agencies, assistance in capacity-building for enhancing implementation of the measures, upon request by Member States (para. 30 (o))  |
| Gather and analyse information on compliance     | See para. (e) of the annex, under “General” above   |
|  | To collate, assess, monitor and report on and make recommendations regarding implementation of the measures; to pursue case studies, as appropriate, and to explore in depth any other relevant issues as directed by the Committee (annex, para. (l))  |
| Make recommendations on improving implementation | To submit, in writing, two comprehensive, independent reports to the Committee, the first by 31 March 2012 and the second by 31 October 2012, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures (annex, para. (a)) |
|  | See para. (f) of the annex, under “Listing/delisting” above   |
|  | See para. (l) of the annex, above   |
| Recommend possible future measures               | See para. (a) of the annex, above   |
| <b>Procedural</b>                                |   |
| Promulgate guidelines                            | Urges the Committee to ensure that there are fair and clear procedures for the conduct of its work, and directs the Committee to establish guidelines accordingly, as soon as possible, in particular with respect to paragraphs 9, 10, 11, 12, 17, 20, 21, 24, 25 and 27 of the present resolution (para. 26)  |
| Produce programme of work                        | See para. (d) of the annex, under “Coordination” above  |
| <b>Reporting and public information</b>          |   |
| Publish relevant information                     | Directs the Committee, with the assistance of the Analytical Support and Sanctions Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the List, a narrative summary of reasons for listing for the corresponding entry (para. 13)                              |
|  | See para. (g) of the annex, under “General” above   |

**Reporting**

See para. (a) of the annex, under “Monitoring, enforcement and support” above

To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities (annex, para. (t))

To submit to the Committee within 90 days a written report and recommendations on linkages between those individuals, groups, undertakings, and entities eligible for designation under paragraph 1 of this resolution and Al-Qaida, with a particular focus on entries that appear on both the Al-Qaida Sanctions List and the List referred to in paragraph 1 of this resolution, and thereafter submit such a report and recommendations periodically (annex, para. (u))

**Other**

Other mandated task                      Any other responsibility identified by the Committee (annex, para. (v))

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**Resolution 1989 (2011)**

**General**

**Extension**

Decides, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of 18 months, under the direction of the Committee, with the responsibilities outlined in annex I to the present resolution, and requests the Secretary-General to make the necessary arrangements to this effect (para. 56)

**Assist sanctions committee**

Welcomes efforts by the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing for the corresponding entry, and directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee website narrative summaries of reasons for all listings (para. 16)

To assist the Committee in regularly reviewing names on the Al-Qaida Sanctions List, including by undertaking travel and contact with Member States, with a view to developing the Committee’s record of the facts and circumstances relating to a listing (annex I, para. (c))

To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee’s request, to the Committee for its review (annex I, para. (i))

---

Decision or mandated task, by category      Provisions

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To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary, referred to in paragraph 16 of this resolution (annex I, para. (k))

To assist the Committee in facilitating assistance on capacity-building for enhancing implementation of the measures, upon request by Member States (annex I, para. (w))

## Coordination

Coordinate with other United Nations entities

Encourages the Monitoring Team and the United Nations Office on Drugs and Crime to continue their joint activities, in cooperation with the Counter-Terrorism Committee Executive Directorate and the experts of the Committee established pursuant to resolution 1540 (2004), to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including by organizing regional and subregional workshops (para. 53)

To assist the Ombudsperson in carrying out his or her mandate as specified in annex II to this resolution (annex I, para. (b))

To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution 1540 (2004) to avoid duplication and reinforce synergies (annex I, para. (f))

To work closely and share information with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution 1540 (2004) to identify areas of convergence and overlap and to help to facilitate concrete coordination, including in the area of reporting, among the three Committees (annex I, para. (g))

To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy, including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups (annex I, para. (h))

To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006) (annex I, para. (y))

Coordinate with other entities (non-United Nations)

See para. 53 of the resolution, above

To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee (annex I, para. (m))

To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the country of the visit, where appropriate (annex I, para. (n))

To study and report to the Committee on the changing nature of the threat of Al-Qaida and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee (annex I, para. (q))

To consult with Member States and other relevant organizations, including through regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph (a) of this annex (annex I, para. (s))

To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures (annex I, para. (t))

To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure (annex I, para. (u))

To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures (annex I, para. (v))

To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices (annex I, para. (x))

## **Listing/delisting**

Listing/delisting procedures

See para. 16 of the resolution, under "General" above

Calls upon all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help to inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 16 above (para. 18)

Reaffirms that the Monitoring Team should circulate to the Committee every six months a list of individuals on the Al-Qaida Sanctions List who are reportedly deceased, along with an assessment of relevant information, such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities who would be in a position to receive any unfrozen assets, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove listings of deceased individuals, where credible information regarding death is available (para. 38)

Also reaffirms that the Monitoring Team should circulate to the Committee every six months a list of entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove such listings where credible information is available (para. 39)

| <i>Decision or mandated task, by category</i> | <i>Provisions</i>   |
|---|---|
|   | To bring to the attention of the Committee new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual (annex I, para. (l))  |
|   | To encourage Member States to submit names and additional identifying information for inclusion on the Al-Qaida Sanctions List, as instructed by the Committee (annex I, para. (o))   |
| Provide a list of violators                   | Requests the Monitoring Team to circulate to the Committee every six months a list of individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate (para. 37)  |
| Provide information relevant to listing       | See para. (c) of annex I, under “General” above<br>To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution (annex I, para. (e))<br>See para. (k) of annex I, under “General” above<br>To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Al-Qaida Sanctions List as updated and accurate as possible (annex I, para. (p)) |
| <b>Monitoring, enforcement and support</b>    |   |
| Assist States in complying with measures      | Requests the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States (para. 51)<br>See para. (w) of annex I, under “General” above   |
| Carry out field-based investigations          | See para. (c) of annex I, under “General” above<br>See para. (m) of annex I, under “Coordination” above   |
| Decide on exemptions                          | Directs the Monitoring Team to review the procedures of the Committee for granting exemptions pursuant to resolution <a href="#">1452 (2002)</a> and to provide recommendations on how the Committee can improve the process for granting such exemptions (para. 57)  |
| Gather and analyse information on compliance  | To analyse reports submitted pursuant to paragraph 6 of resolution <a href="#">1455 (2003)</a> , the checklists submitted pursuant to paragraph 10 of resolution <a href="#">1617 (2005)</a> and other information submitted by Member States to the Committee, as instructed by the Committee (annex I, para. (d))<br>See para. (i) of annex I, under “General” above  |



|   |  |
|---|--|
| <p>Make recommendations on improving implementation</p> | <p>To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida and other individuals, groups, undertakings and entities associated with it; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee (annex I, para. (r))</p> <p>See para. 57 of the resolution, above</p> <p>Also directs the Monitoring Team to keep the Committee informed of instances of non-compliance with the measures imposed in the present resolution, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance (para. 58)</p> <p>To submit, in writing, two comprehensive, independent reports to the Committee, the first by 31 March 2012 and the second by 31 October 2012, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures (annex I, para. (a))</p> <p>To present to the Committee recommendations which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Al-Qaida Sanctions List (annex I, para. (j))</p> |
|---|--|

**Reporting and public information**

|                                     |  |
|-------------------------------------|--|
| <p>Reporting</p>                    | <p>See para. (a) of annex I, under “Monitoring, enforcement and support” above</p> <p>To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities (annex I, para. (z))</p> <p>To submit to the Committee within 90 days a written report and recommendations on linkages between Al-Qaida and those individuals, groups, undertakings or entities eligible for designation under paragraph 1 of resolution 1988 (2011), with a particular focus on entries that appear on both the Al-Qaida Sanctions List and the 1988 List, and thereafter to submit such a report and recommendations periodically (annex I, para. (aa))</p> |
| <p>Publish relevant information</p> | <p>See para. 16 of the resolution, under “General” above</p>   |

**Procedural**

|                                  |   |
|----------------------------------|---|
| <p>Produce programme of work</p> | <p>See para. (f) of annex I, under “Coordination” above</p> |
|----------------------------------|---|

**Other**

|                                      |  |
|--------------------------------------|--|
| <p>Intention to review sanctions</p> | <p>Decides to review the measures described in paragraph 1 [of the resolution] with a view to their possible further strengthening in 18 months, or sooner if necessary (para. 59)</p> |
|--------------------------------------|--|

Table 6  
Office of the Ombudsperson: provisions relating to the mandate, 2010-2011

| <i>Decision or mandated task, by category</i> | <i>Provisions</i>   |
|---|---|
| <b>Resolution 1989 (2011)</b>                 |   |
| <b>General</b>                                |   |
| Extension                                     | Decides to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in annex II to the present resolution, for a period of 18 months from the date of adoption of the present resolution, decides that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any Government, and decides that the Ombudsperson shall present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting (para. 21)   |
| Expansion of the mandate                      | See para. 21 of the resolution, above   |
| <b>Listing/delisting</b>                      |   |
| Listing/delisting procedures                  | See para. 21 of the resolution, under “General” above<br><br>Decides also that the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in place with respect to that individual, group, undertaking or entity where the Ombudsperson recommends retaining the listing in the comprehensive report of the Ombudsperson on a delisting request pursuant to annex II to the present resolution (para. 22)<br><br>Decides further that the requirement for States to take the measures described in paragraph 1 of the present resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with annex II to the present resolution, including paragraph 6 (h) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of the present resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Council (para. 23) |

Strongly urges Member States to provide all relevant information to the Ombudsperson, including providing any relevant confidential information, where appropriate, and confirms that the Ombudsperson must comply with any confidentiality restrictions that are placed on such information by Member States providing it (para. 25)

Strongly urges designating States to allow the Ombudsperson to reveal their identities as designating States to those listed individuals and entities that have submitted delisting petitions to the Ombudsperson (para. 29)

In accordance with paragraph 21 of this resolution, the Office of the Ombudsperson shall be authorized to carry out the following tasks upon receipt of a delisting request submitted by, or on behalf of, an individual, group, undertaking or entity on the Al-Qaida Sanctions List or by the legal representative or estate of such individual, group, undertaking or entity (“the petitioner”) (annex II, first paragraph)

*Information-gathering (four months)*

Upon receipt of a delisting request, the Ombudsperson shall:

- (a) Acknowledge to the petitioner the receipt of the delisting request;
- (b) Inform the petitioner of the general procedure for processing delisting requests;
- (c) Answer specific questions from the petitioner about Committee procedures;
- (d) Inform the petitioner in case the petition fails to properly address the original designation criteria, as set forth in paragraph 4 of this resolution, and return it to the petitioner for his or her consideration; and
- (e) Verify if the request is a new request or a repeated request and, if it is a repeated request to the Ombudsperson and it does not contain any additional information, return it to the petitioner for his or her consideration (annex II, para. 1)

For delisting petitions not returned to the petitioner, the Ombudsperson shall immediately forward the delisting request to the members of the Committee, designating State(s), State(s) of residence and nationality or incorporation, relevant United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within four months, any appropriate additional information relevant to the delisting request. The Ombudsperson may engage in dialogue with these States to determine:

- (a) The opinion of these States on whether the delisting request should be granted; and

- (b) Information, questions or requests for clarifications that these States would like to be communicated to the petitioner regarding the delisting request, including any information or steps that might be taken by a petitioner to clarify the delisting request (annex II, para. 2)

The Ombudsperson shall also immediately forward the delisting request to the Monitoring Team, which shall provide to the Ombudsperson, within four months:

- (a) All information available to the Monitoring Team that is relevant to the delisting request, including court decisions and proceedings, news reports and information that States or relevant international organizations have previously shared with the Committee or the Monitoring Team;
- (b) Fact-based assessments of the information provided by the petitioner that is relevant to the delisting request; and
- (c) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the delisting request (annex II, para. 3)

At the end of this four-month period of information-gathering, the Ombudsperson shall present a written update to the Committee on progress to date, including details regarding which States have supplied information. The Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for information-gathering, giving due consideration to requests by Member States for additional time to provide information (annex II, para. 4)

*Dialogue (two months)*

Upon completion of the information-gathering period, the Ombudsperson shall facilitate a two-month period of engagement, which may include dialogue with the petitioner. Giving due consideration to requests for additional time, the Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for engagement and the drafting of the comprehensive report described in paragraph 7 below. The Ombudsperson may shorten this time period if he or she assesses that less time is required (annex II, para. 5)

During this period of engagement, the Ombudsperson:

- (a) May ask the petitioner questions or request additional information or clarifications that may help the Committee's consideration of the request, including any questions or information requests received from relevant States, the Committee and the Monitoring Team;
- (b) Should request from the petitioner a signed statement in which the petitioner declares that they have no ongoing association with Al-Qaida, or any cell, affiliate, splinter group or derivative thereof, and undertakes not to associate with Al-Qaida in the future;

- (c) Should meet with the petitioner, to the extent possible;
- (d) Shall forward replies from the petitioner back to relevant States, the Committee and the Monitoring Team and follow up with the petitioner in connection with incomplete responses by the petitioner;
- (e) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;
- (f) During the information-gathering or dialogue phase, the Ombudsperson may share with relevant States information provided by a State, including that State's position on the delisting request, if the State which provided the information consents;
- (g) In the course of the information-gathering and dialogue phases and in the preparation of the report, the Ombudsperson shall not disclose any information shared by a State on a confidential basis, without the express written consent of that State; and
- (h) During the dialogue phase, the Ombudsperson shall give serious consideration to the opinions of designating States, as well as other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original designation (annex II, para. 6)

Upon completion of the period of engagement described above, the Ombudsperson, with the help of the Monitoring Team, shall draft and circulate to the Committee a comprehensive report that will exclusively:

- (a) Summarize and, as appropriate, specify the sources of, all information available to the Ombudsperson that is relevant to the delisting request. The report shall respect confidential elements of Member States' communications with the Ombudsperson;
- (b) Describe the activities of the Ombudsperson with respect to this delisting request, including dialogue with the petitioner; and
- (c) Based on an analysis of all the information available to the Ombudsperson and the recommendation of the Ombudsperson lay out for the Committee the principal arguments concerning the delisting request (annex II, para. 7)

*Committee discussion*

After the Committee has had 15 days to review the comprehensive report in all official languages of the United Nations, the Chair of the Committee shall place the delisting request on the agenda of the Committee for consideration (annex II, para. 8)

When the Committee considers the delisting request, the Ombudsperson, aided by the Monitoring Team, as appropriate, shall present the comprehensive report in person and answer Committee members' questions regarding the request (annex II, para. 9)

Committee consideration of the comprehensive report shall be completed no later than 30 days from the date the comprehensive report is submitted to the Committee for its review (annex II, para. 10)

In cases where the Ombudsperson recommends retaining the listing, the requirement for States to take the measures in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, unless a Committee member submits a delisting request, which the Committee shall consider under its normal consensus procedures (annex II, para. 11)

In cases where the Ombudsperson recommends that the Committee consider delisting, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a comprehensive report of the Ombudsperson, in accordance with this annex, including paragraph 6 (h), unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Council (annex II, para. 12)

If the Committee decides to reject the delisting request, then the Committee shall convey to the Ombudsperson its decision, setting out its reasons, and including any further relevant information about the decision of the Committee, and an updated narrative summary of reasons for listing (annex II, para. 13)

After the Committee has informed the Ombudsperson that the Committee has rejected a delisting request, then the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, within 15 days a letter that:

- (a) Communicates the decision of the Committee for continued listing;
- (b) Describes, to the extent possible and drawing upon the comprehensive report of the Ombudsperson, the process and publicly releasable factual information gathered by the Ombudsperson; and
- (c) Forwards from the Committee all information about the decision provided to the Ombudsperson pursuant to paragraph 13 above (annex II, para. 14)

In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States (annex II, para. 15)

**Reporting and public information**

|                              |   |
|------------------------------|---|
| Publish relevant information | In addition to the tasks specified above, the Ombudsperson shall: <ul style="list-style-type: none"> <li>(a) Distribute publicly releasable information about Committee procedures, including Committee guidelines, fact sheets and other documents prepared by the Committee;</li> <li>(b) Where their address is known, notify individuals or entities about the status of their listing, after the Secretariat has officially notified the permanent mission of the State or States, pursuant to paragraph 19 of this resolution (annex II, para. 16)</li> </ul> |
| Reporting                    | Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council (annex II, para. 16 (c))   |

**Committee established pursuant to resolution 1518 (2003)**

By resolution 1518 (2003) of 24 November 2003, the Security Council established a Committee to succeed the Committee established pursuant to resolution 661 (1990) concerning Iraq and Kuwait. The Committee's tasks were to continue to identify, in accordance with resolution 1483 (2003) of 22 May 2003, individuals and entities whose funds, other financial assets and economic resources should be frozen and transferred to the Development Fund for Iraq. The Council also decided that the mandate of the Committee would be kept under review and that the Council would consider authorizing the Committee to undertake the additional task of observing Member States' fulfilment of their obligations in connection with the arms embargo on Iraq.

**Developments during 2010 and 2011**

There were no modifications to the mandate of the Committee during the period under review. The Committee has not been authorized to undertake an expansion of tasks beyond those outlined in resolution 1518 (2003). During the period, however, the Committee continued to receive communications from the Focal Point for Delisting regarding the delisting of two persons included in the Committee's list of individuals.

**Committee established pursuant to resolution 1521 (2003) concerning Liberia**

Sanctions measures concerning Liberia were imposed by the Security Council in resolutions 788

(1992) of 19 November 1992 and 1343 (2001) of 7 March 2001. On 22 December 2003, in response to the changed circumstances in Liberia, the Council, by resolution 1521 (2003), decided to dissolve the Committee established pursuant to resolution 1343 (2001) and establish a new committee to undertake the following tasks: (a) to monitor the implementation of the measures set out in resolution 1521 (2003), including an arms embargo, a travel ban and embargoes on rough diamonds and timber originating in Liberia; (b) to seek from all States, particularly those in the subregion, information regarding implementation; (c) to consider and decide upon requests for the exemptions; (d) to designate the individuals subject to the measures imposed; (e) to make relevant information publicly available; (f) to consider and take appropriate action on pending issues or concerns brought to its attention concerning the measures imposed by previous resolutions; and (g) to report to the Council with its observations and recommendations. The Council also established a Panel of Experts to provide the Committee with information regarding the implementation of the measures.

By resolution 1532 (2004) of 12 March 2004, the Council further imposed an asset freeze on certain individuals, as designated by the Committee. No expiration date for those particular measures was provided. By subsequent resolutions the Council made modifications to the measures imposed, including exemptions to the arms embargo and travel ban, and terminated the provisions on the import of timber products from Liberia and the measures on diamonds.

By resolution 1903 (2009) of 17 December 2009, the Council decided that the measures imposed would no longer apply to the Government of Liberia, but only to non-governmental entities and individuals operating in the area. The Council also decided that States should notify the Committee in advance of any shipment of arms and related materiel to the Government of Liberia or of any provision of assistance, advice or training related to military activities of the Government.

#### Developments during 2010 and 2011

By resolutions 1961 (2010) of 17 December 2010 and 2025 (2011) of 14 December 2011, the Council renewed for a period of 12 months the travel ban and the arms embargo, respectively, imposed by resolution 1521 (2003). By resolution 1961 (2010), the Council also directed the Committee to update, as necessary, the publicly available reasons for the listing of individuals and entities on the travel ban and asset freeze lists, as well as the Committee's guidelines.

#### *Panel of Experts*

By resolutions 1961 (2010) of 17 December 2010 and 2025 (2011) of 14 December 2011, the Council extended the mandate of the Panel of Experts for a period of 12 months each time. By those resolutions, the Council directed the Panel of Experts to undertake

the following tasks: (a) to conduct follow-up assessment missions to Liberia and neighbouring States, in order to investigate and compile reports on the implementation and violations of the arms embargo; (b) to assess the impact and effectiveness of the asset freeze imposed on former President Charles Taylor; (c) to identify and make recommendations regarding areas where the capacity of Liberia and States in the region could be strengthened to facilitate the implementation of the travel ban and asset freeze against individuals designated by the Committee; (d) to assess the extent to which forests and other natural resources were contributing to peace, security and development; (e) to coordinate and cooperate actively with, and assess the Government's compliance with, the Kimberley Process Certification Scheme; (f) to provide reports to the Committee regarding its mandate; (g) to cooperate actively with other relevant panels of experts with respect to natural resources, in particular the Group of Experts on Côte d'Ivoire and the Group of Experts on the Democratic Republic of the Congo; and (h) to assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and asset freeze lists.

Tables 7 and 8 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and the Panel of Experts.

Table 7

#### Committee established pursuant to resolution 1521 (2003) concerning Liberia: provisions relating to the mandate, 2010-2011

| <i>Decision or mandated task, by category</i> | <i>Provisions</i> |
|---|-------------------|
|---|-------------------|

#### Resolution 1961 (2010)

##### Listing/delisting

|                              |  |
|------------------------------|--|
| Listing/delisting procedures | Reconfirms its intention to review the measures imposed by paragraph 1 of resolution 1532 (2004) at least once a year, and directs the Security Council Committee established pursuant to resolution 1521 (2003), in coordination with the Government of Liberia and relevant designating States and with the assistance of the Panel of Experts on Liberia, to update, as necessary, the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the Committee's guidelines (para. 4) |
|------------------------------|--|

##### Reporting and public information

|                              |  |
|------------------------------|--|
| Publish relevant information | See para. 4 of the resolution, under "Listing/delisting" above |
|------------------------------|--|



*Decision or mandated task, by category*      *Provisions*

---

## **Resolution 2025 (2011)**

### **Listing/delisting**

Listing/delisting procedures      Directs the Security Council Committee established pursuant to resolution [1521 \(2003\)](#), in coordination with the Government of Liberia and relevant designating States and with the assistance of the Panel of Experts on Liberia, to, as necessary and without delay, update the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the guidelines of the Committee (para. 4)

### **Reporting and public information**

Publish relevant information      See para. 4 of the resolution, under “Listing/delisting” above

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Table 8

## **Panel of Experts on Liberia: provisions relating to the mandate, 2010-2011**

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*Decision or mandated task, by category*      *Provisions*

---

## **Resolution 1961 (2010)**

### **General**

Extension      Decides also to extend the mandate of the Panel of Experts appointed pursuant to paragraph 9 of resolution [1903 \(2009\)](#) for a further period, until 16 December 2011, to undertake the following tasks: (para. 6)

### **Assessment**

Assess impact and effectiveness      To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution [1532 \(2004\)](#), including, in particular, with respect to the assets of former President Charles Taylor (para. 6 (b))

Assess the impact of natural resources      Within the context of Liberia’s evolving legal framework, to assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation (the National Forestry Reform Law, the Lands Commission Act, the Community Rights Law with respect to Forest Lands and the Liberia Extractive Industries Transparency Initiative Act) and other reform efforts are contributing to this transition, and to provide recommendations, if appropriate, on how such natural resources could better contribute to the country’s progress towards sustainable peace and stability (para. 6 (d))

### **Coordination**

Coordinate with other United Nations entities      To cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d’Ivoire re-established by paragraph 9 of resolution [1946 \(2010\)](#) and the Group of Experts on the Democratic Republic of the Congo re-established by paragraph 5 of resolution [1952 \(2010\)](#) with respect to natural resources (para. 6 (g))

| <i>Decision or mandated task, by category</i>       | <i>Provisions</i>  |
|---|--|
| Coordinate with other entities (non-United Nations) | To assess the compliance of the Government of Liberia with the Kimberley Process Certification Scheme and to coordinate with the Kimberley Process in assessing compliance (para. 6 (e))<br><br>To cooperate actively with the Kimberley Process Certification Scheme (para. 6 (h))  |
| <b>Listing/delisting</b>                            |  |
| Listing/delisting procedures                        | Reconfirms its intention to review the measures imposed by paragraph 1 of resolution 1532 (2004) at least once a year, and directs the Security Council Committee established pursuant to resolution 1521 (2003), in coordination with the Government of Liberia and relevant designating States and with the assistance of the Panel of Experts on Liberia, to update, as necessary, the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the Committee’s guidelines (para. 4)<br><br>To assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists (para. 6 (i)) |
| Provide information relevant to listing             | To conduct two follow-up assessment missions to Liberia and neighbouring States, in order to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009), including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (a) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms (para. 6 (a))  |
| <b>Monitoring, enforcement and support</b>          |  |
| Carry out field-based investigations                | See para. 6 (a) of the resolution, under “Listing/delisting” above   |
| Make recommendations on improving implementation    | To identify and make recommendations regarding areas where the capacity of Liberia and the States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) (para. 6 (c))  |
| Gather and analyse information on compliance        | See para. 6 (a) of the resolution, under “Listing/delisting” above<br>See para. 6 (e) of the resolution, under “Coordination” above  |
| Make recommendations on improving implementation    | See para. 6 (c) of the resolution, under “Monitoring, enforcement and support” above   |
| Recommend possible future measures                  | See para. 6 (d) of the resolution, under “Assessment” above  |
| <b>Reporting and public information</b>             |  |
| Publish relevant information                        | See para. 4 of the resolution, under “Listing/delisting” above   |

|                                |  |
|--------------------------------|--|
| Reporting                      | See para. 6 (a) of the resolution, under “Listing/delisting” above<br><br>To provide a midterm report to the Council, through the Committee, by 1 June 2011 and a final report to the Council, through the Committee, by 1 December 2011 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before those dates, especially on progress in the forest sector since the lifting of the measures imposed by paragraph 10 of resolution <a href="#">1521 (2003)</a> in June 2006, and in the diamond sector since the lifting of the measures imposed by paragraph 6 of resolution <a href="#">1521 (2003)</a> in April 2007 (para. 6 (f)) |
| Update Committee on activities | See para. 6 (f) of the resolution, above   |

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## **Resolution [2025 \(2011\)](#)**

### **General**

|           |   |
|-----------|---|
| Extension | Decides to extend the mandate of the Panel of Experts appointed pursuant to paragraph 9 of resolution <a href="#">1903 (2009)</a> for a period of 12 months from the date of adoption of the present resolution to undertake the following tasks ... (para. 5). |
|-----------|---|

### **Assessment**

|  |   |
|--|---|
| Assess impact and effectiveness        | To assess the impact, effectiveness, and continued need for the measures imposed by paragraph 1 of resolution <a href="#">1532 (2004)</a> , including, in particular, with respect to the assets of former President Charles Taylor (para. 5 (b))   |
| Assess the impact of natural resources | Within the context of Liberia’s evolving legal framework, to assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation (the National Forestry Reform Law, the Lands Commission Act, the Community Rights Law with respect to Forest Lands and the Liberia Extractive Industries Transparency Initiative Act) and other reform efforts are contributing to this transition, and to provide recommendations on how such natural resources could better contribute to the country’s progress towards sustainable peace and stability (para. 5 (d)) |

### **Coordination**

|   |   |
|---|---|
| Coordinate with other United Nations entities       | To cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d’Ivoire re-established by paragraph 13 of resolution <a href="#">1980 (2011)</a> of 28 April 2011 and the Group of Experts on the Democratic Republic of the Congo re-established by paragraph 4 of resolution <a href="#">2021 (2011)</a> of 29 November 2011 with respect to natural resources (para. 5 (g)) |
| Coordinate with other entities (non-United Nations) | To cooperate actively with the Kimberley Process and to assess the compliance of the Government of Liberia with the Kimberley Process Certification Scheme (para. 5 (e))  |

*Decision or mandated task, by category*      *Provisions*

---

### **Listing/delisting**

|                              |   |
|------------------------------|---|
| Listing/delisting procedures | To conduct two follow-up assessment missions to Liberia and neighbouring States, in order to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009), including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (a) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms (para. 5 (a)) |
|                              | To assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists (para. 5 (h))  |

### **Monitoring, enforcement and support**

|  |   |
|--|---|
| Assist States in complying with measures         | To identify and make recommendations regarding areas where the capacity of Liberia and the States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) (para. 5 (c)) |
| Carry out field-based investigations             | See para. 5 (a) of the resolution, under “Listing/delisting” above  |
| Gather and analyse information on compliance     | See para. 5 (e) of the resolution, under “Coordination” above   |
| Make recommendations on improving implementation | See para. 5 (c) of the resolution, above  |
| Recommend possible future action                 | See para. 5 (d) of the resolution, under “Assessment” above   |

### **Reporting and public information**

|                              |  |
|------------------------------|--|
| Reporting                    | See para. 5 (a) of the resolution, under “Listing/delisting” above   |
|                              | To provide a midterm report to the Council, through the Committee, by 1 June 2012 and a final report to the Council, through the Committee, by 1 December 2012 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before those dates, especially on progress in the forest sector since the lifting of the measures imposed by paragraph 10 of resolution 1521 (2003) in June 2006, and in the diamond sector since the lifting of the measures imposed by paragraph 6 of resolution 1521 (2003) in April 2007 (para. 5 (f)) |
| Publish relevant information | See para. 5 (h) of the resolution, under “Listing/delisting” above   |

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**Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo**

By resolution 1493 (2003) of 28 July 2003, the Security Council imposed an arms embargo on all foreign and Congolese armed groups operating in the territory of North and South Kivu and Ituri. By resolution 1533 (2004) of 12 March 2004, the Council established a Committee to undertake, inter alia, the following tasks: (a) to seek information from States regarding action taken by them to implement the arms embargo; (b) to examine, and take appropriate action on, information concerning alleged violations; (c) to report to the Council on ways to strengthen the effectiveness of the arms embargo; (d) to consider a list of those found to have violated the measures with a view to submitting recommendations to the Council for possible future measures; and (e) to receive notifications in advance from States regarding exemptions to the arms embargo and to decide on any action to be taken in relation thereto. By resolution 1596 (2005) of 18 April 2005, the Council decided to further impose travel restrictions and an asset freeze on persons and entities acting in violation of the arms embargo, and mandated the Committee to oversee those measures. By resolution 1857 (2008) of 22 December 2008, the Council decided to expand the mandate of the Committee to include the following tasks: (a) to review regularly the list of individuals and entities subject to the travel ban and asset freeze with a view to keeping the list as updated and accurate as possible, to confirm that listing remained appropriate and to encourage Member States to provide any additional information whenever such information became available; and (b) to promulgate guidelines in order to facilitate the implementation of the measures imposed by the resolution and keep them under active review. The Committee's mandate was again expanded by resolution 1896 (2009) of 30 November 2009, in which the Council specified the necessary information that Member States should provide in order to fulfil the notification requirement laid out in resolution 1807 (2008) of 31 March 2008, regarding exemptions to the arms embargo.

By resolution 1533 (2004), the Council also established a Group of Experts to undertake the following tasks: (a) to examine and analyse information gathered by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in the

context of its monitoring mandate; (b) to gather and analyse all relevant information in the Democratic Republic of the Congo, countries of the region and, as necessary, in other countries, on flows of arms and related materiel, as well as networks operating in violation of the measures imposed; (c) to consider and recommend ways of improving the capabilities of interested States, in particular those of the region, to ensure that the measures imposed were effectively implemented; (d) to report to the Council, through the Committee, on the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003), with recommendations in that regard; (e) to keep the Committee frequently updated on its activities; (f) to exchange with MONUC, as appropriate, information that might be of use in the fulfilment of its monitoring mandate; and (g) to provide the Committee with a list, including supporting evidence, of those found to have violated the measures imposed, and those found to have supported them in such activities, for possible future measures by the Council. This mandate was expanded by resolution 1896 (2009), to include the task of producing recommendations to the Committee for guidelines for the exercise of due diligence by the importers, processing industries and consumers of mineral products regarding the purchase, sourcing, acquisition and processing of mineral products from the Democratic Republic of the Congo.

**Developments during 2010 and 2011**

During the period, by resolution 1952 (2010) of 29 November 2010 and resolution 2021 (2011) of 29 November 2011, the Council renewed the arms embargo, financial measures and travel restrictions imposed by resolution 1807 (2008), until 30 November 2011 and 30 November 2012, respectively.

*Group of Experts*

By resolution 1952 (2010), the Council extended the mandate of the Group of Experts until 30 November 2011, with the addition of a sixth expert, on natural resources issues. The Council also requested the Group of Experts to focus its activities on areas affected by illegal armed groups, as well as on regional and international networks providing support for such groups, criminal networks, and perpetrators of serious violations of human rights and international humanitarian law and human rights abuses. It further requested the Group to evaluate the impact of the due

diligence guidelines referred to in that resolution. By resolution 2021 (2011), the Council extended the mandate of the Group of Experts until 30 November 2012, and requested that the Group include in its evaluation of the impact of due diligence an assessment on the economic and social development of

the relevant mining areas in the Democratic Republic of the Congo.

Tables 9 and 10 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and the Group of Experts.

Table 9

**Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo: provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1952 (2010)**

**Listing/delisting**

|                              |   |
|------------------------------|---|
| Listing/delisting procedures | Decides that the Committee, in determining whether to designate an individual or entity supporting the illegal armed groups in the eastern part of the Democratic Republic of the Congo through illicit trade of natural resources, pursuant to paragraph 4 (g) of resolution 1857 (2008), should consider, among other things, whether the individual or entity has exercised due diligence consistent with the steps set out in paragraph 8 [of the resolution] (para. 9) |
|------------------------------|---|

Table 10

**Group of Experts on the Democratic Republic of the Congo: provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1952 (2010)**

**General**

|           |   |
|-----------|---|
| Extension | Requests the Secretary-General to extend, for a period expiring on 30 November 2011, the mandate of the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions, with the addition of a sixth expert on natural resources issues, and requests the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution 1807 (2008) and expanded by paragraphs 9 and 10 of resolution 1857 (2008), and to report to the Council in writing, through the Committee, by 18 May 2011 and again before 17 October 2011 (para. 5) |
|-----------|---|

**Assessment**

|                                 |  |
|---------------------------------|--|
| Assess impact and effectiveness | Requests the Group of Experts to focus its activities in areas affected by the presence of illegal armed groups, including North and South Kivu and Orientale Province, as well as on regional and international networks providing support to illegal armed groups, criminal networks and perpetrators of serious violations of international humanitarian law and human rights abuses, including those within the national armed forces, operating in the eastern part of the Democratic Republic of the Congo, and requests further that the Group of Experts evaluate the impact of the due diligence guidelines referred to in paragraph 7 of the present resolution and continue its collaboration with other forums (para. 6) |
|---------------------------------|--|

### **Coordination**

|   |   |
|---|---|
| Coordinate with other United Nations entities       | Encourages enhanced cooperation between all States, particularly those in the region, the Mission and the Group of Experts, and encourages further all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control (para. 17) |
| Coordinate with other entities (non-United Nations) | See para. 6 of the resolution, under “Assessment” above   |

### **Monitoring, enforcement and support**

|                                     |   |
|-------------------------------------|---|
| Focus activities in specific region | See para. 6 of the resolution, under “Assessment” above |
|-------------------------------------|---|

### **Reporting and public information**

|           |  |
|-----------|--|
| Reporting | See para. 5 of the resolution, under “General” above |
|-----------|--|

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## **Resolution 2021 (2011)**

### **General**

|           |   |
|-----------|---|
| Extension | Requests the Secretary-General to extend, for a period expiring on 30 November 2012, the mandate of the Group of Experts established pursuant to resolution <a href="#">1533 (2004)</a> and renewed by subsequent resolutions, and requests the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution <a href="#">1807 (2008)</a> and expanded by paragraphs 9 and 10 of resolution <a href="#">1857 (2008)</a> and to report to the Security Council in writing, through the Security Council Committee established pursuant to resolution <a href="#">1533 (2004)</a> , by 18 May 2012 and again before 19 October 2012 (para. 4) |
|-----------|---|

### **Assessment**

|                                    |   |
|------------------------------------|---|
| Assess impact of natural resources | Reaffirms the provisions of paragraphs 6 to 13 of resolution <a href="#">1952 (2010)</a> and requests the Group of Experts to include in its evaluation of the impact of due diligence a comprehensive assessment on the economic and social development of the relevant mining areas in the Democratic Republic of the Congo (para. 5) |
|------------------------------------|---|

### **Coordination**

|   |   |
|---|---|
| Coordinate with other United Nations entities       | Calls upon the Group of Experts to cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d’Ivoire re-established pursuant to by paragraph 13 of resolution <a href="#">1980 (2011)</a> and the Panel of Experts on Liberia re-established pursuant to paragraph 6 of resolution <a href="#">1961 (2010)</a> with respect to natural resources (para. 17)   |
| Coordinate with other entities (non-United Nations) | Encourages enhanced cooperation between all States, particularly those in the region, the Mission and the Group of Experts, further encourages all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control, and reiterates its demand that all parties and all States ensure the safety of its members and unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate (para. 16) |

*Decision or mandated task, by category*      *Provisions*

---

### **Listing/delisting**

Provide a list of violators      See para. 4 of the resolution, under “General” above

Provide information relevant to listing      See para. 4 of the resolution, under “General” above

### **Monitoring, enforcement and support**

Assist States in complying with measures      See para. 4 of the resolution, under “General” above

Carry out field-based investigations      See para. 4 of the resolution, under “General” above

Discuss implementation of the measures      See para. 4 of the resolution, under “General” above

Facilitate technical assistance      See para. 4 of the resolution, under “General” above

Gather and analyse information on compliance      See para. 4 of the resolution, under “General” above

### **Reporting and public information**

Reporting      See para. 4 of the resolution, under “General” above

---

#### **Committee established pursuant to resolution 1572 (2004) concerning Côte d’Ivoire**

By resolution 1572 (2004) of 15 November 2004, the Security Council imposed an arms embargo against Côte d’Ivoire, as well as an asset freeze and a travel ban against designated individuals and entities who threatened the national reconciliation process in Côte d’Ivoire. The Council also established a Committee to oversee the measures imposed and to undertake the following tasks: (a) to designate and make public a list of individuals and entities subject to the targeted measures; (b) to seek information from States and entities on their implementation of the measures; (c) to consider and decide upon requests for exemptions; (d) to promulgate guidelines for the conduct of its work; and (e) to report to the Council with its observations and recommendations. By resolution 1643 (2005) of 15 December 2005, the mandate of the Committee was expanded to include monitoring of the ban on the import of rough diamonds from Côte d’Ivoire imposed by that resolution.

By resolution 1584 (2005) of 1 February 2005, the Council established a Group of Experts to assist the

Committee in its work and undertake the following tasks: (a) to examine and analyse information gathered by the United Nations Operation in Côte d’Ivoire (UNOCI) and the French forces in the context of the monitoring mandate; (b) to gather and analyse all relevant information in Côte d’Ivoire, countries of the region and other countries on flows of arms and related materiel, and provision of assistance, advice or training related to military activities as well as networks operating in violation of the arms embargo; (c) to consider and recommend ways of improving the capabilities of States, in particular those in the region, to ensure the effective implementation of the arms embargo; (d) to report to the Council on the implementation of the measures and propose recommendations; (e) to keep the Committee regularly updated on its activities; (f) to exchange with UNOCI and the French forces information useful in fulfilling its monitoring mandate; (g) to provide the Committee with a list of those found to have violated the arms embargo and their supporters; and (h) to cooperate with other relevant groups of experts, in particular the Panel of Experts on Liberia.



### Developments during 2010 and 2011

By resolutions [1946 \(2010\)](#) of 15 October 2010 and [1980 \(2011\)](#) of 28 April 2011, the Council extended until 30 April 2012 the arms embargo, asset freeze and travel ban, and measures preventing the importation of rough diamonds, respectively.

An exemption was provided in resolution [1980 \(2011\)](#) for arms and related materiel, vehicles and the provision of technical training and assistance in support of the Ivorian process of security sector reform, pursuant to a formal request by the Government of Côte d'Ivoire and approved in advance by the Committee.

### Group of Experts

During the period under review, the Council, by resolutions [1946 \(2010\)](#) of 15 October 2010 and [1980 \(2011\)](#) of 28 April 2011, extended the mandate of the Group of Experts until 30 April 2012, and requested the Group to report to the Committee on the implementation of the measures imposed against Côte d'Ivoire.

Tables 11 and 12 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and the Group of Experts.

Table 11

### Committee established pursuant to resolution [1572 \(2004\)](#) concerning Côte d'Ivoire: provisions relating to the mandate, 2010-2011

*Decision or mandated task, by category*      *Provisions*

#### Resolution [1946 \(2010\)](#)

##### Coordination

Coordinate with other entities (non-United Nations)

Requests the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 12)

Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 13)

Requests the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution [1893 \(2009\)](#) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 14)

##### Listing/delisting

Provide information relevant to listing

Decides also that the report referred to in paragraph 7 (e) of resolution [1727 \(2006\)](#) may include, as appropriate, any information and recommendations relevant to the possible additional designation by the Committee of the individuals and entities described in paragraphs 9 and 11 of resolution [1572 \(2004\)](#), and further recalls the report of the Informal Working Group of the Security Council on General Issues of Sanctions on best practices and methods, including paragraphs 21, 22 and 23 thereof, which discuss possible steps for clarifying methodological standards for monitoring mechanisms (para. 10)

*Decision or mandated task, by category*      *Provisions*

---

### **Monitoring, enforcement and support**

Gather and analyse information on compliance      See para. 13 of the resolution, under “Coordination” above

Make recommendations on improving implementation      See para. 10 of the resolution, under “Listing/delisting” above

### **Reporting and public information**

Reporting      See para. 14 of the resolution, under “Coordination” above

### **Other**

Intention to consider imposing measures under Article 41      Underlines that it is fully prepared to impose targeted measures against persons to be designated by the Committee in accordance with paragraphs 9, 11 and 14 of resolution [1572 \(2004\)](#) who are determined to be, among other things:

(a) A threat to the peace and national reconciliation process in Côte d’Ivoire, in particular by blocking the implementation of the peace process, as referred to in the Ouagadougou Political Agreement;

(b) Attacking or obstructing the action of the United Nations Operation in Côte d’Ivoire, of the French forces supporting it, the Special Representative of the Secretary-General for Côte d’Ivoire, the Facilitator, or his Special Representative in Côte d’Ivoire;

(c) Responsible for obstacles to the freedom of movement of the United Nations Operation in Côte d’Ivoire and the French forces supporting it;

(d) Responsible for serious violations of human rights and international humanitarian law committed in Côte d’Ivoire;

(e) Publicly inciting hatred and violence;

(f) Acting in violation of the measures imposed by paragraph 7 of resolution [1572 \(2004\)](#) (para. 6)

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### **Resolution [1980 \(2011\)](#)**

#### **Monitoring, enforcement and support**

Gather and analyse information on compliance      Decides also that the exemption procedure set out in paragraph 8 (e) of resolution [1572 \(2004\)](#) shall apply only to arms and related materiel, vehicles and the provision of technical training and assistance in support of the Ivorian process of security sector reform, pursuant to a formal request by the Government of Côte d’Ivoire and approved in advance by the Security Council Committee established pursuant to resolution [1572 \(2004\)](#) (para. 9)

Requests all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary (para. 12)

Requests the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by United Nations Operation in Côte d'Ivoire and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 16)

Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 17)

Requests the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of [resolution 1893 \(2009\)](#) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 18)

## Other

Intention to consider imposing measures under Article 41

Underlines that it is fully prepared to impose targeted measures against persons to be designated by the Committee in accordance with paragraphs 9, 11 and 14 of [resolution 1572 \(2004\)](#) who are determined to be, among other things:

- (a) A threat to the peace and national reconciliation process in Côte d'Ivoire, in particular by blocking the implementation of the peace process, as referred to in the Ouagadougou Political Agreement;
  - (b) Attacking or obstructing the action of the United Nations Operation in Côte d'Ivoire, the French forces supporting it and the Special Representative of the Secretary-General for Côte d'Ivoire;
  - (c) Responsible for obstacles to the freedom of movement of the United Nations Operation in Côte d'Ivoire and the French forces supporting it;
  - (d) Responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire;
  - (e) Publicly inciting hatred and violence;
  - (f) Acting in violation of the measures imposed by paragraph 1 [of the resolution] (para. 10)
-

Table 12  
Group of Experts on Côte d'Ivoire: provisions relating to the mandate, 2010-2011

| <i>Decision or mandated task, by category</i>       | <i>Provisions</i>  |
|---|--|
| <b>Resolution 1946 (2010)</b>                       |  |
| <b>General</b>                                      |  |
| Extension   | Decides to extend the mandate of the Group of Experts, as set out in paragraph 7 of resolution 1727 (2006), until 30 April 2011, and requests the Secretary-General to take the necessary administrative measures (para. 9)  |
| <b>Coordination</b>                                 |  |
| Coordinate with other United Nations entities       | Urges all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, the United Nations Operation in Côte d'Ivoire and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005) and reiterated in paragraph 1 [of the resolution]; and further requests the Group of Experts to coordinate its activities, as appropriate, with all actors involved to promote the political process in Côte d'Ivoire (para. 15)  |
| Coordinate with other entities (non-United Nations) | See para. 15 of the resolution, above  |
| <b>Monitoring, enforcement and support</b>          |  |
| Gather and analyse information on compliance        | <p>Requests the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 12)</p> <p>Requests the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire (para. 13)</p> <p>Requests the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution 1893 (2009) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process (para. 14)</p> |
| Make recommendations on improving implementation    | Requests the Group of Experts to submit a report as well as recommendations to the Council, through the Committee, 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005) (para. 11)   |



---

Decision or mandated task, by category      Provisions

---

Make recommendations on improving implementation

Requests the Group of Experts to submit a midterm report to the Committee by 15 October 2011 and to submit a final report, as well as recommendations, to the Council, through the Committee, 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution [1572 \(2004\)](#), paragraph 6 of resolution [1643 \(2005\)](#) and paragraph 12 of resolution [1975 \(2011\)](#) (para. 14)

See para. 15 of the resolution, under “Listing/delisting” above

### Reporting and public information

Reporting

See para. 14 of the resolution, under “Monitoring, enforcement and support” above

See para. 15 of the resolution, under “Listing/delisting” above

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### Committee established pursuant to resolution [1591 \(2005\)](#) concerning the Sudan

By resolution [1556 \(2004\)](#) of 30 July 2004, the Security Council imposed an arms embargo on all no-governmental entities and individuals, including the Janjaweed, operating in the Darfur region in the Sudan. By resolution [1591 \(2005\)](#) of 29 March 2005, the Council established a Committee to monitor the implementation of the arms embargo, as well as the two additional measures imposed by the resolution, namely, a travel ban and an asset freeze on those individuals designated by the Committee on the basis of the criteria contained therein. The Committee was mandated to undertake the following tasks: (a) to establish guidelines necessary to facilitate the implementation of the measures imposed; (b) to report to the Council on its work; (c) to consider requests from, and provide prior approval to, the Government of the Sudan regarding exemptions to the arms embargo; (d) to assess reports from the Panel of Experts and Member States on steps taken to implement the measures; and (e) to encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures.

Also by resolution [1591 \(2005\)](#), the Council established a Panel of Experts to operate under the direction of the Committee and undertake the following tasks: (a) to assist the Committee in monitoring implementation of the measures and to make recommendations on actions the Council could consider; (b) to provide briefings and reports to the

Committee on its work, including its findings and recommendations; and (c) to coordinate its activities as appropriate with ongoing operations of the African Union Mission in the Sudan (AMIS).

### Developments during 2010 and 2011

During the period under review, there were no major changes to the mandate of the Committee. However, by resolution [1945 \(2010\)](#) of 14 October 2010, the Council strengthened the enforcement of the arms embargo by clarifying the exceptions to that measure, including by requiring all States, including the Sudan, when relying on the exception contained in resolution [1591 \(2005\)](#), to notify the Committee in advance of providing assistance and supplies to the Darfur region in support of the implementation of the Comprehensive Peace Agreement in the states of Northern Darfur, Southern Darfur and Western Darfur.

### *Panel of Experts*

By resolutions [1945 \(2010\)](#) of 14 October 2010 and [1982 \(2011\)](#) of 17 May 2011, the Council extended the mandate of the Panel of Experts until 19 October 2011 and 19 February 2012, respectively. The Council also reiterated its request that the Panel of Experts coordinate its activities, as appropriate, with the operations of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), which succeeded AMIS, and with international efforts to promote the political process in Darfur. The Council also requested the Panel of Experts to assess in its reports to the Committee any progress towards reducing violations

by all parties to the arms embargo, travel ban and asset freeze; progress towards reducing impediments to the political process and threats to stability in Darfur and the region; and progress towards reducing other violations of the relevant resolutions.

Tables 13 and 14 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and the Panel of Experts.

Table 13

**Committee established pursuant to resolution 1591 (2005) concerning the Sudan: provisions relating to the mandate, 2010-2011**

---

*Decision or mandated task, by category*      *Provisions*

---

**Resolution 1945 (2010)**

**General**

|           |   |
|-----------|---|
| Extension | Reaffirms the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures, and further encourages the Committee to continue its dialogue with the African Union-United Nations Hybrid Operation in Darfur (para. 12) |
|-----------|---|

**Coordination**

|   |   |
|---|---|
| Coordinate with other United Nations entities | See para. 12 of the resolution, under “General” above |
|---|---|

**Monitoring, enforcement and support**

|  |   |
|--|---|
| Discuss implementation of the measures | See para. 12 of the resolution, under “General” above |
|--|---|

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Table 14

**Panel of Experts on the Sudan: provisions relating to the mandate, 2010-2011**

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*Decision or mandated task, by category*      *Provisions*

---

**Resolution 1945 (2010)**

**General**

|           |  |
|-----------|--|
| Extension | Decides to extend until 19 October 2011 the mandate of the Panel of Expert on the Sudan originally appointed pursuant to resolution 1591 (2005), previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008) and 1891 (2009), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible (para. 1) |
|-----------|--|

Decision or mandated task, by category      Provisions

---

### Coordination

Coordinate with other  
United Nations entities

Also requests the Panel of Experts to coordinate its activities, as appropriate, with the operations of the African Union-United Nations Hybrid Operation in Darfur and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004) and paragraph 7 of resolution 1591 (2005) and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence, and other violations of the above-mentioned resolutions (para. 4)

### Monitoring, enforcement and support

Gather and analyse  
information on compliance

See para. 4 of the resolution, under “Coordination” above

### Reporting and public information

Reporting

Requests the Panel of Experts to provide, no later than 31 March 2011, a midterm briefing on its work and, no later than 90 days after the adoption of the present resolution, an interim report to the Committee and a final report to the Security Council, no later than 30 days prior to termination of its mandate, with its findings and recommendations (para. 3)

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### Resolution 1982 (2011)

#### General

Extension

Decides to extend until 19 February 2012 the mandate of the Panel of Experts on the Sudan originally appointed pursuant to resolution 1591 (2005), previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008) of 15 October 2008, 1891 (2009) and 1945 (2010), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible (para. 2)

#### Reporting and public information

Reporting

Requests the Panel of Experts to provide a final report no later than 30 days prior to the termination of its mandate to the Security Council, with findings and recommendations (para. 3)

---

#### Committee established pursuant to resolution 1636 (2005)

By resolution 1636 (2005) of 31 October 2005, the Security Council established a Committee to oversee a travel ban and asset freeze on individuals designated by the International Independent Investigation Commission or the Government of Lebanon as suspected of involvement in the terrorist bombing in Beirut on 14 February 2005.

#### Developments during 2010 and 2011

During the period under review, there were no changes to the mandate of the Committee. As at the end of 2011, no individuals had been registered by the Committee.



**Committee established pursuant to resolution 1718 (2006)**

By resolution 1718 (2006) of 14 October 2006, the Security Council decided to impose a range of measures against the Democratic People's Republic of Korea following its test of a nuclear weapon on 9 October 2006, including an arms embargo, an embargo on items that could contribute to its nuclear and related weapons programmes, a ban on luxury goods, a travel ban and an asset freeze on selected individuals. The Council also established a Committee to oversee the implementation of the measures imposed and, inter alia, undertake the following tasks: (a) to seek from all States information regarding the actions taken by them to implement the measures imposed; (b) to examine and take appropriate action on information regarding alleged violations of measures imposed; (c) to consider and decide upon requests for exemptions; (d) to determine additional items, materials, equipment, goods and technology to be specified for the purpose of the measures imposed therein; (f) to promulgate guidelines necessary to facilitate the implementation of the measures; and (g) to report to the Council on its work with its observations and recommendations on ways to strengthen the effectiveness of the measures imposed.

By resolution 1874 (2009) of 12 June 2009, after a nuclear test conducted by the Democratic People's Republic of Korea on 25 May 2009, the Council imposed additional measures, including an expansion of the embargo on arms and related materiel and technology, as well as financial measures to include a ban on financial transactions, technical training, advice, services or assistance related to such arms and materiel. The Council expanded the scope of the Committee's mandate to oversee the measures imposed

by that resolution, including through ordering inspections of cargo to and from the Democratic People's Republic of Korea.

*Panel of Experts*

Also by resolution 1874 (2009), the Council established a Panel of Experts, acting under the direction of the Committee, to carry out the following tasks: (a) to assist the Committee in carrying out its mandate; (b) to gather, examine and analyse information regarding the implementation of the measures imposed, in particular incidents of non-compliance; (c) to make recommendations on actions that the Council, or the Committee or Member States, could consider to improve implementation of the measures; and (d) to report to the Council on its work with its findings and recommendations.

**Developments during 2010 and 2011**

By resolutions 1928 (2010) of 7 June 2010 and 1985 (2011) of 10 June 2011, the Council extended the mandate of the Panel of Experts, until 12 June 2011 and 12 June 2012, respectively. By resolution 1985 (2011), the Council requested the Panel to provide a midterm and a final report to the Committee and, following a discussion with the Committee, to submit those reports to the Council. The Council also requested the Panel to provide the Committee with a planned programme of work, encouraged the Committee to engage in regular discussions on the programme of work and further requested the Panel to provide to the Committee any updates to the programme of work.

Tables 15 and 16 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and the Panel of Experts.

Table 15

**Committee established pursuant to resolution 1718 (2006): provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1985 (2011)**

**Procedural**

|                           |   |
|---------------------------|---|
| Produce programme of work | Also requests the Panel of Experts to provide to the Committee a planned programme of work no later than 30 days after the appointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work, and further requests the Panel to provide to the Committee any updates to this programme of work (para. 3) |
|---------------------------|---|

Table 16

**Panel of Experts on the Democratic People's Republic of Korea: provisions relating to the mandate, 2010-2011**

---

*Decision or mandated task, by category*      *Provisions*

---

**Resolution 1928 (2010)**

**General**

Extension      Decides to extend until 12 June 2011 the mandate of the Panel of Experts on the Democratic People's Republic of Korea, as specified in paragraph 26 of resolution 1874 (2009), and requests the Secretary-General to take the necessary administrative measures to this effect (para. 1)

**Reporting and public information**

Reporting      Requests the Panel of Experts to provide to the Security Council no later than 12 November 2010 a midterm report on its work, and a final report to the Council no later than 30 days prior to the termination of its mandate, with its findings and recommendations (para. 2)

---

**Resolution 1985 (2011)**

**General**

Extension      Decides to extend until 12 June 2012 the mandate of the Panel of Experts on the Democratic People's Republic of Korea, as specified in paragraph 26 of resolution 1874 (2009), and requests the Secretary-General to take the necessary administrative measures to this effect (para. 1)

**Procedural**

Produce programme of work      Also requests the Panel of Experts to provide to the Committee a planned programme of work no later than 30 days after the appointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work, and further requests the Panel to provide to the Committee any updates to this programme of work (para. 3)

**Reporting and public information**

Reporting      Requests the Panel of Experts to provide to the Security Council Committee established pursuant to resolution 1718 (2006), no later than 12 November 2011, a midterm report of its work, and requests that, after a discussion with the Committee, the Panel submit to the Council its midterm report by 12 December 2011, and also requests a final report to the Committee, no later than 30 days prior to the termination of the mandate of the Panel, with its findings and recommendations, and further requests that, after a discussion with the Committee, the Panel submit to the Council its final report upon termination of the mandate of the Panel (para. 2)

---

**Committee established pursuant to resolution 1737 (2006)**

By resolution 1737 (2006) of 23 December 2006, the Security Council established a Committee to oversee the implementation of the measures imposed therein, namely, an asset freeze, financial services restrictions, travel restrictions, and the embargo against the supply of items, materials, equipment, good and technology that could contribute to the Islamic Republic of Iran's nuclear-related programmes, and to undertake, inter alia, the following: (a) to seek from all States, particularly those in the region, information regarding actions taken by them to implement effectively the measures imposed; (b) to seek from the Secretariat of the International Atomic Energy Agency information regarding actions taken by it to implement effectively the measures imposed; (c) to examine and take appropriate action on information regarding alleged violations; (d) to consider and decide upon requests for exemptions; (e) to determine as might be necessary additional items, materials, equipment, goods and technology to be specified for the purpose of the measures imposed; (f) to designate additional individuals and entities; (g) to promulgate guidelines necessary to facilitate the implementation of the measures imposed; and (h) to report to the Council on its work and on the implementation of the resolution, with its observations and recommendations on ways to strengthen the effectiveness of the measures imposed.

The mandate of the Committee was subsequently expanded to apply to the additional measures imposed in resolutions 1747 (2007) of 24 March 2007, 1803 (2008) of 3 March 2008 and 1929 (2010) of 9 June 2010.

**Developments during 2010 and 2011**

By resolution 1929 (2010), the Council authorized an expansion of the arms embargo against the Islamic Republic of Iran, authorized States to inspect cargoes to and from the country, and to seize and dispose of items, identified during inspection, the supply of which was prohibited. The Council further expanded restrictions on financial services and shipping enterprises that could contribute to the country's proliferation-sensitive nuclear activities, and called on States to exercise vigilance when doing business with Iranian entities. The mandate of the Committee was expanded to oversee the implementation of those measures.

*Panel of Experts*

By resolution 1929 (2010), the Council decided to establish a panel of up to eight experts for an initial period of one year, acting under the direction of the Committee: (a) to assist the Committee in carrying out its mandate; (b) to gather, examine and analyse information from States, relevant United Nations bodies and other interested parties regarding the implementation of the sanctions, in particular incidents of non-compliance; (c) to make recommendations on improving the implementation of the measures; and (d) to provide reports to the Council on its work. By resolution 1984 (2011) of 9 June 2011, the Council extended the mandate of the Panel until 9 June 2012.

Tables 17 and 18 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee.

Table 17

**Committee established pursuant to resolution 1737 (2006): provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1929 (2010)**

**Coordination**

Act on alleged violations

Directs the Committee to respond effectively to violations of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, and recalls that the Committee may designate individuals and entities who have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, these resolutions (para. 26)

*Decision or mandated task, by category*      *Provisions*

---

### **Listing/delisting**

Designate individuals and entities      See para. 26 of the resolution, under “Coordination” above

### **Monitoring, enforcement and support**

Gather and analyse information on compliance      Decides also that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006), as amended by paragraph 14 of resolution 1803 (2008), shall also apply to the measures decided in the present resolution, including to receive reports from States submitted pursuant to paragraph 17 of the present resolution (para. 28)

Decide on exemptions      Decides that all States shall take the measures necessary to prevent the entry into or transit through their territories of individuals designated in of the annex to resolution 1737 (2006), annex I to resolution 1747 (2007), annex I to resolution 1803 (2008) and annex I to the present resolution, or by the Council or the Committee pursuant to paragraph 10 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the provision to the Islamic Republic of Iran of items listed in paragraphs 3(b) (i) and (ii) of resolution 1737 (2006) in accordance with paragraph 3 of resolution 1737 (2006), underlines that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory, and decides that the measures imposed in the present paragraph shall not apply when the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution, including where article XV of the statute of the International Atomic Energy Agency is engaged (para. 10)

### **Procedural**

Produce a programme of work      Decides that the Committee shall intensify its efforts to promote the full implementation of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, including through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council within 45 days of the adoption of the present resolution (para. 27)

---

## **Resolution 1984 (2011)**

### **Coordination**

Coordinate with other United Nations entities      Also requests the Panel of Experts to provide to the Committee a planned programme of work no later than 30 days after the appointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work, and further requests the Panel to provide to the Committee any updates to this programme of work (para. 3)

---

Table 18

**Panel of Experts on the Islamic Republic of Iran: provisions relating to the mandate, 2010-2011**

---

*Decision or mandated task, by category*      *Provisions*

---

**Resolution 1929 (2010)**

**General**

|                            |   |
|----------------------------|---|
| Establishment              | Requests the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to eight experts (“the Panel of Experts”), under the direction of the Committee, to carry out the following tasks: (a) assist the Committee in carrying out its mandate as specified in paragraph 18 of resolution 1737 (2006) and paragraph 28 of the present resolution; (b) gather, examine and analyse information from States, relevant United Nations bodies and other interested parties regarding the implementation of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, in particular incidents of non-compliance; (c) make recommendations on actions the Council, or the Committee or the State, may consider to improve implementation of the relevant measures; and (d) provide to the Council an interim report on its work no later than 90 days after the appointment of the Panel of Experts, and a final report to the Council no later than 30 days prior to the termination of its mandate, with its findings and recommendations (para. 29) |
| Assist sanctions committee | See para. 29 of the resolution, above   |

**Monitoring, enforcement and support**

|  |   |
|--|---|
| Gather and analyse information on compliance     | See para. 29 of the resolution, under “General” above |
| Make recommendations on improving implementation | See para. 29 of the resolution, under “General” above |

**Reporting**

|           |   |
|-----------|---|
| Reporting | See para. 29 of the resolution, under “General” above |
|-----------|---|

---

**Resolution 1984 (2011)**

**General**

|           |  |
|-----------|--|
| Extension | Decides to extend until 9 June 2012 the mandate of the Panel of Experts on the Islamic Republic of Iran, as specified in paragraph 29 of resolution 1929 (2010), and requests the Secretary-General to take the necessary administrative measures to this effect (para. 1) |
|-----------|--|

**Procedural**

|                           |   |
|---------------------------|---|
| Produce programme of work | Also requests the Panel of Experts to provide to the Committee a planned programme of work no later than 30 days after the appointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work, and further requests the Panel to provide to the Committee any updates to this programme of work (para. 3) |
|---------------------------|---|

## Reporting and public information

### Reporting

Requests the Panel of Experts to provide to the Security Council Committee established pursuant to resolution [1737 \(2006\)](#), no later than 9 November 2011, a midterm report on its work, and requests that, after a discussion with the Committee, the Panel submit to the Council its midterm report by 9 December 2011, and also requests a final report to the Committee, no later than 30 days prior to the termination of the mandate of the Panel, with its findings and recommendations, and further requests that, after a discussion with the Committee, the Panel submit to the Council its final report upon termination of the mandate of the Panel (para. 2)

### **Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya**

By resolution [1970 \(2011\)](#) of 26 February 2011, the Security Council decided to impose an arms embargo against the Libyan Arab Jamahiriya,<sup>20</sup> as well as an asset freeze and travel ban on individuals and family members associated with Muammar al-Qadhafi. The Council also authorized the establishment of a Committee to undertake the following tasks: (a) to monitor implementation of the arms embargo, travel ban and asset freeze; (b) to designate individuals subject to the travel ban and to consider requests for exemptions; (c) to designate individuals subject to the asset freeze and to consider requests for exemptions; (d) to establish such guidelines as might be necessary to facilitate the implementation of the measures set out in the resolution; (e) to report to the Council on its work; (f) to encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet the Committee to discuss implementation of the measures; (g) to seek from all States whatever information the Committee might consider useful regarding the actions taken by them to implement effectively the measures set out in the resolution; and (h) to examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained therein.

By resolution [1973 \(2011\)](#) of 17 March 2011, the Council imposed additional measures relating to Libya,

including the authorization to protect civilians and civilian populated areas under threat of attack in Libya and a complete no-flight zone in the airspace of Libya, with an exemption for flights that were deemed necessary for the benefit of the Libyan people, for humanitarian aid and the evacuation of foreign nationals. The Council also decided to maintain the asset freeze and arms embargo established by resolution [1970 \(2011\)](#), and established conditions for the inspection of transport suspected to be violating the embargo. The Council expanded the scope of the mandate of the Committee to include overseeing the additional measures imposed by the resolution, directing the Committee to designate Libyan authorities, or individuals or entities, subject to the asset freeze. By resolution [2009 \(2011\)](#) of 16 September 2011, the Council eased or lifted some of the measures previously imposed by resolutions [1970 \(2011\)](#) and [1973 \(2011\)](#) to ensure that assets were made available to and for the benefit of the people of Libya. By its resolution [2017 \(2011\)](#) of 31 October 2011, the Council requested the Committee, with assistance from its Panel of Experts, in cooperation with the Counter-Terrorism Committee Executive Directorate, working with other relevant United Nations bodies and in consultation with international and regional organizations, to assess the threats and challenges, in particular related to terrorism, posed by the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, from Libya to the region. It also requested the Committee to submit a report on proposals to counter the threat posed by terrorism and to prevent the proliferation of arms and related materiel.

<sup>20</sup> The official name of the country in the United Nations was changed from “Libyan Arab Jamahiriya” to “Libya” from 16 September 2011 at the request of the National Transitional Council of Libya.

*Group of Experts*

By resolution 1973 (2011), the Council also established a Panel of Experts, for an initial period of one year, to work under the direction of the Committee in performing the following tasks: (a) to gather, examine and analyse information regarding the implementation of the measures decided upon in resolutions 1970 (2011) and 1973 (2011), in particular incidents of non-compliance; (b) to make recommendations on

actions that the Council, or the Committee or the State, could consider to improve implementation of the relevant measures; (c) to provide to the Council an interim and a final report with its findings and recommendations.

Tables 19 and 20 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and Panel of Experts.

Table 19

**Committee established pursuant to resolution 1970 (2011) concerning Libya: provisions relating to the mandate, 2010-2011**

---

*Decision or mandated task, by category*      *Provisions*

---

**Resolution 1970 (2011)**

**General**

Establishment      Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (hereinafter “the Committee”), to undertake the following tasks ... (para. 24)

**Coordination**

Act on alleged violations      To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in the present resolution (para. 24 (h))

Coordinate with other entities (non-United Nations)      To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures (para. 24 (f))

**Listing/delisting**

Decides further that all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities listed in annex II to the present resolution or designated by the Committee established pursuant to paragraph 24 [of the resolution], or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and decides further that all Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities listed in annex II to the present resolution or individuals designated by the Committee (para. 17)

Designate individuals and entities      To designate those individuals subject to the measures imposed by paragraphs 15 [of the resolution] and to consider requests for exemptions in accordance with paragraph 16 (para. 24 (b))

---

*Decision or mandated task, by category*      *Provisions*

---

To designate those individuals subject to the measures imposed by paragraph 17 [of the resolution] and to consider requests for exemptions in accordance with paragraphs 19 and 20 (para. 24 (c))

Decides that the measures contained in paragraphs 15 and 17 [of the resolution] shall apply to the individuals and entities designated by the Committee, pursuant to paragraphs 24 (b) and (c) below respectively;

(a) Involved in or complicit in ordering, controlling or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or

(b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a) (para. 22)

### **Monitoring, enforcement and support**

Decide on exemptions

Decides also that the measures imposed by paragraph 15 [of the resolution] shall not apply:

Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Libyan Arab Jamahiriya and stability in the region (para. 16 (a) and (c))

See para. 24 (b) of the resolution, under “Listing/delisting” above

See para. 24 (c) of the resolution, under “Listing/delisting” above

Gather and analyse information on compliance

To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed [by the resolution] (para. 24 (g))

Monitor implementation

To monitor implementation of the measures imposed in paragraphs 9, 10, 15, and 17 [of the resolution] (para. 24 (a))

### **Procedural**

Promulgate guidelines

To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed [by the resolution] (para. 24 (d))

### **Reporting and public information**

Reporting

To report within 30 days to the Council on its work for the first report and thereafter to report as deemed necessary by the Committee (para. 24 (e))

### **Other**

Criteria for listing

See para. 22 of the resolution, under “Listing/delisting” above

---



## **Resolution 1973 (2011)**

### **General**

Expansion of the mandate      Decides that the mandate of the Committee as set out in paragraph 24 of resolution 1970 (2011) shall also apply to the measures decided in the present resolution (para. 26)

### **Monitoring, enforcement and support**

Decide on exemptions      Decides that all States shall deny permission to any aircraft registered in the Libyan Arab Jamahiriya or owned or operated by Libyan nationals or companies to take off from, land in or overfly their territory unless the particular flight has been approved in advance by the Committee, or in the case of an emergency landing (para. 17)

### **Listing/delisting**

Designate individuals and entities      Decides further that the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) shall apply to all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the Libyan authorities, as designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee, and decides further that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories to or for the benefit of the Libyan authorities, as designated by the Committee, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, as designated by the Committee, and directs the Committee to designate such Libyan authorities, individuals or entities within 30 days of the date of the adoption of the present resolution and as appropriate thereafter (para. 19)

Decides further that the measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011) shall apply also to individuals and entities determined by the Council or the Committee to have violated the provisions of resolution 1970 (2011), particularly paragraphs 9 and 10 thereof, or to have assisted others in doing so (para. 23)

---

## **Resolution 2009 (2011)**

### **Listing/delisting**

Listing/delisting procedures      Directs the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio, and decides that the Committee shall, in consultation with the Libyan authorities, lift the designation of these entities as soon as practical to ensure the assets are made available to and for the benefit of the people of Libya (para. 19)

Decision or mandated task, by category      Provisions

---

### Monitoring, enforcement and support

#### Decide on exemptions

Decides that the measure imposed by paragraph 9 of resolution 1970 (2011) shall also not apply to the supply, sale or transfer to Libya of:

Arms and related materiel of all types, including technical assistance, training and financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities and notified to the Security Council Committee established pursuant to resolution 1970 (2011) in advance and in the absence of a negative decision by the Committee within five working days of such a notification;

Small arms, light weapons and related materiel, temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification (para. 13 (a) and (b))

Decides further that, in addition to the provisions of paragraph 19 of resolution 1970 (2011), the measures imposed by paragraph 17 of that resolution, as modified by paragraph 15 [of the present resolution] and paragraph 19 of resolution 1973 (2011), do not apply to funds, other financial assets or economic resources of the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Arab Investment Portfolio, provided that:

A Member State has provided notice to the Committee of its intent to authorize access to funds, other financial assets or economic resources, for one or more of the following purposes and in the absence of a negative decision by the Committee within five working days of such a notification:

- (i) Humanitarian needs;
- (ii) Fuel, electricity and water for strictly civilian uses;
- (iii) Resuming Libyan production and sale of hydrocarbons;
- (iv) Establishing, operating or strengthening institutions of civilian government and civilian public infrastructure; or
- (v) Facilitating the resumption of banking sector operations, including to support or facilitate international trade with Libya (para. 16 (a))

See para. 19 of the resolution, under “Listing/delisting” above

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*Decision or mandated task, by category*      *Provisions*

---

## Resolution 2017 (2011)

### Coordination

|   |   |
|---|---|
| Coordinate with other United Nations entities | Requests the Security Council Committee established pursuant to resolution 1970 (2011), with assistance from its Panel of Experts, in cooperation with the Counter-Terrorism Committee Executive Directorate, working with other relevant United Nations bodies, including the International Civil Aviation Organization, and in consultation with international and regional organizations and entities, to assess the threats and challenges, in particular related to terrorism, posed by the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, from Libya in the region, and to submit a report to the Council on proposals to counter this threat and to prevent the proliferation of arms and related materiel, including, inter alia, measures to secure these arms and related materiel, to ensure that stockpiles are managed safely and securely, to strengthen border control and to enhance transport security (para. 5) |
|---|---|

### Monitoring, enforcement and support

|                      |   |
|----------------------|---|
| Make recommendations | See para. 5 of the resolution, under “Coordination” above |
|----------------------|---|

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Table 20

## Panel of Experts on Libya: provisions relating to the mandate, 2010-2011

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*Decision or mandated task, by category*      *Provisions*

---

## Resolution 1973 (2011)

### General

|                            |   |
|----------------------------|---|
| Establishment              | Requests the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to eight experts (“Panel of Experts”), under the direction of the Committee to carry out the following tasks ... (para. 24) |
| Assist sanctions committee | Assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011) and the present resolution (para. 24 (a))   |

### Monitoring, enforcement and support

|   |  |
|---|--|
| Gather and analyse information on compliance      | Gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in resolution 1970 (2011) and the present resolution, in particular incidents of non-compliance (para. 24 (b)) |
| Make recommendations for improving implementation | Make recommendations on actions that the Council, or the Committee or State, may consider to improve implementation of the relevant measures (para. 24 (c))  |

---

Decision or mandated task, by category      Provisions

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## Reporting and public information

Reporting      Provide to the Council an interim report on its work no later than 90 days after the appointment of the Panel of Experts, and a final report to the Council no later than 30 days prior to the termination of its mandate, with its findings and recommendations (para. 24 (d))

---

## Resolution 2017 (2011)

### Coordination

Coordinate with other United Nations entities      Requests the Security Council Committee established pursuant to resolution 1970 (2011), with assistance from its Panel of Experts, in cooperation with the Counter-Terrorism Committee Executive Directorate, working with other relevant United Nations bodies, including the International Civil Aviation Organization, and in consultation with international and regional organizations and entities, to assess the threats and challenges, in particular related to terrorism, posed by the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, from Libya in the region, and to submit a report to the Council on proposals to counter this threat and to prevent the proliferation of arms and related materiel, including, inter alia, measures to secure these arms and related materiel, to ensure that stockpiles are managed safely and securely, to strengthen border control and to enhance transport security (para. 5)

### Monitoring, enforcement and support

Make recommendations      See para. 5 of the resolution, under “Coordination” above

---

### Committee established pursuant to resolution 1988 (2011)\*

By resolutions 1988 (2011) and 1989 (2011) of 17 June 2011, the Security Council decided that the Al-Qaida and Taliban sanctions regime, consisting of an asset freeze, travel ban and arms embargo with respect to individuals and entities on the Consolidated List formerly maintained by the Committee established pursuant to resolution 1267 (1999) would henceforth be separated into two separate regimes. As a result, the Committee established pursuant to resolution 1988 (2011) was created with a mandate to monitor implementation by Member States of the sanctions measures against those whose names were inscribed in section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the

Consolidated List as of the date of adoption of the resolution, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan by the newly established Committee. In addition, the Council mandated the Committee to undertake, inter alia, the following tasks: (a) to consider requests for listing or delisting; (b) to update regularly the List of designated individuals; (c) to make accessible on the Committee website narrative summaries of reasons for listing for all entries on the List; (d) to review the names on the List; (e) to make periodic reports to the Council on information submitted to the Committee regarding implementation of the resolution and non-compliance with the measures; (f) to ensure the existence of fair and clear procedures for placing individuals and entities on the List, and for removing them, as well as for granting humanitarian exemptions; (g) to monitor implementation of the measures imposed; (h) to consider requests for exemptions; (i) to establish guidelines necessary to facilitate the implementation of the measures imposed; (j) to encourage dialogue

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\* See also Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, above.

between the Committee and Member States regarding implementation; (k) to examine and take action on information regarding alleged violations or non-compliance with the measures; (l) to facilitate capacity-building for enhancing implementation; and (m) to cooperate with other sanctions committees, in particular the Committee pursuant to resolutions [1267 \(1999\)](#) and [1989 \(2011\)](#).

By resolution [1988 \(2011\)](#), the Council further decided that the Analytical Support and Sanctions Monitoring Team would assist the Committee with the implementation of its mandate for an initial period of 18 months, and would undertake, inter alia, the following tasks: (a) to submit reports to the Committee on implementation by Member States of the measures imposed, including recommendations for improved implementation; (b) to assist the Committee in regularly

reviewing the names on the List; (c) to assist the Committee in following up on requests to Member States for information regarding implementation; (d) to assist the Committee with its analysis of non-compliance; (e) to present to the Committee recommendations which could be used by Member States to assist with implementation; (f) to assist the Committee in its proposals for listing and preparing draft narrative summaries; (g) to encourage Member States to submit names and additional identifying information to assist the Committee in its efforts to keep the List updated and accurate; and (h) to assess, monitor and report on and make recommendations regarding implementation of the measures.

Table 21 provides the full text of all paragraphs in Council decisions that relate to the mandate of the Committee.

Table 21

**Committee established pursuant to resolution [1988 \(2011\)](#): provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category      Provisions*

**Resolution [1988 \(2011\)](#)**

**General**

|               |   |
|---------------|---|
| Establishment | Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (“the Committee”), to undertake the following tasks ... (para. 30) |
|---------------|---|

**Coordination**

|   |  |
|---|--|
| Coordinate with other United Nations entities | Encourages continued cooperation between the Committee, the Government of Afghanistan and the Mission, including by identifying and providing detailed information regarding individuals and entities participating in the financing or support of acts or activities set forth in paragraph 3 of the present resolution, and by inviting representatives of the Mission to address the Committee (para. 28) |
|---|--|

Recognizes the need to maintain contact with relevant Security Council committees, international organizations and expert groups, including the Committee established pursuant to resolution [1267 \(1999\)](#), the Committee established pursuant to resolution [1373 \(2001\)](#) concerning counter-terrorism (the Counter Terrorism Committee), the United Nations Office of Drugs and Crime, the Counter-Terrorism Committee Executive Directorate and the Committee established pursuant to resolution [1540 \(2004\)](#), particularly given the continuing presence and negative influence on the Afghan conflict of Al-Qaida and any cell, affiliate, splinter group or derivative thereof (para. 32)

To cooperate with other relevant Security Council sanctions committees, in particular the Committee established pursuant to resolution [1267 \(1999\)](#) (para. 30 (p))

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*Decision or mandated task, by category*      *Provisions*

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Coordinate with other entities (non-United Nations)      See para. 28 of the resolution, above

### **Listing/delisting**

Designate individuals and entities      Decides that all States shall take the following measures with respect to individuals and entities designated prior to this date as the Taliban, and other individuals, groups, undertakings and entities associated with them, as specified in section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the Consolidated List of the Committee, established pursuant to resolution [1267 \(1999\)](#) and [1333 \(2000\)](#) as of the date of adoption of the present resolution, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established in paragraph 30 [of the resolution] (para. 1)

Directs the Committee to consider expeditiously any information indicating that a delisted individual has returned to activities set forth in paragraph 3 of the present resolution, including by engaging in acts inconsistent with the reconciliation conditions outlined in paragraph 18 of the present resolution, and requests the Government of Afghanistan or other Member States, where appropriate, to submit a request to add that individual’s name back on the List (para. 23)

Listing/delisting procedures      Encourages all Member States to submit to the Committee established pursuant to paragraph 30 [of the resolution] for inclusion on the List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities described in paragraph 3 (para. 10)

Decides that, when proposing names to the Committee for inclusion on the List, Member States shall provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by the International Criminal Police Organization (INTERPOL) to issue a Special Notice (para. 11)

Decides also that, when proposing names to the Committee for inclusion on the List, Member States shall also provide a detailed statement of case, and that the statement of case shall be releasable, upon request, except for the parts that a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 13 [of the resolution] (para. 12)

Requests the Secretariat to publish on the Committee website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner (para. 15)

Directs the Committee to remove expeditiously on a case-by-case basis individuals and entities that no longer meet the listing criteria outlined in paragraph 3 [of the resolution], and requests that the Committee give due regard to requests for removal of individuals that meet the reconciliation conditions agreed to by the Government of Afghanistan and the international community, which include the renunciation of violence, no links to international terrorist organizations, including Al-Qaida, or any cell, affiliate, splinter group or derivative thereof, and respect for the Afghan Constitution, including the rights of women and persons belonging to minorities (para. 18)

Decides that individuals and entities seeking removal from the List without the sponsorship of a Member State are eligible to submit such requests to the Focal Point mechanism established in resolution [1730 \(2006\)](#) (para. 20)

Encourages the Mission to support and facilitate cooperation between the Government of Afghanistan and the Committee to ensure that the Committee has sufficient information to consider delisting requests, and directs the Committee established pursuant to paragraph 30 of the present resolution to consider delisting requests in accordance with the following principles, where relevant:

- (a) Delisting requests concerning reconciled individuals should, if possible, include a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines, or, in the case of individuals reconciled under the Strengthening Peace Programme, documentation attesting to their reconciliation under the previous programme; as well as current address and contact information;
- (b) Delisting requests concerning individuals who formerly held positions in the Taliban regime prior to 2002 who no longer meet the listing criteria outlined in paragraph 3 of the present resolution should, if possible, include a communication from the Government of Afghanistan confirming that the individual is not an active supporter of, or participant in, acts that threaten the peace, stability and security of Afghanistan, as well as current address and contact information;
- (c) Delisting requests for reportedly deceased individuals should include an official statement of death from the State of nationality, residence or other relevant State (para. 21)

Decides that the Secretariat shall, as soon as possible after the Committee has made a decision to remove a name from the List, transmit the decision to the Government of Afghanistan and the Permanent Mission of Afghanistan for notification, and the Secretariat should also, as soon as possible, notify the Permanent Mission of the State(s) in which the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of nationality, and decides further that States receiving such notification take measures, in accordance with domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner (para. 24)

Recognizes that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, urges the Committee to decide on delisting requests in a timely manner, requests the Committee to review each entry on the List on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist, directs the Committee to establish guidelines for such reviews accordingly, and requests the Monitoring Team to circulate to the Committee every six months ... (para. 25)

See para. 28 of the resolution, under “Coordination” above

To consider listing requests, delisting requests and proposed updates to the existing information relevant to the List referred to in paragraph 1 above (para. 30 (a))

To consider listing requests, delisting requests and proposed updates to the existing information relevant to section A (“Individuals associated with the Taliban”) and section B (“Entities and other groups and undertakings associated with the Taliban”) of the Consolidated List that were pending before the Committee established pursuant to resolution [1267 \(1999\)](#) concerning Al-Qaida and the Taliban and associated individuals and entities as of the date of adoption of the present resolution (para. 30 (b))

To update regularly the List referred to in paragraph 1 above (para. 30 (c))

To make accessible on the Committee website narrative summaries of reasons for listing for all entries on the List (para. 30 (d))

To review the names on the List (para. 30 (e))

To make periodic reports to the Council on information submitted to the Committee regarding the implementation of the present resolution, including regarding non-compliance with the measures imposed by the resolution (para. 30 (f))

To ensure that fair and clear procedures exist for placing individuals and entities on the List and for removing them as well as for granting humanitarian exemptions (para. 30 (g))

Provide information relevant to listing

Calls upon all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help to inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 13 [of the resolution] (para. 14)



Decides that the Committee shall, after publication but within three working days after a name is added to the List, notify the Government of Afghanistan, the Permanent Mission of Afghanistan and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national (para. 17)

See para. 28 of the resolution, under “Coordination” above

### **Monitoring, enforcement and support**

Assist States in complying with measures      To facilitate, through the Monitoring Team and specialized United Nations agencies, assistance in capacity-building for enhancing implementation of the measures, upon request by Member States (para. 30 (o))

Decide on exemptions      See para. 30 (g) of the resolution, under “Listing/delisting” above

To consider requests for exemptions in accordance with paragraphs 1 and 9 [of the resolution] (para. 30 (j))

Discuss implementation of the measures      To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures (para. 30 (l))

Gather and analyse information on compliance      To examine the reports presented by the Monitoring Team (para. 30 (h))  
 To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed [by the resolution] (para. 30 (m))

To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in the present resolution (para. 30 (n))

Monitor implementation      To monitor implementation of the measures imposed in paragraph 1 [of the resolution] (para. 30 (i))

### **Procedural**

Promulgate guidelines      See para. 25 of the resolution, under “Listing/delisting” above

Urges the Committee to ensure that there are fair and clear procedures for the conduct of its work, and directs the Committee to establish guidelines accordingly, as soon as possible, in particular with respect to paragraphs 9, 10, 11, 12, 17, 20, 21, 24, 25 and 27 of the present resolution (para. 26)

To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed [by the resolution] (para. 30 (k))

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Decision or mandated task, by category      Provisions

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## Reporting

|                              |   |
|------------------------------|---|
| Publish relevant information | Directs the Committee, with the assistance of the Analytical Support and Sanctions Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the List, a narrative summary of reasons for listing for the corresponding entry (para. 13)<br><br>See para. 15 of the resolution, under “Listing/delisting” above |
| Reporting                    | To make periodic reports to the Council on information submitted to the Committee regarding the implementation of the present resolution, including regarding non-compliance with the measures imposed by the resolution (para. 30 (f))   |

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## 2. Other committees

During the period 2010-2011, the Committee established pursuant to resolution [1373 \(2001\)](#) concerning counter-terrorism (Counter-Terrorism Committee) continued to meet. The Committee established pursuant to resolution [1540 \(2004\)](#), under which, inter alia, States were required to take measures to prevent non-State actors from obtaining weapons of mass destruction, also continued to meet. The Counter-Terrorism Committee Executive Directorate continued to support the work of the Counter-Terrorism Committee.

On a number of occasions, the Security Council called for enhanced cooperation between sanctions committees and the Counter-Terrorism Committee and the Committee established under resolution [1540 \(2004\)](#). For example, by resolution [1988 \(2011\)](#) of 17 June 2011, the Council called on the Committee established pursuant to that resolution, concerning the Taliban and associated individuals and entities, to maintain contact not only with the Committee pursuant to resolutions [1267 \(1999\)](#) and [1989 \(2011\)](#) concerning Al-Qaida and associated individuals and entities but also with the Counter-Terrorism Committee, the Counter-Terrorism Committee Executive Directorate and the Committee established pursuant to resolution [1540 \(2004\)](#), “particularly given the continuing presence and negative influence on the Afghan conflict of Al-Qaida and any cell, affiliate, splinter group or derivative thereof”.<sup>21</sup> Similarly, by resolution [1989](#)

(2011), also adopted on 17 June 2011, the Council reiterated the need to enhance ongoing cooperation among the three Committees, as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, and coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three Committees. The Council also expressed its intention to provide guidance to the Committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and requested the Secretary-General to make the necessary arrangements for the groups of experts to be co-located as soon as possible.<sup>22</sup>

### Committee established pursuant to resolution [1373 \(2001\)](#) concerning counter-terrorism

By resolution [1373 \(2001\)](#) of 28 September 2001, the Security Council established the Counter-Terrorism Committee to monitor the implementation of the resolution, in which it requested countries to implement a wide range of counter-terrorism measures following the terrorist attacks of 11 September 2001 in the United States of America. In addition, the Council established, by resolution [1535 \(2004\)](#) of 30 January 2004, a Counter-Terrorism Committee Executive Directorate to carry out the policy decisions of the Counter-Terrorism Committee, conduct expert

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<sup>21</sup> Resolution [1988 \(2011\)](#), para. 32.

<sup>22</sup> Resolution [1989 \(2011\)](#), para. 52.

assessments of each Member State and facilitate counter-terrorism technical assistance to countries.

### Developments during 2010 and 2011

At its 6390th meeting, on 27 September 2010, the Council adopted a statement by the President in connection with the item entitled “Threats to international peace and security caused by terrorist acts”, in which it, inter alia, underlined the importance of capacity-building and technical assistance with a view to increasing the capabilities of Member States for an effective implementation of its resolutions, and encouraged the Counter-Terrorism Committee and its Executive Directorate to continue to work with Member States, at their request, to assess and facilitate technical assistance, in particular, in close cooperation with the Counter-Terrorism Implementation Task Force, as well as with all bilateral and multilateral technical assistance providers.<sup>23</sup>

By resolution 1963 (2010) of 20 December 2010, the Council, inter alia, underlined that the overarching goal of the Counter-Terrorism Committee was to ensure the full implementation of resolution 1373 (2001). The Council stressed the importance of a tailored dialogue among the Counter-Terrorism Committee Executive Directorate, the Counter-Terrorism Committee and Member States, and encouraged the Committee to continue to arrange meetings involving counter-terrorism officials from Member States and relevant international, regional and subregional organizations, with a thematic or regional focus relevant to the implementation of resolutions 1373 (2001) and 1624 (2005). By resolution 1963 (2010), the Council also reiterated its request that the Counter-Terrorism Committee report orally, through its Chair, to the Council at least every 180 days on the overall work of the Committee and its Executive Directorate and urged the Chair of the Committee to continue the practice of providing informal briefings for all interested Member States. The Council reiterated the need to enhance the ongoing cooperation among the Counter-Terrorism Committee, the

Committee established pursuant to resolution 1267 (1999), and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced and systematized information-sharing, coordination on visits to countries and participation in workshops, on technical assistance, on relations with international and regional organizations and agencies, and on other issues of relevance to the three Committees.

### *Counter-Terrorism Committee Executive Directorate*

By resolution 1963 (2010), the Council decided that the Counter-Terrorism Committee Executive Directorate would continue to operate as a special political mission under the policy guidance of the Counter-Terrorism Committee until 31 December 2013. The Council also urged the Executive Directorate to continue to strengthen its role in facilitating technical assistance for the implementation of resolution 1373 (2001) aimed at increasing the capabilities of Member States and regions in the fight against terrorism by addressing their counter-terrorism needs, in close coordination with the United Nations Counter-Terrorism Implementation Task Force, as well as with bilateral and multilateral assistance providers. The Council encouraged the Executive Directorate, in close cooperation with the Task Force and its relevant working groups, to focus increased attention on resolution 1624 (2005) in its dialogue with Member States to develop strategies which included countering incitement of terrorist acts, and to produce reports on the implementation of resolutions 1373 (2001) and 1624 (2005) by 31 December 2011. It also encouraged the Executive Directorate to interact with civil society and other relevant non-governmental actors in the context of its efforts to support the efforts of the Counter-Terrorism Committee to monitor the implementation of the two resolutions.

Tables 22 and 23 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate.

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<sup>23</sup> S/PRST/2010/19.

Table 22

**Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism: provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1963 (2010)**

**General**

**Mandate**

Underlines that the overarching goal of the Counter-Terrorism Committee is to ensure the full implementation of resolution 1373 (2001), and recalls the crucial role of the Counter-Terrorism Committee Executive Directorate in supporting the Committee in the fulfilment of its mandate (para. 1)

Welcomes and endorses the recommendations contained in the report of the Counter-Terrorism Committee to the Security Council for its comprehensive consideration of the work of the Counter-Terrorism Committee Executive Directorate (para. 3)

**Coordination**

**Coordinate with other  
United Nations entities**

Reiterates the need to enhance the ongoing cooperation between the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267 (1999) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced and systematized information-sharing, and coordination on visits to countries and participation in workshops, on technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three Committees, expresses its intention to provide guidance to the Committees on areas of common interest in order to better coordinate counter-terrorism efforts, and recalls its resolution 1904 (2009), in which it requests the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible (para. 16)

**Coordinate with other  
entities (non-United Nations)**

See para. 16 of the resolution, above

**Monitoring, enforcement and support**

**Discuss implementation**

Stresses the importance of a tailored dialogue among Executive Directorate, the Counter-Terrorism Committee and Member States, and encourages the Committee and the Executive Directorate to continue to arrange meetings involving counter-terrorism officials from Member States and relevant international, regional and subregional organizations, with a thematic or regional focus relevant to the implementation of resolutions 1373 (2001) and 1624 (2005) (para. 8)

## Reporting and public information

|           |  |
|-----------|--|
| Reporting | Requests the Counter-Terrorism Committee to report orally, through its Chair, to the Security Council at least every 180 days on the overall work of the Committee and the Executive Directorate and, as appropriate, in conjunction with the reports of the Chairs of the Security Council Committee established pursuant to resolution <a href="#">1267 (1999)</a> and the Security Council Committee established pursuant to resolution <a href="#">1540 (2004)</a> , and urges the Chair of the Counter-Terrorism Committee to continue the practice of providing informal briefings, including with a regional or thematic focus, for all interested Member States (para. 14) |
|-----------|--|

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Table 23

### Counter-Terrorism Committee Executive Directorate: provisions relating to the mandate, 2010-2011

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## Resolution [1963 \(2010\)](#)

### General

|           |   |
|-----------|---|
| Mandate   | Underlines that the overarching goal of the Counter-Terrorism Committee is to ensure the full implementation of resolution <a href="#">1373 (2001)</a> , and recalls the crucial role of the Counter-Terrorism Committee Executive Directorate in supporting the Committee in the fulfilment of its mandate (para. 1) |
| Extension | Decides that the Executive Directorate shall continue to operate as a special political mission under the policy guidance of the Counter-Terrorism Committee for the period ending 31 December 2013, and further decides to conduct an interim review by 30 June 2012 (para. 2)                                       |

### Assessment

|                                 |   |
|---------------------------------|---|
| Assess impact and effectiveness | <p>Reminds that effective counter-terrorism measures and respect for human rights are complementary and mutually reinforcing and are an essential part of a successful counter-terrorism effort, notes the importance of respect for the rule of law so as to effectively combat terrorism, and thus encourages the Executive Directorate to further develop its activities in this area, to ensure that all human rights issues relevant to the implementation of resolutions <a href="#">1373 (2001)</a> and <a href="#">1624 (2005)</a> are addressed consistently and even-handedly, including, as appropriate, on country visits that are organized with the consent of the Member State visited (para. 10)</p> <p>Directs the Executive Directorate to produce an updated global implementation survey of resolution <a href="#">1373 (2001)</a> by 30 June 2011 and in advance of the above-mentioned meeting<sup>a</sup> that, inter alia:</p> <ul style="list-style-type: none"><li>– Assesses the evolution of risks and threats, and the impact of the implementation;</li><li>– Identifies gaps in the implementation;</li><li>– Proposes new practical ways to implement the resolution (para. 12)</li></ul> |
|---------------------------------|---|

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Decision or mandated task, by category      Provisions

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Also directs the Executive Directorate to produce a global implementation survey of resolution [1624 \(2005\)](#) by 31 December 2011 that, inter alia:

- Assesses the evolution of risks and threats, and the impact of the implementation;
- Identifies gaps in the implementation;
- Proposes new practical ways to implement the resolution (para. 13)

### Coordination

Coordinate with other entities (non-United Nations)

Also encourages the Executive Directorate to arrange meetings with Member States in various formats, with their consent, including for the purpose of considering advising, as appropriate, on the development of comprehensive and integrated national counter-terrorism strategies and the mechanisms to implement them that include attention to the factors that lead to terrorist activities, in accordance with their obligations under international law, and in close cooperation within the Task Force and its working groups, with a view to ensuring coherence and complementarity of efforts and to avoid any duplication (para. 6)

Further encourages the Executive Directorate to interact, as appropriate and in consultation with the Counter-Terrorism Committee and relevant Member States, with civil society and other relevant non-governmental actors in the context of its efforts to support the efforts of the Committee to monitor the implementation of resolutions [1373 \(2001\)](#) and [1624 \(2005\)](#) (para. 7)

Urges the Executive Directorate also to intensify its cooperation with relevant international, regional and subregional organizations with a view to enhancing the capacity of Member States to fully implement resolutions [1373 \(2001\)](#) and [1624 \(2005\)](#) and to facilitating the provision of technical assistance (para. 9)

Coordinate with other United Nations entities

Encourages the Executive Directorate, in close cooperation within the Task Force and its relevant working groups, to focus increased attention on resolution [1624 \(2005\)](#) in its dialogue with Member States to develop, in accordance with their obligations under international law, strategies which include countering incitement of terrorist acts motivated by extremism and intolerance and in facilitating technical assistance for its implementation, as called for in resolution [1624 \(2005\)](#) and in the United Nations Global Counter-Terrorism Strategy (para. 5)

See para. 6 of the resolution, under “Coordination” above

Reiterates the need to enhance the ongoing cooperation between the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267 (1999) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced and systematized information-sharing, and coordination on visits to countries and participation in workshops, on technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three Committees, expresses its intention to provide guidance to the Committees on areas of common interest in order to better coordinate counter-terrorism efforts, and recalls its resolution 1904 (2009), in which it requests the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible (para. 16)

Encourages the Executive Directorate to continue joint activities, in cooperation with the Analytical Support and Sanctions Monitoring Team of the Committee established pursuant to resolution 1267 (1999), the group of experts of the Committee established pursuant to resolution 1540 (2004) and the United Nations Office on Drugs and Crime, to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including by organizing regional and subregional workshops (para. 17)

Welcomes and encourages the Executive Directorate's continued active participation in and support of all relevant activities under the United Nations Global Counter-Terrorism Strategy, including within the Counter-Terrorism Implementation Task Force and its working groups, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system (para. 18)

### Monitoring, enforcement and support

Assist States in complying with measures      See para. 17 of the resolution, under "Coordination" above

Facilitate technical assistance      Urges the Executive Directorate to continue to strengthen its role in facilitating technical assistance for the implementation of resolution 1373 (2001) aimed at increasing the capabilities of Member States and regions in the fight against terrorism by addressing their counter-terrorism needs, in close cooperation within the Counter-Terrorism Implementation Task Force, as well as with bilateral and multilateral assistance providers, and welcomes the focused and regional approach of the Executive Directorate to this work (para. 4)

See para. 5 of the resolution, under "Coordination" above

Discuss implementation      Stresses the importance of a tailored dialogue among the Executive Directorate, the Counter-Terrorism Committee and Member States, and encourages the Committee and the Executive Directorate to continue to arrange meetings involving counter-terrorism officials from Member States and relevant international, regional and subregional organizations, with a thematic or regional focus relevant to the implementation of resolutions 1373 (2001) and 1624 (2005) (para. 8)

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*Decision or mandated task, by category*      *Provisions*

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|  |   |
|--|---|
| Carry out field-based investigations             | See para. 10 of the resolution, under “Assessment” above  |
| Monitor implementation                           | See para. 7 of the resolution, under “Coordination” above<br>See para. 10 of the resolution, under “Assessment” above |
| Make recommendations on improving implementation | See para. 12 of the resolution, under “Assessment” above<br>See para. 13 of the resolution, under “Assessment” above  |

### Reporting and public information

|           |  |
|-----------|--|
| Reporting | Encourages the Executive Directorate to continue to report to the Counter-Terrorism Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Executive Directorate, including its visits to Member States, the conduct of workshops and other activities (para. 15) |
|-----------|--|

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<sup>a</sup> Special meeting to commemorate the tenth anniversary of the adoption of resolution [1373 \(2001\)](#).

#### **Committee established pursuant to resolution [1540 \(2004\)](#)**

By resolution [1540 \(2004\)](#) of 28 April 2004, the Security Council established, for an initial period of two years, a Committee to oversee the implementation of the resolution, by which States were obligated to adopt and enforce laws prohibiting any non-State actor, inter alia, to manufacture or acquire nuclear, chemical and biological weapons and their means of delivery, in particular for terrorist purposes. The mandate of the Committee was extended for two years by resolution [1673 \(2006\)](#) of 27 April 2006, for three years by resolution [1810 \(2008\)](#) of 25 April 2008, and finally for a period of 10 years by resolution [1977 \(2011\)](#) of 20 April 2011. By resolution [1977 \(2011\)](#), the Council also decided to establish a Group of Experts to assist the Committee in carrying out its mandate.

#### **Developments during 2010 and 2011**

By resolution [1977 \(2011\)](#), the Council recognized the need to enhance coordination of efforts at national, subregional, regional and international levels in order to strengthen a global response to the serious challenge and threat to international peace and security posed by the proliferation of weapons of mass destruction and their means of delivery. It also recognized that many States continued to require assistance in implementing resolution [1540 \(2004\)](#), emphasized the importance of

providing States with effective assistance and welcomed the coordinating and facilitating role of the Committee established pursuant to resolution [1540 \(2004\)](#). Acting under Chapter VII of the Charter, the Council decided to extend the mandate of the Committee for a period of 10 years, until 25 April 2021, and that the Committee should continue to intensify its efforts to promote the full implementation of the resolution. The Council urged the Committee to engage actively with States to promote the sharing of experiences and effective practices, as well as the provision of assistance for that purpose. The Council requested the Committee to identify effective practices, templates and guidance, with a view to developing a compilation, as well as to consider preparing a technical reference guide about resolution [1540 \(2004\)](#) to be used by States on a voluntary basis in implementing the resolution, encouraging the Committee to draw on relevant expertise, including civil society and the private sector, in that regard. The Council recognized that implementation of the mandate of the Committee required sustained support and adequate resources and, to that end, invited the Committee to consider developing ways to utilize and maintain expertise, including of former experts of the group, that could be made available for specific missions and assistance needs regarding the implementation of resolution [1540 \(2004\)](#).



*Group of Experts*

By resolution 1540 (2004), the Council, in establishing the Committee to oversee the implementation of the measures imposed therein, also authorized the Committee to call “as appropriate on other expertise”.<sup>24</sup> By resolutions 1673 (2006) of 27 April 2006 and 1810 (2008) of 25 April 2008, the Council reiterated that the Committee would have the “continued assistance of experts”.<sup>25</sup> By resolution 1977

(2011) of 20 April 2011, the Council requested the Secretary-General to establish, in consultation with the Committee, a Group of Experts, acting under the direction and purview of the Committee, to assist the Committee in carrying out its mandate under resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011), including through facilitation of assistance to improve the implementation of resolution 1540 (2004).

Tables 24 and 25 provide the full text of all paragraphs in Council decisions that relate to the mandate of the Committee and the Group of Experts.

<sup>24</sup> Resolution 1540 (2004), para. 4.

<sup>25</sup> Resolutions 1673 (2006), para. 4; and 1810 (2008), para. 6.

Table 24

**Committee established pursuant to resolution 1540 (2004): provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*      *Provisions*

**Resolution 1977 (2011)**

**General**

Extension      Decides to extend the mandate of the 1540 Committee for a period of 10 years, until 25 April 2021 (para. 2)

**Coordination**

Coordinate with United Nations entities      Reiterates the need to continue to enhance ongoing cooperation between the 1540 Committee, the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, including through, as appropriate, enhanced information-sharing, and coordination on visits to States, within their respective mandates, technical assistance and other issues of relevance to all three Committees; and expresses its intention to provide guidance to the Committees on areas of common interest in order to better coordinate their efforts (para. 19)

Coordinate with other entities (non-United Nations)      Urges the 1540 Committee to continue to engage actively with States and relevant international, regional and subregional organizations to promote the sharing of experience, lessons learned and effective practices in the areas covered by resolution 1540 (2004), drawing, in particular, on information provided by States as well as examples of successful assistance, and to liaise on the availability of programmes which might facilitate the implementation of resolution 1540 (2004), while bearing in mind that customized assistance is useful for the effective implementation of resolution 1540 (2004) at the national level (para. 10)

Encourages, in that regard, the 1540 Committee, with the support of necessary relevant expertise, to actively engage in dialogue with States on the implementation of resolution 1540 (2004), including through visits to States at

their invitation (para. 11)

Requests the 1540 Committee, with the support of the group of experts, to identify effective practices, templates and guidance with a view to developing a compilation, as well as to consider preparing a technical reference guide about resolution 1540 (2004) to be used by States on a voluntary basis in implementing resolution 1540 (2004), and in that regard encourages the Committee, at its discretion, to draw also on relevant expertise, including civil society and the private sector, with, as appropriate, their State's consent (para. 12)

Urges States and relevant international, regional and subregional organizations to inform the 1540 Committee, as appropriate, of areas in which they are able to provide assistance; and calls upon States and such organizations, if they have not done so previously, to provide the Committee with a point of contact for assistance by 31 August 2011 (para. 14)

Supports the continued efforts of the 1540 Committee to secure a coordinated and transparent assistance process that provides timely and ready availability of information for States seeking assistance and for States prepared to provide assistance (para. 16)

Encourages meetings on assistance issues, with the participation of the 1540 Committee, between States prepared to offer assistance, States requesting assistance, other interested States and relevant international, regional and subregional organizations (para. 17)

Calls upon relevant international, regional and subregional organizations to designate and provide the 1540 Committee by 31 August 2011 with a point of contact or coordinator for the implementation of resolution 1540 (2004), and encourages them to enhance cooperation and information-sharing with the Committee on technical assistance and all other issues of relevance for the implementation of resolution 1540 (2004) (para. 18)

Also requests the 1540 Committee to continue to organize and participate in outreach events on the implementation of resolution 1540 (2004) at the international, regional, subregional and, as appropriate, national levels, and to promote the refinement of these outreach efforts to focus on specific thematic and regional issues related to implementation (para. 21)

Invites the 1540 Committee to consider developing, in close cooperation with relevant international, regional and subregional organizations and other United Nations bodies, ways to utilize and maintain expertise, including, in particular, of former experts of the group, that could be made available for specific missions and assistance needs regarding the implementation of resolution 1540 (2004) (para. 22 (d))

### **Monitoring, enforcement and support**

Assist States in complying with measures

Encourages all States to prepare, on a voluntary basis, national implementation action plans, with the assistance of the 1540 Committee as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution

1540 (2004), and to submit those plans to the Committee (para. 8)

Decides that the 1540 Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its programme of work, which includes the compilation and general examination of information on the status of implementation by States of resolution 1540 (2004) as well as efforts by States at outreach, dialogue, assistance and cooperation; and which addresses, in particular, all aspects of paragraphs 1 to 3 of that resolution, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts, and (d) national export and trans-shipment controls, including controls on providing funds and services such as financing to such exports and trans-shipments; and includes, as necessary, specific priorities for its work, taking into account its annual review on the implementation of resolution 1540 (2004), prepared with the assistance of the group of experts before the end of December of each year (para. 9)

Encourages States that have requests for assistance to convey them to the 1540 Committee, and encourages them to make use of the Committee's assistance template to that effect (para. 13)

See para. 14 of the resolution, under "Coordination" above

See para. 16 of the resolution, under "Coordination" above

See para. 17 of the resolution, under "Coordination" above

Urges the 1540 Committee to continue to encourage and take full advantage of voluntary financial contributions to assist States in identifying and addressing their needs for the implementation of resolution 1540 (2004), and requests the Committee, at its discretion, to promote the efficient and effective use of the existing funding mechanisms within the United Nations system (para. 22 (e))

Discuss implementation of the measures

See para. 11 of the resolution, under "Coordination" above

See para. 21 of the resolution, under "Coordination" above

Facilitate technical assistance

Urges the 1540 Committee to continue strengthening the role of the Committee in facilitating technical assistance for the implementation of resolution 1540 (2004), in particular by engaging actively, with the support of the group of experts, in matching offers and requests for assistance, through such means as visits to States, at the invitation of the State concerned, assistance templates, action plans or other information submitted to the Committee (para. 15)

## Procedural

Produce programme of work

Again decides that the 1540 Committee should submit an annual programme of work to the Council before the end of May of each year, and decides that the next programme of work shall be prepared before 31 May 2011 (para. 4)

Requests, in that regard, the 1540 Committee to consider recommendations for the Committee and the group of experts on expertise requirements, broad geographical representation, working methods, modalities and structure, including consideration of the feasibility of a coordination and leadership position of the group of experts, and to present these recommendations to the

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*Decision or mandated task, by category*      *Provisions*

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Council no later than 31 August 2011 (para. 5 (b))

### Reporting and public information

**Publish relevant information**      Requests the 1540 Committee to continue to institute transparency measures and activities, inter alia, by making the fullest possible use of the Committee website, and urges the Committee to conduct, with the participation of the group of experts, regular meetings open to all Member States on the activities of the Committee and the group of experts related to the aforementioned objectives (para. 20)

**Reporting**      Decides also that the 1540 Committee shall conduct a comprehensive review on the status of implementation of resolution 1540 (2004), both after five years and prior to the renewal of its mandate, including, if necessary, recommendations on adjustments to the mandate, and that it shall submit to the Security Council a report on the conclusions of those reviews, and decides that, accordingly, the first review shall be held before December 2016 (para. 3)

Again calls upon all States that have not yet submitted a first report on steps they have taken or intend to take to implement resolution 1540 (2004) to submit such a report to the Committee without delay (para. 6)

Again encourages all States that have submitted such reports to provide, when appropriate or upon the request of the 1540 Committee, additional information on their implementation of resolution 1540 (2004), including, voluntarily, on States' effective practices (para.7)

Endorses the existing administrative and logistics support to the 1540 Committee from the Office for Disarmament Affairs of the Secretariat, and decides that the Committee should report to the Council by January 2012 on the possibility of strengthening this support, including through strengthening of the regional capacity of the Office to support the implementation of the resolution at the regional, subregional and national levels (para. 22 (a))

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Table 25

### Group of Experts of the Committee established pursuant to resolution 1540 (2004): provisions relating to the mandate, 2010-2011

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*Decision or mandated task, by category*      *Provisions*

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### Resolution 1977 (2011)

#### General

**Establishment**      Requests the Secretary-General to establish, in consultation with the 1540 Committee, a group of up to eight experts ("group of experts"), acting under the direction and purview of the Committee, composed of individuals with the appropriate experience and knowledge to provide the Committee with expertise, to assist the Committee in carrying out its mandate under resolutions 1540 (2004), 1673 (2006), 1810 (2008) and the present resolution, including through facilitation of assistance to improve implementation of resolution 1540 (2004)

(para. 5 (a))

### Monitoring, enforcement and support

|  |   |
|--|---|
| Assist States in complying with measures | Decides that the 1540 Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its programme of work, which includes the compilation and general examination of information on the status of implementation by States of resolution 1540 (2004) as well as efforts by States at outreach, dialogue, assistance and cooperation; and which addresses, in particular, all aspects of paragraphs 1 to 3 of that resolution, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts, and (d) national export and trans-shipment controls, including controls on providing funds and services such as financing to such exports and trans-shipments; and includes, as necessary, specific priorities for its work, taking into account its annual review on the implementation of resolution 1540 (2004), prepared with the assistance of the group of experts before the end of December of each year (para. 9)                |
| Facilitate technical assistance          | <p>Requests the 1540 Committee, with the support of the group of experts, to identify effective practices, templates and guidance, with a view to developing a compilation, as well as to consider preparing a technical reference guide about resolution 1540 (2004) to be used by States on a voluntary basis in implementing resolution 1540 (2004), and in that regard encourages the Committee, at its discretion, to draw also on relevant expertise, including civil society and the private sector, with, as appropriate, their State's consent (para. 12)</p> <p>Urges the 1540 Committee to continue strengthening the role of the Committee in facilitating technical assistance for the implementation of resolution 1540 (2004), in particular by engaging actively, with the support of the group of experts, in matching offers and requests for assistance, through such means as visits to States, at the invitation of the State concerned, assistance templates, action plans or other information submitted to the Committee (para. 15)</p> |

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## II. Working groups

### Note

During the period under review, a number of working groups of the Security Council continued to meet. As in the case of the committees, the working groups were composed of all 15 members of the Council and meetings were held in private, unless otherwise decided. Decisions were reached by consensus.

The Working Group on Peacekeeping Operations, the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, the Working Group on Children and Armed Conflict, the Informal Working Group on

Documentation and Other Procedural Questions and the Informal Working Group on Criminal Tribunals continued to meet. Several times during 2010 and 2011, the Council explicitly referred in its decisions to its thematically-oriented working groups. For example, by resolution 1998 (2011) of 12 July 2011, the Council directed the Working Group on Children and Armed Conflict to consider a broad range of options for increasing pressure on persistent perpetrators of violations and abuses committed against children in situations of armed conflict.<sup>26</sup>

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<sup>26</sup> Resolution 1998 (2011), para. 21.

While most of the working groups were established on an open-ended basis and therefore did not require renewal, the mandate of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, initially established for a period of one year, was extended on 21 December 2010 until 31 December 2011.<sup>27</sup> The Working Group established pursuant to

resolution 1566 (2004) of 8 October 2004, although in existence in the period under review, did not meet.

Table 26 provides a brief overview of the establishment and mandate of the working groups of the Council.

<sup>27</sup> S/2010/654.

Table 26  
**Working groups, 2010-2011**

| <i>Establishment</i>  | <i>Mandate</i>   | <i>Chairmanships</i>                 |
|---|--|--------------------------------------|
| <b>Working Group on Peacekeeping Operations</b>                             |  |                                      |
| Established on 31 January 2001 (S/PRST/2001/3)                              | To address both generic peacekeeping issues relevant to the responsibilities of the Council, and technical aspects of individual peacekeeping operations, without prejudice to the competence of the Special Committee on Peacekeeping Operations<br><br>Where appropriate, to seek the views of the troop-contributing countries, including through meetings between the Working Group and the troop-contributing countries, with a view to their views being taken into account by the Council   | Japan (2010)<br>Nigeria (2011)       |
| <b>Ad Hoc Working Group on Conflict Prevention and Resolution in Africa</b> |  |                                      |
| Established in March 2002 (S/2002/207) <sup>a</sup>                         | To monitor the implementation of recommendations contained in the presidential statement S/PRST/2002/2 and previous presidential statements and resolutions regarding conflict prevention and resolution in Africa<br><br>To propose recommendations on the enhancement of cooperation between the Security Council and the Economic and Social Council as well as with other United Nations agencies dealing with Africa<br><br>To examine, in particular, regional and cross-conflict issues that affect the Council's work on African conflict prevention and resolution<br><br>To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the United Nations and regional (Organization of African Unity) <sup>b</sup> and subregional organizations | Uganda (2010)<br>South Africa (2011) |

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| <i>Establishment</i> | <i>Mandate</i> | <i>Chairmanships</i> |
|----------------------|----------------|----------------------|
|----------------------|----------------|----------------------|

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**Working Group established pursuant to resolution 1566 (2004)**

|   |   |                                       |
|---|---|---------------------------------------|
| <p>Established on 8 October 2004 (resolution 1566 (2004))</p> | <p>To consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups or entities involved in or associated with terrorist activities, other than those designated by the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing their financial assets, preventing their movement through the territories of Member States, preventing supply to them of all types of arms and related material, and on the procedures for implementing these measures</p> <p>To consider the possibility of establishing an international fund to compensate victims of terrorist acts and their families, which might be financed through voluntary contributions which could consist in part of assets seized from terrorist organizations, their members and sponsors, and submit its recommendations to the Council</p> | <p>Turkey (2010)<br/>India (2011)</p> |
|---|---|---------------------------------------|

**Working Group on Children and Armed Conflict**

|   |  |   |
|---|--|---|
| <p>Established on 26 July 2005 (resolution 1612 (2005))</p> | <p>To review the reports of a monitoring and reporting mechanism on children and armed conflict</p> <p>To review progress in the development and implementation of the action plans called for in resolutions 1539 (2004) and 1612 (2005)</p> <p>To consider other relevant information presented to it To make recommendations to the Council on possible measures to promote the protection of children affected by armed conflict, including through recommendations on appropriate mandates for peacekeeping missions and recommendations with respect to the parties to the conflict</p> <p>To address requests, as appropriate, to other bodies within the United Nations system for action to support implementation of the present resolution in accordance with their respective mandates</p> | <p>Mexico (2010)<br/>Germany (2011)</p> |
|---|--|---|

**Informal Working Group on Documentation and Other Procedural Questions**

|  |  |   |
|--|--|---|
| <p>Established in June 1993 (no formal decision was taken)</p> | <p>To deal with issues related to documentation and other procedural questions</p> | <p>Japan (2010)<br/>Bosnia and Herzegovina (2011)</p> |
|--|--|---|

| <i>Establishment</i>  | <i>Mandate</i>  | <i>Chairmanships</i>              |
|---|---|-----------------------------------|
| <b>Informal Working Group on International Tribunals</b>  |   |                                   |
| Established in June 2000 pursuant to a proposal by some Council members at the 4161st meeting, on 20 June 2000 (no formal decision was taken) | To deal with a specific issue pertaining to the statute of the International Tribunal for the Former Yugoslavia and subsequently mandated to deal with other (legal) issues pertaining to the Tribunals | Austria (2010)<br>Portugal (2011) |

<sup>a</sup> The mandate of the Working Group was renewed for periods of one year until 31 December 2011 by notes by the President of the Security Council (S/2003/1138, S/2004/1031, S/2005/814, S/2007/6, S/2008/795, S/2009/650 and S/2010/654).

<sup>b</sup> Now the African Union.

### III. Investigative bodies

#### Note

During the period 2010-2011, the Security Council did not authorize the establishment of any new investigative bodies.

#### **United Nations Commission of Inquiry into the facts and circumstances of the assassination of the former Prime Minister of Pakistan, Mohtarma Benazir Bhutto**

By an exchange of letters between the Secretary-General and the President of the Security Council, on 3 February 2009, the Security Council authorized the Secretary-General to establish an international commission in connection with the assassination of the former Prime Minister of Pakistan, Mohtarma Benazir

Bhutto, on 27 December 2007.<sup>28</sup> The Commission of Inquiry was mandated to determine the facts and circumstances surrounding the assassination of the former Prime Minister, and the duration of its mandate was for a maximum of six months.

By an exchange of letters dated 30 December 2009 and 6 January 2010,<sup>29</sup> the Security Council extended the mandate of the Commission by three months, until 31 March 2010, to enable the Commission to complete its inquiry and prepare its report to the Council. By a letter dated 15 April 2010 addressed to the President of the Security Council, the Secretary-General submitted the report of the Commission to the Council for its consideration.<sup>30</sup>

<sup>28</sup> S/2009/67 and S/2009/68.

<sup>29</sup> S/2010/7 and S/2010/8.

<sup>30</sup> S/2010/191.

### IV. Tribunals

#### Note

During the period under review, the Security Council continued to work towards the implementation of the completion strategy for both the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda by establishing a Residual Mechanism for Criminal Tribunals. Both Tribunals remained active, by

implementing various procedural reforms to improve efficiency and productivity, while simultaneously ensuring respect for the due process rights of the accused.

#### *Residual mechanism for criminal tribunals*

By resolution 1966 (2010) of 22 December 2010, under Chapter VII of the Charter, the Security Council established the International Residual Mechanism for



Criminal Tribunals. The Mechanism consisted of two branches: one for the International Criminal Tribunal for Rwanda, which would commence on 1 July 2012; and another for the International Tribunal for the Former Yugoslavia, which would commence on 1 July 2013. The Mechanism would operate for an initial period of four years from 1 July 2012, and would continue the jurisdiction, rights, obligations and essential functions of the two Tribunals. The Council further requested the two Tribunals to take all possible measures to complete all remaining work no later than 31 December 2014, to prepare for their closure and to ensure a smooth transition to the Mechanism, including through establishing advance teams in each of the Tribunals. The Council recalled the obligation of States to cooperate with the Tribunals and the Mechanism, including by, *inter alia*, complying with the requests of the Tribunals for assistance in the location, arrest, detention, surrender and transfer of accused persons, and by taking any necessary measures under their respective domestic laws to implement the provisions of the resolution and the statute of the Mechanism. The Council further underlined the need for the Tribunals to concentrate their work on the prosecution and trial of senior leaders suspected of being most responsible for crimes within their jurisdiction and to transfer cases not involving that level of responsibility to national jurisdictions.

## A. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

By resolution [827 \(1993\)](#) of 25 May 1993, the Security Council established 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, for the prosecution of violations committed during the breakup of the country and subsequent conflicts.

### Developments during 2010 and 2011

During the period under review, the Security Council made several technical changes to the organization of the International Tribunal for the Former Yugoslavia, involving the adjustment of the number of permanent and *ad litem* judges and the extension of the terms of office of various judges.

Table 27 provides the full text of all paragraphs in Council decisions that relate to the mandate of the Tribunal.

Table 27

### International Tribunal for the Former Yugoslavia: provisions relating to the mandate, 2010-2011

*Decision or mandated task, by category*

*Provisions*

#### Resolution [1915 \(2010\)](#)

##### Procedural

|   |  |
|---|--|
| Terms of reference for <i>ad litem</i> judges | Decides that the total number of <i>ad litem</i> judges serving at the International Tribunal may temporarily exceed the maximum of 12 provided for in article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of 13 at any one time, returning to a maximum of 12 by 30 June 2010, or upon completion of the <i>Popović</i> case, if sooner (para. 1) |
|---|--|

#### Resolution [1931 \(2010\)](#)

##### Procedural

|                                       |   |
|---------------------------------------|---|
| Extension of term of office of judges | Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2012 or until the completion of the cases to which they are assigned or until the completion of their term as members of the Appeals Chamber, if sooner ... (para. 3) |
|---------------------------------------|---|

---

Decision or mandated task, by category

Provisions

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Decides also to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner ... (para. 4)

Decides further to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner ... (para. 5)

Underlines its intention to extend, by 30 June 2011, the terms of office of the trial judges at the International Tribunal based on the Tribunal's projected trial schedule, and requests the President of the International Tribunal to submit to the Security Council an updated trial and appeals schedule no later than 15 May 2011 (para. 6)

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### Resolution 1954 (2010)

#### Procedural

Extension of term of office of judges

Decides that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Kevin Parker is authorized to complete the *Dorđević* case, which he began before the expiry of his term of office, and takes note of the intention of the International Tribunal to complete the case by the end of February 2011 (para. 1)

Decides also that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Uldis Kinis is authorized to complete the *Gotovina et al.* case, which he began before the expiry of his term of office, and takes note of the intention of the International Tribunal to complete the case by the end of March 2011 (para. 2)

Decides further to allow Judge Kinis to serve at the International Tribunal beyond the cumulative period of service provided for under article 13 ter, paragraph 2, of the Statute of the International Tribunal (para. 3)

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### Resolution 1993 (2011)

#### Procedural

Extension of term of office of judges

Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner ... (para. 1)

Decides to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner ... (para. 2)

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**B. International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994**

By resolution 955 (1994) of 8 November 1994, the Security Council established the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations

of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994.

**Developments during 2010 and 2011**

During the period under review, the Council made several technical changes to the organization of the International Criminal Tribunal for Rwanda, involving the adjustment of the number of permanent and ad litem judges and the extension of the terms of office of various judges.

Table 28 provides the full text of all paragraphs in Council decisions that relate to the mandate of the Tribunal.

Table 28

**International Criminal Tribunal for Rwanda: provisions relating to the mandate, 2010-2011**

*Decision or mandated task, by category*

*Provisions*

**Resolution 1932 (2010)**

**Procedural**

Amend statute

Decides to amend article 12 ter of the statute of the International Tribunal as set out in the annex to the present resolution (para. 6)

Extension of term of office of judges

Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner ... (para. 3)

Decides also to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner ... (para. 4)

Decides further to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner ... (para. 5)

**Resolution 1995 (2011)**

**Procedural**

Terms of reference for judges

Decides that, notwithstanding article 13, paragraph 1, and article 12 quater, paragraph 2 (a), of the statute of the International Tribunal, ad litem judges may be eligible for election as, and may vote in the election of, the President of the International Tribunal (para. 1)

*Decision or mandated task, by category*

*Provisions*

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Decides also in this regard that, notwithstanding article 12 quater, paragraph 2, of the statute of the International Tribunal, an ad litem judge elected as President of the International Tribunal may exercise the same powers as a permanent judge, which will not alter his or her status or give rise to any additional allowances or benefits other than those which already exist, and will effect no changes of the current terms and conditions of service as an ad litem judge (para. 2)

Decides further that, notwithstanding article 12 quater, paragraph 2, of the statute of the International Tribunal, an ad litem judge elected as Vice-President of the International Tribunal may act as President when required to do so by under the statute or the Rules of Procedure and Evidence, which will not alter his or her status or give rise to any additional allowances or benefits other than those which already exist, and will effect no changes of the current terms and conditions of service as an ad litem judge (para. 3)

Decides, in the light of the exceptional circumstances, that, notwithstanding article 12 bis, paragraph 3, of the statute of the International Tribunal, Judge Dennis Byron may work part-time and engage in another judicial occupation from 1 September 2011 until the completion of the case to which he is assigned, takes note of the intention of the International Tribunal to complete the case by December 2011, and underscores that this exceptional authorization shall not be considered as establishing a precedent. The President of the International Tribunal shall have the responsibility to ensure that this arrangement is compatible with the independence and impartiality of the judge, does not give rise to conflicts of interest and does not delay the delivery of the judgement (para. 4)

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## **Resolution 2013 (2011)**

### **Procedural**

Terms of reference for judges

Decides, in the light of the exceptional circumstances, that, notwithstanding article 12 bis, paragraph 3, of the statute of the International Tribunal, Judge Bakhtiyar Tuzmukhamedov may work part-time and engage in another judicial occupation until 31 December 2011, and takes note of Judge Tuzmukhamedov's commitment to ensuring timely delivery of judgement in the two cases in which he is currently involved (para. 1)

---

## Resolution 2029 (2011)

### Procedural

|                                       |   |
|---------------------------------------|---|
| Extension of term of office of judges | Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chambers, until 30 June 2012 or until the completion of the trials to which they are assigned, if sooner ... (para. 1)     |
|                                       | Decides also to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 30 June 2012 or until the completion of the trials to which they are assigned, if sooner ... (para. 2) |

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## V. Ad hoc commissions

### Note

During the period under consideration, the United Nations Compensation Commission established pursuant to resolutions 687 (1991) and 692 (1991) continued to meet. No new commissions were created during 2010 and 2011.

### United Nations Compensation Commission

By resolutions 687 (1991) of 3 April 1991 and 692 (1991) of 20 May 1991, the Security Council

established the United Nations Compensation Commission to administer a fund to compensate for any direct loss, damage or injury to foreign Governments, nationals and corporations, following the invasion and occupation of Kuwait by Iraq.

### Developments during 2010 and 2011

During the period under review, the Council made no changes to the mandate of the Compensation Commission.

## VI. Special advisers, envoys and representatives

### Note

While the Secretary-General has broad authority to appoint representatives and advisers, as reiterated by the General Assembly,<sup>31</sup> in many cases these appointments are made at the request or with the support of the Security Council. In these cases, the envoy or representative can be considered to be a subsidiary organ of the Council. Section VI provides a list of special advisers, envoys and representatives in whose appointment the Council has been involved and whose mandates relate to the Council's responsibility for the maintenance of international peace and security.

It does not include Special Representatives appointed as heads of peacekeeping or political missions; they are covered in part X. During the period, the Special Advisers to the Secretary-General on Cyprus, the Prevention of Genocide and for the implementation of Security Council resolution 1559 (2004) and the Personal Envoy of the Secretary-General for Western Sahara all continued to exercise their functions. In 2010 the Council established two new positions, namely, the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia.

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<sup>31</sup> Resolution 51/226, sect. II, para. 5.

### Developments during 2010 and 2011

In connection with the situation in Cyprus, by resolutions 1559 (2004) of 15 June 2010, 1953 (2010) of 14 December 2010, 1986 (2011) of 13 June 2011 and 2026 (2011) of 14 December 2011, the Council welcomed the continued efforts of the Special Adviser to the Secretary-General, whose mandate was to assist the parties in the conduct of fully-fledged negotiations aimed at reaching a comprehensive settlement.

On 16 July 2010, in connection with the maintenance of international peace and security, with a focus on preventive diplomacy in Africa, the Council adopted a presidential statement in which it recalled the role of the Special Adviser to the Secretary-General on the Prevention of Genocide in matters relating to the prevention and resolution of conflict.<sup>32</sup>

Regarding the situation in Western Sahara, by resolutions 1920 (2010) and 1979 (2011), the Council reaffirmed its support for the Personal Envoy and his work in facilitating negotiations between the parties, welcomed his ongoing consultations with the parties and neighbouring States, and affirmed its support for the commitment of the Personal Envoy of the Secretary-General towards a solution to the question of Western Sahara.

#### *Special Representative of the Secretary-General on Sexual Violence in Conflict*

By resolution 1888 (2009) of 30 September 2009, the Council requested that the Secretary-General appoint a Special Representative to provide coherent and strategic leadership, to work effectively to strengthen existing United Nations coordination mechanisms and to engage in advocacy efforts, inter alia, with Governments, including military and judicial representatives, as well as with all parties to armed conflict and civil society, in order to address, both at the headquarters and at the country levels, sexual violence in armed conflict, while promoting

<sup>32</sup> S/PRST/2010/14, eleventh paragraph.

cooperation and coordination of efforts among all relevant stakeholders, primarily through the inter-agency initiative “United Nations Action against Sexual Violence in Conflict”.<sup>33</sup> By an exchange of letters in 2010 between the Secretary-General and the President of the Security Council, that position was established and Ms. Margaret Wallström (Sweden) was appointed as the first Special Representative of the Secretary-General on Sexual Violence in Conflict. On 27 April 2010, the Council adopted a presidential statement by which it welcomed the appointment of the Special Representative and reiterated its support of her mandate as outlined in resolution 1888 (2009).<sup>34</sup>

#### *Special Adviser on Legal Issues related to Piracy off the Coast of Somalia*

By a presidential statement adopted on 25 August 2010, the Council welcomed the intention of the Secretary-General to appoint a Special Adviser on Legal Issues related to Piracy off the Coast of Somalia and, by an exchange of letters dated 25 and 26 August 2010 between the Secretary-General and the President of the Security Council, Mr. Jack Lang (France) was appointed to that position. By resolution 1950 (2010) of 23 November 2010, the Council reaffirmed its interest in the continued consideration of all seven options for prosecuting suspected pirates described in the report of the Secretary-General,<sup>35</sup> taking into account further new information and observations based on the consultations being conducted by the Special Adviser, with a view to taking further steps to ensure that pirates were held accountable.<sup>36</sup>

Table 29 includes details regarding the Council’s acknowledgement of the appointment of special representatives, their mandate and any developments that occurred during the period under review.

<sup>33</sup> Resolution 1888 (2009), para. 4.

<sup>34</sup> S/PRST/2010/8, first paragraph.

<sup>35</sup> S/2010/394.

<sup>36</sup> Resolution 1950 (2010), para. 14.

Table 29

**Developments relating to special advisers, envoys and representatives, 2010-2011**

| <i>Establishment</i>  | <i>Decisions</i>   |
|---|--|
| <b>Personal Envoy of the Secretary-General for Western Sahara</b>             |  |
| S/1997/236<br>19 March 1997   | Resolution 1920 (2010) of 30 April 2010<br><br>Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008) and 1871 (2009) (second preambular paragraph; similar provision in resolution 1979 (2011), second preambular paragraph)<br><br>Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, and also welcoming his recent visit to the region and ongoing consultations with the parties and neighbouring States (twelfth preambular paragraph; similar provision in resolution 1979 (2011), eighteenth preambular paragraph) |
|   | Resolution 1979 (2011) of 27 April 2011<br><br>Affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context, and welcomes the intensified pace of meetings and contacts (para. 5)  |
| <b>Special Adviser to the Secretary-General on Cyprus</b>                     |  |
| S/1997/320<br>17 April 1997   | Resolution 1930 (2010) of 15 June 2010<br><br>Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus, with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement ...   |
| S/1997/321<br>21 April 1997   | (nineteenth preambular paragraph; similar provision in resolutions 1953 (2010), twentieth preambular paragraph; 1986 (2011), twentieth preambular paragraph; and 2026 (2011), twentieth preambular paragraph)  |
| <b>Special Adviser to the Secretary-General on the Prevention of Genocide</b> |  |
| Resolution 1366 (2001)<br>30 August 2001                                      | S/PRST/2010/14 of 16 July 2010<br><br>... The Council further recognizes the need for greater coherence with all relevant United Nations entities in relation to the most effective use of preventive diplomacy tools at their disposal ... In this connection, the Council recalls the role of the Special Adviser to the Secretary-General on the Prevention of Genocide in matters relating to the prevention and resolution of conflict. The Council emphasizes the need for the full engagement of all relevant actors, including civil society, to sustain the momentum and perspective for a meaningful preventive diplomacy framework (eleventh paragraph)   |
| S/2004/567<br>12 July 2004  |  |
| S/2004/568<br>13 July 2004  |  |

*Establishment*

*Decisions*

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**Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004)**

[S/PRST/2004/36](#)  
19 October 2004

There were no developments in 2010-2011

[S/2004/974](#)  
14 December 2004

[S/2004/975](#)  
16 December 2004

**Special Representative of the Secretary-General on Sexual Violence in Conflict**

[S/PRST/2010/8](#)  
27 April 2010

[S/PRST/2010/8](#) of 27 April 2010

[S/2010/62](#)  
29 January 2010

The Security Council welcomes the appointment of Ms. Margot Wallström as Special Representative of the Secretary-General on Sexual Violence in Conflict and reiterates its support of her mandate as outlined in resolution [1888 \(2009\)](#) (first paragraph)

[S/2010/63](#)  
2 February 2010

**Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia**

[S/2010/451](#)  
25 August 2010

[S/PRST/2010/16](#) of 25 August 2010

[S/2010/452](#)  
26 August 2010

The Council welcomes the intention of the Secretary-General to appoint a Special Adviser on Legal Issues related to Piracy off the Coast of Somalia, bearing in mind the importance of the coordination of efforts by the Secretariat, including the Special Adviser, with the ongoing work of all relevant international actors (seventh paragraph)

Resolution [1950 \(2010\)](#) of 23 November 2010

Reaffirms its interest in the continued consideration of all seven options for prosecuting suspected pirates described in the report of the Secretary-General, which provide for different levels of international participation, taking into account further new information and observations from the Secretary-General based on the consultations being conducted by his Special Adviser on Legal Issues related to Piracy off the Coast of Somalia, with a view to taking further steps to ensure that pirates are held accountable, emphasizing the need for strengthened cooperation of States and regional and international organizations in achieving this goal, and encourages the Contact Group on Piracy off the Coast of Somalia to continue its discussions in this regard (para. 14)

Resolution [2015 \(2011\)](#) of 24 October 2011

Reaffirms that the ultimate goal of enhancing Somali responsibility and active involvement in efforts to prosecute suspected pirates, as emphasized by the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia in his report transmitted to the Security Council on 19 January 2011, remains highly relevant in the overall context of fighting piracy (para. 1)

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## VII. Peacebuilding Commission

### Note

By resolution 1645 (2005) of 20 December 2005, the Security Council, acting concurrently with the General Assembly, established the Peacebuilding Commission as an intergovernmental advisory body. The Council decided that the main purposes of the Commission were, *inter alia*, to bring together all relevant actors to marshal resources for, advise on and propose integrated strategies for post-conflict peacebuilding and recovery, and provide recommendations. The Council also decided that the Organizational Committee of the Commission would include seven members of the Council.<sup>37</sup> Prior to 2010, the situations in Burundi, the Central African Republic, Guinea-Bissau, Liberia and Sierra Leone were placed on the Commission's agenda. On 23 February 2011, Guinea was added to the agenda of the Commission, bringing the total number of situations on the Commission's agenda during the period to six.

### Developments during 2010 and 2011

During the period under review, the Council continued to invite the Chair of the Peacebuilding Commission and the Chairs of its country-specific configurations to provide briefings on the situations on the agenda of the Commission, usually on the occasion of a mandate renewal, or when the Council considered the question of post-conflict peacebuilding.<sup>38</sup> In

connection with that question, the Chair of the Commission participated in the 6299th meeting, on 16 April 2010, where he said that the Council should consider ways of maximizing the use of the Commission's advisory role, and called for a stronger, organic and more dynamic linkage between the Council and the Commission throughout the various phases of the Council's consideration of certain situations on its agenda.<sup>39</sup> In connection with the situation in Sierra Leone, the Chair of the Sierra Leone configuration participated in the 6291st meeting, on 22 March 2010, and called for continuing attention and assistance in the period prior to the 2012 general elections and for greater funding for peacebuilding efforts. The Chair of the Liberia configuration briefed the Council at its 6495th meeting, on 16 March 2011, and discussed issues of national reconciliation and reform of the system of justice.<sup>40</sup>

#### *Organizational Committee of the Peacebuilding Commission*

During the period, two members<sup>41</sup> of the Security Council served on the Organizational Committee of the Peacebuilding Commission until the end of 2010. On 30 December 2010, the Council selected Colombia and Gabon to participate in the Organizational Committee for a term of one year, until the end of 2011.<sup>42</sup>

#### *Request for advice on the situation in Liberia*

In a letter dated 19 July 2010 addressed to the Chair of the Peacebuilding Commission, the President of the Security Council expressed the Council's support for the request by Liberia to be placed on the agenda of the Commission, and invited the Commission to provide advice and recommendations on Liberia's peacebuilding priorities in the areas of the rule of law, security sector reform and national reconciliation.<sup>43</sup> The Organizational Committee of the Peacebuilding Commission subsequently agreed to place Liberia on its agenda and establish a country configuration.<sup>44</sup>

<sup>37</sup> The 31 members include 7 members selected by the Security Council; 7 members elected by the Economic and Social Council; 5 top providers of assessed contributions to United Nations budgets and of voluntary contributions to the United Nations funds, programmes and agencies, including a standing peacebuilding fund; 5 top providers of military personnel and civilian police to United Nations missions; and 7 members elected by the General Assembly.

<sup>38</sup> The practice of inviting, as appropriate, the Chairs of country-specific configurations of the Peacebuilding Commission to participate in formal Council meetings at which the situation concerning the country in question is considered, or on a case-by-case basis, was established in the note by the President of 26 July 2010 (S/2010/507, para. 61). For more information on invitations to and participation in formal Security Council meetings, see part II. For invitations to and participation by the Chair of the Peacebuilding Commission and the Chairs of country-specific configurations, see the tables in part I under the relevant items.

<sup>39</sup> S/PV.6299, p. 33.

<sup>40</sup> S/PV.6495, pp. 4-5.

<sup>41</sup> Gabon and Mexico.

<sup>42</sup> S/2010/690.

<sup>43</sup> S/2010/389.

<sup>44</sup> S/2010/390.

*Decisions referring to the  
Peacebuilding Commission*

During the period 2010-2011, the Security Council referred to the Peacebuilding Commission in several decisions, on both thematic issues and country-specific questions. The Council, *inter alia*, offered its support for the work of the Commission and indicated its readiness to make greater use of its advisory role. The Council also requested that the Commission work to ensure that the protection, rights, well-being and

empowerment of children affected by armed conflict were integrated into all peace processes. The Council also encouraged the Commission to continue to work in close consultation with regional and subregional organizations, with a view to ensuring more consistent and integrated strategies for peacebuilding and recovery.

Tables 30 and 31 provide the full text of all paragraphs in Council decisions that relate to the Peacebuilding Commission, organized by agenda item.

Table 30

**Decisions under thematic items, 2010-2011**

| <i>Decision and date</i>   | <i>Provision</i>   |
|--|--|
| <b>Children and armed conflict</b>   |  |
| Resolution <a href="#">1998 (2011)</a><br>12 July 2011   | Calls upon Member States, United Nations entities, including the Peacebuilding Commission, and other parties concerned to ensure that the protection, rights, well-being and empowerment of children affected by armed conflict are integrated into all peace processes and that post-conflict recovery and reconstruction planning, programmes and strategies prioritize issues concerning children affected by armed conflict (para. 19)   |
| <b>Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security</b>               |  |
| <a href="#">S/PRST/2010/1</a><br>13 January 2010   | The Council recognizes the role that regional and subregional organizations can play in post-conflict peacebuilding, recovery, reconstruction and development processes and affirms the importance of interaction and cooperation between the Peacebuilding Commission and regional and subregional organizations. The Council encourages the Commission to continue to work in close consultation with regional and subregional organizations, with a view to ensuring more consistent and integrated strategies for post-conflict peacebuilding and recovery (seventh paragraph) |
| <b>Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security</b> |  |
| <a href="#">S/PRST/2010/18</a><br>23 September 2010  | The Council also stresses the importance of progress in refining roles and responsibilities for the key peacebuilding actors, and welcomes, in particular, the important role of the Peacebuilding Commission in promoting and supporting an integrated and coherent approach to peacebuilding. The Council reiterates its support for the work of the Commission and expresses its willingness to make greater use of its advisory role. The Council looks forward to considering the facilitators' report on the 2010 review of the Commission (fifteenth paragraph)             |

The Council reiterates its commitment to strengthening its strategic partnerships with and support to regional and subregional organizations, consistent with Chapter VIII of the Charter, in conflict prevention, peacemaking, peacekeeping and peacebuilding. The Council also underlines that it should continue to strengthen its partnerships with all other relevant players both at the strategic level and on the ground, in particular the General Assembly, the Economic and Social Council, the Peacebuilding Commission, international financial institutions, such as World Bank, and civil society (seventeenth paragraph)

**Maintenance of international peace and security: the interdependence between security and development**

[S/PRST/2011/4](#)  
11 February 2011

The Council reiterates its support for the work of the Peacebuilding Commission and its readiness to make greater use of the advisory role of the Commission. The Council further recognizes the need for coordination and dialogue with the Commission. The Council calls upon the Commission to continue to promote an integrated and coherent approach to peacebuilding and to seek to ensure that development and security-related activities supported by the Commission are mutually reinforcing (fourteenth paragraph)

**Post-conflict peacebuilding**

[S/PRST/2010/7](#)  
16 April 2010

The Council reiterates the importance of launching peacebuilding assistance at the earliest possible stage. The Council recognizes the critical role of the Peacebuilding Commission in addressing peacebuilding priorities, particularly by marshalling support and resources and improving planning and coordination for peacebuilding efforts. The Council further recognizes the need for greater coordination with the Commission and looks forward to the 2010 review of the Commission and the recommendations on how its role can be enhanced (ninth paragraph)

The Council recognizes the importance of enhancing coordination among relevant bilateral and multilateral donors to ensure predictable, coherent and timely financial support for post-conflict peacebuilding. The Council underscores that funding mechanisms for addressing immediate post-conflict needs, in particular the Peacebuilding Fund, should play a catalytic role, which should be followed by more substantial, longer-term finance as soon as possible for the recovery and reconstruction efforts. The Council encourages greater synergy between the Peacebuilding Fund and the Peacebuilding Commission (tenth paragraph)

[S/PRST/2010/20](#)  
13 October 2010

The Council welcomes the important role of the Peacebuilding Commission in promoting and supporting an integrated and coherent approach to peacebuilding, including women's participation. The Council reiterates its support for the work of the Commission, and expresses its willingness to make greater use of the advisory role of the Commission (tenth paragraph)

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| <i>Decision and date</i>                                  | <i>Provision</i>   |
|---|--|
| <a href="#">Resolution 1947 (2010)</a><br>29 October 2010 | Requests all relevant United Nations actors to take forward, within their mandates and as appropriate, the recommendations of the report, <sup>a</sup> with the aim of further improving the effectiveness of the Peacebuilding Commission (para. 2)   |
|   | Requests the Peacebuilding Commission to reflect in its annual reports progress made in taking forward the relevant recommendations of the report (para. 4)  |
| <a href="#">S/PRST/2011/2</a><br>21 January 2011          | The Council stresses its willingness to make greater use of the advisory role of the Peacebuilding Commission. The Council notes the potential role that the Commission can play in helping to achieve critical peacebuilding objectives, including the development of viable and accountable institutions in the countries on its agenda. The Council also stresses the importance of focused and well-defined partnerships among the United Nations, development agencies, bilateral partners and all other relevant actors, in particular regional and subregional organizations and the international financial institutions, to implement national strategies aimed at effective institution-building which are based on the achievement of results and mutual accountability (fifth paragraph) |

#### **United Nations peacekeeping operations**

|   |   |
|---|---|
| <a href="#">S/PRST/2010/2</a><br>12 February 2010 | Undertakes to enhance coordination with the Peacebuilding Commission and looks forward to the 2010 review of the Commission and the recommendations on how its role can continue to be enhanced (sixth paragraph) |
|---|---|

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<sup>a</sup> [S/2010/393](#), annex (“Review of the United Nations peacebuilding architecture”).

Table 31

#### **Decisions under country-specific items, 2010-2011**

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| <i>Decision and date</i>                                      | <i>Provision</i>  |
|---|---|
| <b>The situation in Burundi</b>                               |   |
| Resolution <a href="#">1959 (2010)</a> of<br>16 December 2010 | Commends the Government of Burundi for the completion of the reintegration of the last groups of children formerly associated with armed groups and of ex-combatants, encourages the Government to ensure that these results are sustainable, encourages the Peacebuilding Commission to consider what specific actions it could undertake to bolster its support to the sustainable reintegration of war-affected populations and other vulnerable groups, and supports the efforts of the Government in the voluntary civilian disarmament campaign and the launch of the Burundian National Police arms marking and registration process (para. 9) |

Encourages the Government of Burundi, the Peacebuilding Commission and Burundi's national and international partners to honour the commitments they have made under the Strategic Framework for Peacebuilding in Burundi, requests the Commission, with support from the United Nations Office in Burundi, to continue to assist the Government in laying the foundations for sustainable peace and security, reintegration and long-term development in Burundi, including ensuring that progress is made in the implementation of the rule of law and that peacebuilding objectives are fully taken into account in the future strategic planning processes, in particular the poverty reduction strategy paper, and requests the Commission to provide advice to the Security Council on these issues (para. 10)

### **The situation in the Central African Republic**

[S/PRST/2010/26](#)

14 December 2010

The Council welcomes the ongoing support to the peacebuilding process in the Central African Republic provided by the international community. It welcomes, in particular, the important work of the United Nations Integrated Peacebuilding Office in the Central African Republic, under the leadership of the Special Representative of the Secretary-General for the Central African Republic, Ms. Sahle-Work Zewde, and the efforts of the Peacebuilding Commission in advising and advocating for coordinated international support to address core peacebuilding priorities, including elections and disarmament, demobilization and reintegration. The Council further welcomes the finalization of the Integrated Strategic Framework for the coordination of peacebuilding efforts in the Central African Republic (eighth paragraph)

### **The situation in Guinea-Bissau**

[S/PRST/2010/15](#)

22 July 2010

The Council welcomes the continued engagement of the Peacebuilding Commission and also calls for the swift implementation of the United Nations Framework for Peace and Development in Guinea-Bissau. The Council further welcomes the role of the efforts of the United Nations Integrated Peacebuilding Office in Guinea-Bissau to coordinate actions by partners, in particular the African Union, the Economic Community of West African States, the European Union and the Community of Portuguese-speaking Countries, for their assistance in the area of security sector reform (seventh paragraph)

Resolution [1949 \(2010\)](#)

23 November 2010

Urges the international community, including the Peacebuilding Commission and regional organizations such as the African Union, the European Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries, as well as bilateral partners as appropriate, to increase their political and financial support to the West Africa Coast Initiative to fight transnational organized crime and drug trafficking, which threaten peace and security in Guinea-Bissau and in the subregion; welcomes in this regard the commitment of the Economic Community of West African States with the United Nations, the European Union and other partners for the immediate implementation of the Economic Community of West African States

*Decision and date*

*Provision*

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plan of action against drug trafficking and organized crime in West Africa, including options for targeted sanctions against those individuals identified as members or supporters of the drug trafficking network, and agrees to keep the situation under active review and to consider appropriate action (para. 15)

Requests the Peacebuilding Commission to continue to support the implementation of Guinea-Bissau's peacebuilding priorities as well as to continue to provide advice to the Council on how to remove critical obstacles to peacebuilding in Guinea-Bissau, in particular security sector reform and drug trafficking, and to keep the Council updated on progress it has made in helping to address these (para. 17)

### **The situation in Liberia**

Resolution [1938 \(2010\)](#)  
15 September 2010

Welcoming the request of the Government of Liberia for Peacebuilding Commission engagement on security sector reform, the rule of law and national reconciliation (eighth preambular paragraph)

Emphasizes the need for coherence between, and integration of, peacekeeping, peacebuilding and development to achieve an effective response to post-conflict situations, requests that the Secretary-General coordinate and collaborate with the Peacebuilding Commission, and encourages the Commission, following close consultation with the Government of Liberia, to report on the findings of its recent mission and its recommendations on how it can best accelerate progress first and foremost on security sector reform, the rule of law and national reconciliation (para. 7)

### **The situation in Sierra Leone**

Resolution [1941 \(2010\)](#)  
29 September 2010

Acknowledging the role that the Peacebuilding Commission plays in support of the peacebuilding efforts in Sierra Leone, welcoming the review of the outcome of the High-level Special Session of the Peacebuilding Commission on Sierra Leone, of 28 September 2010, and noting the contribution that the Peacebuilding Fund has made to peacebuilding in Sierra Leone (eighth preambular paragraph)

Encourages the Peacebuilding Commission to provide support to the Government of Sierra Leone in preparation for the 2012 elections as requested, including the potential to mobilize support from international partners, that is required for the implementation of the Government's Agenda for Change and the United Nations Joint Vision strategy and in that regard to advise and keep the Security Council updated, including on progress made in meeting core peacebuilding objectives, as necessary (para. 8)

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## **VIII. Subsidiary organs of the Security Council proposed but not established**

### **Note**

During the period under review, there were no instances in which a subsidiary organ was formally proposed but not established.

## Annex

### Documents relating to committees, tribunals and other bodies

| <i>Organ</i>   | <i>Symbol</i>  | <i>Date</i>      | <i>Description</i>  |
|--|----------------|------------------|---|
| <b>Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea<sup>a</sup></b> | S/2010/14      | 6 January 2010   | Annual report for 2009  |
|  | S/2010/372     | 12 July 2010     | First report of the United Nations Resident and Humanitarian Coordinator for Somalia, submitted pursuant to resolution 1916 (2010)  |
|  | S/2010/580     | 23 November 2010 | Second report of the United Nations Resident and Humanitarian Coordinator for Somalia, submitted pursuant to resolution 1916 (2010) |
|  | S/2010/688     | 31 December 2010 | Annual report for 2010  |
|  | S/2011/125     | 11 March 2011    | Third report of the United Nations Resident and Humanitarian Coordinator for Somalia, submitted pursuant to resolution 1916 (2010)  |
|  | S/2011/694     | 9 November 2011  | Fourth report of the United Nations Resident and Humanitarian Coordinator for Somalia, submitted pursuant to resolution 1972 (2011) |
| <b>Monitoring Group on Somalia and Eritrea</b>   | S/2010/91      | 10 March 2010    | Report of the Monitoring Group on Somalia submitted pursuant to resolution 1853 (2008)  |
|  | S/2011/433     | 18 July 2011     | Report of the Monitoring Group on Somalia and Eritrea submitted pursuant to resolution 1916 (2010)                                  |
|  | S/AC.29/2011/1 | 1 August 2011    | Letter from the Coordinator of the Monitoring Group to the Chair of the Committee, concerning document S/2011/433                   |
| <b>Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone<sup>b</sup></b>            | S/2010/659     | 23 December 2010 | Annual report for 2010  |



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| <i>Organ</i>   | <i>Symbol</i>              | <i>Date</i>       | <i>Description</i>  |
|--|----------------------------|-------------------|---|
| <b>Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities<sup>c</sup></b> | <a href="#">S/2010/125</a> | 5 March 2010      | Report reflecting the position of the Committee on the recommendations contained in the tenth report of the Analytical Support and Sanctions Monitoring Team ( <a href="#">S/2009/502</a> )   |
|  | <a href="#">S/2010/341</a> | 28 June 2010      | Letter from the Chairman of the Committee to the President of the Security Council, concerning the status of the review of the names on the Consolidated List pursuant to resolution <a href="#">1822 (2008)</a>                            |
|  | <a href="#">S/2010/653</a> | 20 December 2010  | Report reflecting the position of the Committee on the recommendations contained in the report of the Analytical Support and Sanctions Monitoring Team on the outcome of the review of the Consolidated List ( <a href="#">S/2010/497</a> ) |
|  | <a href="#">S/2010/685</a> | 31 December 2010  | Annual report for 2010  |
|  | <a href="#">S/2010/686</a> | 31 December 2010  | Letter from the Chairman of the Committee to the President of the Security Council concerning the comprehensive review of all pending issues before the Committee   |
|  | <a href="#">S/2011/728</a> | 21 November 2011  | Report reflecting the position of the Committee on the recommendations contained in the eleventh report of the Analytical Support and Sanctions Monitoring Team ( <a href="#">S/2011/245</a> )  |
|  | <a href="#">S/2012/305</a> | 8 May 2012        | Annual report for 2011  |
| <b>Analytical Support and Sanctions Monitoring Team</b>  | <a href="#">S/2010/497</a> | 28 September 2010 | Report of the Analytical Support and Sanctions Monitoring Team on the outcome of the review of the Consolidated List, submitted pursuant to resolution <a href="#">1904 (2009)</a>  |
|  | <a href="#">S/2011/245</a> | 13 April 2011     | Eleventh report   |
|  | <a href="#">S/2011/790</a> | 20 December 2011  | Report on linkages between Al-Qaida and the Taliban, submitted pursuant to resolutions <a href="#">1988 (2011)</a> and <a href="#">1989 (2011)</a>  |
| <b>Office of the Ombudsperson</b>  | <a href="#">S/2010/282</a> | 3 June 2010       | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of the Ombudsperson  |

**Part IX. Subsidiary organs of the Security Council:  
committees, tribunals and other bodies**

| <i>Organ</i>   | <i>Symbol</i>              | <i>Date</i>      | <i>Description</i>  |
|--|----------------------------|------------------|---|
|  | <a href="#">S/2011/29</a>  | 21 January 2011  | First report of the Ombudsperson, on the activities of the Office from 14 July 2010 to 15 January 2011  |
|  | <a href="#">S/2011/404</a> | 30 June 2011     | Letter from the Secretary-General to the President of the Security Council, concerning the reappointment of the Ombudsperson                    |
|  | <a href="#">S/2011/447</a> | 21 July 2011     | Second report of the Ombudsperson, on the activities of the Office from 21 January to 21 July 2011  |
| <b>Committee established pursuant to resolution <a href="#">1518 (2003)</a></b>                    | <a href="#">S/2011/40</a>  | 24 January 2011  | Annual report for 2010  |
|  | <a href="#">S/2011/806</a> | 30 December 2011 | Annual report for 2011  |
| <b>Committee established pursuant to resolution <a href="#">1521 (2003)</a> concerning Liberia</b> | <a href="#">S/2010/689</a> | 31 December 2010 | Annual report for 2010  |
|  | <a href="#">S/2011/804</a> | 30 December 2011 | Annual report for 2011  |
| <b>Panel of Experts on Liberia</b>   | <a href="#">S/2010/79</a>  | 8 February 2010  | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of three experts to the Panel of Experts |
|  | <a href="#">S/2010/319</a> | 17 June 2010     | Report submitted pursuant to resolution <a href="#">1903 (2009)</a>   |
|  | <a href="#">S/2010/609</a> | 15 December 2010 | Report submitted pursuant to resolution <a href="#">1903 (2009)</a>   |
|  | <a href="#">S/2011/78</a>  | 17 February 2011 | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of three experts to the Panel of Experts |
|  | <a href="#">S/2011/367</a> | 15 June 2011     | Report submitted pursuant to resolution <a href="#">1961 (2010)</a>   |
|  | <a href="#">S/2011/559</a> | 7 September 2011 | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Panel of Experts    |
|  | <a href="#">S/2011/757</a> | 30 November 2011 | Report submitted pursuant to resolution <a href="#">1961 (2010)</a>   |

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| <i>Organ</i>  | <i>Symbol</i>              | <i>Date</i>      | <i>Description</i>   |
|---|----------------------------|------------------|--|
| <b>Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo</b> | <a href="#">S/2010/288</a> | 30 June 2010     | Report of the Security Council mission to the Democratic Republic of the Congo (13 to 16 May 2010)   |
|   | <a href="#">S/2011/18</a>  | 10 January 2011  | Annual report for 2010   |
| <b>Group of Experts on the Democratic Republic of the Congo</b>   | <a href="#">S/2010/99</a>  | 25 February 2010 | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of three experts to the Group of Experts  |
|   | <a href="#">S/2010/207</a> | 22 April 2010    | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of two experts to the Group of Experts    |
|   | <a href="#">S/2010/252</a> | 21 May 2010      | Report submitted pursuant to resolution <a href="#">1896 (2009)</a>  |
|   | <a href="#">S/2010/337</a> | 25 June 2010     | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Group of Experts     |
|   | <a href="#">S/2010/596</a> | 15 November 2010 | Report submitted pursuant to resolution <a href="#">1896 (2009)</a>  |
|   | <a href="#">S/2011/77</a>  | 17 February 2011 | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of five experts to the Group of Experts   |
|   | <a href="#">S/2011/219</a> | 1 April 2011     | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of a sixth expert to the Group of Experts |
|   | <a href="#">S/2011/345</a> | 6 June 2011      | Report submitted pursuant to resolution <a href="#">1952 (2010)</a>  |
|   | <a href="#">S/2011/738</a> | 29 November 2011 | Report submitted pursuant to resolution <a href="#">1952 (2010)</a>  |
| <b>Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire</b>                        | <a href="#">S/2010/687</a> | 31 December 2010 | Annual report for 2010   |
|   | <a href="#">S/2011/808</a> | 29 December 2011 | Annual report for 2011   |
| <b>Group of Experts on Côte d'Ivoire</b>  | <a href="#">S/2010/179</a> | 9 April 2010     | Report submitted pursuant to resolution <a href="#">1893 (2009)</a>  |

**Part IX. Subsidiary organs of the Security Council:  
committees, tribunals and other bodies**

| <i>Organ</i>   | <i>Symbol</i>              | <i>Date</i>      | <i>Description</i>  |
|--|----------------------------|------------------|---|
|  | <a href="#">S/2011/3</a>   | 5 January 2011   | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of five experts to the Group of Experts  |
|  | <a href="#">S/2011/271</a> | 20 April 2011    | Report submitted pursuant to resolution <a href="#">1893 (2009)</a>   |
|  | <a href="#">S/2011/272</a> | 20 April 2011    | Report submitted pursuant to resolution <a href="#">1946 (2010)</a>   |
|  | <a href="#">S/2011/419</a> | 7 July 2011      | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of four experts to the Group of Experts  |
|  | <a href="#">S/2011/638</a> | 13 October 2011  | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Group of Experts    |
|  | <a href="#">S/2011/642</a> | 17 October 2011  | Report submitted pursuant to resolution <a href="#">1980 (2011)</a>   |
|  | <a href="#">S/2011/788</a> | 20 December 2011 | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Group of Experts    |
| <b>Committee established pursuant to resolution <a href="#">1591 (2005)</a> concerning the Sudan</b> | <a href="#">S/2010/16</a>  | 8 January 2010   | Annual report for 2009  |
|  | <a href="#">S/2010/679</a> | 30 December 2010 | Annual report for 2010  |
| <b>Panel of Experts on the Sudan</b>   | <a href="#">S/2010/140</a> | 15 March 2010    | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Panel of Experts    |
|  | <a href="#">S/2011/27</a>  | 19 January 2011  | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of three experts to the Panel of Experts |
|  | <a href="#">S/2011/60</a>  | 7 February 2011  | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Panel of Experts    |
|  | <a href="#">S/2011/96</a>  | 24 February 2011 | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Panel of Experts    |

Repertoire of the Practice of the Security Council, 2010-2011

| <i>Organ</i>  | <i>Symbol</i>              | <i>Date</i>      | <i>Description</i>  |
|---|----------------------------|------------------|---|
|   | <a href="#">S/2011/111</a> | 8 March 2011     | Report submitted pursuant to resolution <a href="#">1891 (2009)</a>   |
|   | <a href="#">S/2011/613</a> | 3 October 2011   | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Panel of Experts  |
|   | <a href="#">S/2011/614</a> | 3 October 2011   | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Panel of Experts  |
|   | <a href="#">S/2011/658</a> | 24 October 2011  | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of three experts to the Panel of Experts   |
| <b>Committee established pursuant to resolution <a href="#">1718 (2006)</a></b> | <a href="#">S/2010/28</a>  | 14 January 2010  | Annual report for 2009  |
|   | <a href="#">S/2011/84</a>  | 18 February 2011 | Annual report for 2010  |
| <b>Panel of Experts on the Democratic People's Republic of Korea</b>            | <a href="#">S/2010/376</a> | 8 July 2010      | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of seven experts to the Panel of Experts   |
|   | <a href="#">S/2010/571</a> | 5 November 2010  | Report submitted pursuant to resolution <a href="#">1874 (2009)</a>   |
| <b>Committee established pursuant to resolution <a href="#">1737 (2006)</a></b> | <a href="#">S/2010/263</a> | 27 May 2010      | Letter from the representative of the United Kingdom to the President of the Security Council, concerning items, materials, equipment, goods and technology related to ballistic missile-related programmes |
|   | <a href="#">S/2010/682</a> | 31 December 2010 | Annual report for 2010  |
| <b>Panel of Experts on the Islamic Republic of Iran</b>                         | <a href="#">S/2010/576</a> | 5 November 2010  | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of eight experts to the Panel of Experts   |
|   | <a href="#">S/2011/4</a>   | 6 January 2011   | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of one expert to the Panel of Experts  |
|   | <a href="#">S/2011/405</a> | 30 June 2011     | Letter from the Secretary-General to the President of the Security Council, concerning the appointment of eight experts to the Panel of Experts   |

**Part IX. Subsidiary organs of the Security Council:  
committees, tribunals and other bodies**

| <i>Organ</i>   | <i>Symbol</i>              | <i>Date</i>      | <i>Description</i>   |
|--|----------------------------|------------------|--|
| <b>Committee established pursuant to resolution 1988 (2011)</b>                              | <a href="#">S/2012/543</a> | 12 July 2012     | Annual report for 2011   |
| <b>Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism</b> | <a href="#">S/2010/89</a>  | 17 February 2010 | Work programme for the Committee, covering the period from 1 January to 30 June 2010   |
|  | <a href="#">S/2010/366</a> | 12 July 2010     | Work programmes for the Committee and its Executive Directorate, covering the period from 1 July to 31 December 2010   |
|  | <a href="#">S/2011/223</a> | 25 March 2011    | Work programme for the Committee, covering the period from 1 January to 31 December 2011   |
|  | <a href="#">S/2011/303</a> | 6 May 2011       | Chair's summary of the special meeting of the Committee with international, regional and subregional organizations on the issue of the prevention of terrorism, held in Strasbourg, France, from 19 to 21 April 2011 |
|  | <a href="#">S/2011/463</a> | 17 August 2011   | Updated global survey of the implementation of Security Council resolution <a href="#">1373 (2001)</a> prepared by the Committee   |
| <b>Committee established pursuant to resolution 1540 (2004)</b>                              | <a href="#">S/2010/52</a>  | 29 January 2010  | Final document on the 2009 comprehensive review of the status of implementation of Security Council resolution <a href="#">1540 (2004)</a> : key findings and recommendations  |
|  | <a href="#">S/2010/53</a>  | 29 January 2010  | Letter from the Chairman of the Committee to the President of the Security Council   |
|  | <a href="#">S/2010/112</a> | 26 February 2010 | Ninth programme of work of the Committee, covering the period from 1 February 2010 to 31 January 2011  |
|  | <a href="#">S/2011/37</a>  | 26 January 2011  | Decision of the Committee concerning the extension of its ninth programme of work until 25 April 2011  |
|  | <a href="#">S/2011/266</a> | 24 April 2011    | Letter from the Chairman of the Committee to the President of the Security Council   |
|  | <a href="#">S/2011/380</a> | 17 June 2011     | Tenth programme of work of the Committee, covering the period from 1 June 2011 to 31 May 2012  |

Repertoire of the Practice of the Security Council, 2010-2011

| <i>Organ</i>   | <i>Symbol</i>              | <i>Date</i>       | <i>Description</i>  |
|--|----------------------------|-------------------|---|
|  | <a href="#">S/2011/556</a> | 1 September 2011  | Letter from the Chairman of the Committee to the President of the Security Council  |
|  | <a href="#">S/2011/579</a> | 12 September 2011 | Report of the Committee on compliance with resolution <a href="#">1540 (2004)</a>   |
|  | <a href="#">S/2011/819</a> | 30 December 2011  | Report of the Committee containing recommendations for the structure, methods, modalities, expertise and representation of the Committee and the Group of Experts   |
| <b>International Tribunal for the Prosecution of Persons Responsible for Serious Violations of Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991</b> | <a href="#">S/2010/133</a> | 15 March 2010     | Letter from the Secretary-General to the President of the Security Council, concerning the extension of the term of office of two ad litem judges   |
|  | <a href="#">S/2010/154</a> | 15 March 2010     | Letter from the Secretary-General to the President of the Security Council, transmitting a feasibility study on the creation of information centres on the International Tribunal for the Former Yugoslavia |
|  | <a href="#">S/2010/270</a> | 31 May 2010       | Assessments of the President and the Prosecutor of the International Tribunal for the Former Yugoslavia submitted pursuant to paragraph 6 of resolution <a href="#">1534 (2004)</a>                         |
|  | <a href="#">S/2010/413</a> | 30 July 2010      | Seventeenth annual report   |
|  | <a href="#">S/2010/588</a> | 1 November 2010   | Assessments of the President and of the Prosecutor of the International Tribunal for the Former Yugoslavia submitted pursuant to paragraph 6 of resolution <a href="#">1534 (2004)</a>                      |
|  | <a href="#">S/2010/599</a> | 23 November 2010  | Identical letters from the Secretary-General to the President of the General Assembly and the President of the Security Council, concerning the extension of the term of office of two judges               |
|  | <a href="#">S/2011/316</a> | 12 May 2011       | Assessments of the President and the Prosecutor of the International Tribunal for the Former Yugoslavia submitted pursuant to paragraph 6 of resolution <a href="#">1534 (2004)</a>                         |
|  | <a href="#">S/2011/473</a> | 31 July 2011      | Eighteenth annual report  |
|  | <a href="#">S/2011/566</a> | 13 September 2011 | Letter from the Secretary-General to the President of the Security Council, concerning the reappointment of the Prosecutor of the Tribunal  |

| <i>Organ</i>  | <i>Symbol</i>              | <i>Date</i>      | <i>Description</i>   |
|---|----------------------------|------------------|--|
|   | <a href="#">S/2011/716</a> | 15 November 2011 | Assessments of the President and the Prosecutor of the International Tribunal for the Former Yugoslavia submitted pursuant to paragraph 6 of resolution <a href="#">1534 (2004)</a>  |
| <b>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 Rwanda Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994</b> | <a href="#">S/2010/259</a> | 28 May 2010      | Assessments of the President and the Prosecutor of the International Criminal Tribunal for Rwanda on the implementation of the completion strategy of the Tribunal, submitted pursuant to resolution <a href="#">1534 (2004)</a> |
|   | <a href="#">S/2010/408</a> | 30 July 2010     | Fifteenth annual report  |
|   | <a href="#">S/2010/574</a> | 5 November 2010  | Assessments of the President and the Prosecutor of the International Criminal Tribunal for Rwanda on the implementation of the completion strategy of the Tribunal, submitted pursuant to resolution <a href="#">1534 (2004)</a> |
|   | <a href="#">S/2010/598</a> | 23 November 2010 | Identical letters from the Secretary-General to the President of the General Assembly and the President of the Security Council, concerning the extension of the term of office of one judge                                     |
|   | <a href="#">S/2011/472</a> | 29 July 2011     | Sixteenth annual report  |
|   | <a href="#">S/2011/731</a> | 16 November 2011 | Assessments of the President and the Prosecutor of the International Criminal Tribunal for Rwanda on the implementation of the completion strategy of the Tribunal, submitted pursuant to resolution <a href="#">1534 (2004)</a> |
| <b>Peacebuilding Commission</b>   | <a href="#">S/2010/690</a> | 30 December 2010 | Letter from the President of the Security Council to the Secretary-General, concerning the selection of members of the Organizational Committee of the Peacebuilding Commission  |
|   | <a href="#">S/2011/41</a>  | 28 January 2011  | Report of the Peacebuilding Commission on its fourth session   |

<sup>a</sup> Formerly “Committee established pursuant to resolution [751 \(1992\)](#) concerning Somalia”.

<sup>b</sup> The Committee was dissolved on 29 September 2010, pursuant to resolution [1940 \(2010\)](#).

<sup>c</sup> Formerly “Committee established pursuant to resolution [1267 \(1999\)](#) concerning Al-Qaida and the Taliban and associated individuals and entities”.





## **Part X**

### **Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

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## Introductory note

### Article 29

*The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.*

### Rule 28

*The Security Council may appoint a commission or committee or a rapporteur for a specified question.*

The powers of the Security Council to establish subsidiary organs are set out in Article 29 of the Charter of the United Nations and reflected in rule 28 of its provisional rules of procedure. Part X covers decisions of the Council relating to field-based subsidiary organs that the Council established for the performance of its functions under the Charter. These field-based subsidiary organs can be divided into two categories, namely, (a) peacekeeping operations; and (b) political and peacebuilding missions.

Other subsidiary organs — committees, working groups, investigative bodies, tribunals, ad hoc commissions, special advisers, envoys and representatives and the Peacebuilding Commission — are covered in part IX.

Accordingly, this part is divided into two sections: I. peacekeeping operations; and II. political and peacebuilding missions. Subsections provide brief background information and a summary of the major developments affecting each subsidiary body resulting from Council decisions adopted during the period covered. The annex lists documents of the Council relating to the subsidiary bodies, such as exchanges of letters between the President of the Security Council and the Secretary-General and the reports of the Secretary-General that include recommendations regarding the mandate and/or composition of the subsidiary body.

The mandates of the peacekeeping operations and the political and peacebuilding missions as reflected in the provisions of Council decisions are categorized under 77 mandated tasks and grouped under 11 mandate categories that broadly define their nature, such as electoral assistance and certification, human rights, rule of law and political processes. To assist the reader in understanding each mandated task in relation to any previously active mandate, each mandated task is assigned a “mandated task level”, being classified as either a “newly mandated task”, a “reiteration” or an “additional element”. If the provision, either in its entirety or in part, contained one or more mandated tasks that the Council has mandated the subsidiary organ to carry out for the first time, it is classified as a newly mandated task; if the provision is referred to as a reiteration or additional element, the Council is either reiterating a previously established mandated task or providing additional instructions relating to it that expand upon its original scope. For example, if a political mission is requested by the Council, for the first time, to assist in the organization of national elections, it is considered to have within its overall mandate a newly mandated task of “electoral assistance”, in the mandate category “electoral assistance and certification”. If the Council subsequently requests the political mission to assist with local elections, it is classified as an additional element to the existing mandated task of “electoral assistance”. This system of classification and categorization does not reflect any practice or decision of the Council and is utilized for the purpose of the *Repertoire* only.

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## I. Peacekeeping operations

### Note

Section I focuses on the decisions of the Security Council concerning the establishment and termination of peacekeeping operations, as well as their composition, adopted during the period under review.

The peacekeeping operations are grouped by region, in the order in which they were established, except that operations relating to one country are grouped together. An overview of the mandate and composition of each peacekeeping operation at the start of 2010 is provided, followed by a summary of developments relating to the mandate during the period under review. In most cases, three tables show (a) the most recent authorization of military and police strength and the most recent mandate extension prior to 2010, as well as all decisions authorizing the military and police strength and the extensions of mandate during the reporting period; (b) the mandated tasks, by 11 mandate categories, of the peacekeeping operation since its establishment or since the last reinstatement of the mandate by decision of the Council; and (c) the full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review. Other documents relating to the mandate or composition of peacekeeping operations are listed in the annex to the present part.

### Overview of peacekeeping operations during 2010 and 2011

During 2010 and 2011, the Council managed 15 peacekeeping operations it authorized; the total number remained unchanged during the two-year period.

#### *Newly established and terminated peacekeeping operations*

During the period under review, three new peacekeeping operations were established while two missions were terminated. In view of the imminent independence of South Sudan, two peacekeeping operations were established in 2011 as successor missions to the United Nations Mission in the Sudan (UNMIS), namely, the United Nations Interim Security Force for Abyei, established by resolution [1990 \(2011\)](#), and the United Nations Mission in South Sudan, established by resolution [1996 \(2011\)](#). In addition, in view of the new phase reached in the country, the

United Nations Organization Mission in the Democratic Republic of the Congo was renamed United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, by resolution [1925 \(2010\)](#).

#### *Mandates of peacekeeping operations, including authorization of the use of force*

During the period under review, seven peacekeeping operations in total were authorized to use force, namely, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo,<sup>1</sup> the United Nations Operation in Côte d'Ivoire,<sup>2</sup> the United Nations Mission in the Sudan,<sup>3</sup> the United Nations Mission in South Sudan,<sup>4</sup> the African Union-United Nations Hybrid Operation in Darfur (UNAMID),<sup>5</sup> the United Nations Interim Security Force for Abyei<sup>6</sup> and the United Nations Mission in the Central African Republic and Chad.<sup>7</sup>

The mandates of several peacekeeping operations continued to expand in scope during the period with newly mandated tasks or additional elements added to existing mandated tasks. Four peacekeeping operations, the United Nations Disengagement Observer Force, the United Nations Military Observer Group in India and Pakistan, the United Nations Truce Supervision Organization and the United Nations Peacekeeping Force in Cyprus, continued to carry out relatively few mandated tasks, such as monitoring ceasefires and patrolling buffer zones between the parties. The majority of the peacekeeping operations, however, were mandated to carry out a wide range of tasks, such as supporting peace processes, providing assistance to institution-building, security sector reform and the promotion and protection of human rights and protecting civilians. Across all peacekeeping

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<sup>1</sup> Resolutions [1925 \(2010\)](#), para. 11; and [1991 \(2011\)](#), para. 1.

<sup>2</sup> Resolutions [1911 \(2010\)](#), para. 14; [1933 \(2010\)](#), para. 17; [1981 \(2011\)](#), para. 1; and [2000 \(2011\)](#), para. 8.

<sup>3</sup> Resolutions [1919 \(2010\)](#), para. 1, and [1978 \(2011\)](#), para. 1.

<sup>4</sup> Resolution [1996 \(2011\)](#), para. 4.

<sup>5</sup> Resolutions [1935 \(2010\)](#), para. 1; and [2003 \(2011\)](#), para. 1.

<sup>6</sup> Resolution [1990 \(2011\)](#), para. 3.

<sup>7</sup> Resolutions [1913 \(2010\)](#), para. 1, and [1922 \(2010\)](#), para. 1.

operations, ceasefire monitoring, policing and humanitarian support were the most common mandated tasks. Tables 1 and 2 provide an overview of the mandates of peacekeeping operations during the period covered.<sup>8</sup>

During the period under review, the Council continued to authorize inter-mission cooperation, as first authorized under resolution 1609 (2005) between

the United Nations Mission in Sierra Leone, the United Nations Mission in Liberia (UNMIL) and the United Nations Operation in Côte d'Ivoire (UNOCI).<sup>9</sup> The Council continued to authorize the temporary redeployment of troops between UNMIL and UNOCI.<sup>10</sup> The Council also authorized UNAMID to assist and complement the efforts of UNMIS in preparing for the referendums in Southern Sudan and Abyei, including by coordinating closely with UNMIS in sharing analysis of risks in the border areas.<sup>11</sup>

<sup>8</sup> The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo took over from the United Nations Organization Mission in the Democratic Republic of the Congo during the period covered. Both missions are included in table 1.

<sup>9</sup> Resolution 1609 (2005), para. 4.

<sup>10</sup> Resolution 1938 (2010), para. 6.

<sup>11</sup> Resolution 1935 (2010), para. 14.

Table 1  
Specific mandates of peacekeeping operations: Africa

| Mandate                                     | MINURSO | MONUC | MONUSCO | UNMIL | UNOCI | UNMIS | UNMISS | UNAMID | UNISFA | MINURCAT |
|---|---------|-------|---------|-------|-------|-------|--------|--------|--------|----------|
| Chapter VII                                 |         | X     | X       | X     | X     |       | X      |        |        |          |
| Chapter VII (partial)                       |         |       |         |       |       | X     |        | X      | X      | X        |
| Use of force                                |         | X     | X       |       | X     | X     | X      | X      | X      | X        |
| Coordination                                |         | X     | X       | X     | X     | X     | X      | X      |        |          |
| Demilitarization and arms control           |         | X     | X       | X     | X     | X     | X      | X      |        |          |
| Electoral assistance and certification      | X       | X     | X       | X     | X     | X     | X      | X      |        |          |
| Humanitarian issues                         |         |       |         | X     | X     | X     |        | X      | X      | X        |
| Human rights                                |         | X     | X       | X     | X     | X     | X      | X      | X      | X        |
| Institution-building                        |         | X     | X       | X     | X     | X     | X      | X      |        |          |
| Military, police and security sector reform | X       | X     | X       | X     | X     | X     | X      | X      | X      | X        |
| Political processes                         | X       |       | X       | X     | X     | X     | X      | X      | X      | X        |
| Rule of law                                 |         | X     | X       | X     | X     | X     | X      | X      |        | X        |

*Abbreviations:* MINURCAT, United Nations Mission in the Central African Republic and Chad; MINURSO, United Nations Mission for the Referendum in Western Sahara; MONUC, United Nations Organization Mission in the Democratic Republic of the Congo; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; UNAMID, African Union-United Nations Hybrid Operation in Darfur; UNISFA, United Nations Interim Security Force for Abyei; UNMIL, United Nations Mission in Liberia; UNMIS, United Nations Mission in the Sudan; UNMISS, United Nations Mission in South Sudan; UNOCI, United Nations Operation in Côte d'Ivoire.

Table 2  
Specific mandates of peacekeeping operations: Americas, Asia, Europe and Middle East

| Mandate                                     | MINUSTAH | UNMOGIP | UNMIT | UNFICYP | UNMIK | UNTSO | UNDOF | UNIFIL |
|---|----------|---------|-------|---------|-------|-------|-------|--------|
| Chapter VII                                 | X        |         |       |         | X     |       |       |        |
| Chapter VII (partial)                       |          |         |       |         |       |       |       |        |
| Use of force                                |          |         |       |         |       |       |       | X      |
| Coordination                                | X        |         | X     |         | X     |       |       | X      |
| Demilitarization and arms control           | X        |         |       |         |       |       |       | X      |
| Electoral assistance and certification      | X        |         | X     |         |       |       |       |        |
| Humanitarian issues                         | X        |         |       | X       | X     |       |       | X      |
| Human rights                                | X        |         | X     |         | X     |       |       |        |
| Institution-building                        | X        |         | X     |         | X     |       |       |        |
| Military, police and security sector reform | X        | X       | X     | X       | X     | X     | X     | X      |
| Political processes                         | X        |         | X     | X       | X     |       |       |        |
| Rule of law                                 | X        |         | X     |         |       |       |       |        |

*Abbreviations:* MINUSTAH, United Nations Stabilization Mission in Haiti; UNDOF, United Nations Disengagement Observer Force; UNFICYP, United Nations Peacekeeping Force in Cyprus; UNIFIL, United Nations Interim Force in Lebanon; UNMIK, United Nations Interim Administration Mission in Kosovo; UNMIT, United Nations Integrated Mission in Timor-Leste; UNMOGIP, United Nations Military Observer Group in India and Pakistan; UNTSO, United Nations Truce Supervision Organization.

*Authorized strength of peacekeeping operations*

During the period under review, nine missions including three newly established ones changed in

composition. Table 3 shows the changes in the composition of peacekeeping operations during the period covered.

Table 3  
Changes in composition of peacekeeping operations, 2010-2011

| Mission               | Changes in composition   | Decision   |
|-----------------------|--|--|
| MONUC                 | The military component was reduced from 20,575 to 18,575   | Resolution 1906 (2009)                               |
| MONUSCO (new mission) | A military component of 20,575 personnel and a police component of 1,441 personnel were authorized                         | Resolution 1925 (2010)                               |
| UNMIL                 | The military component of 250 personnel providing security to the Special Court in Sierra Leone was withdrawn              | Resolution 1971 (2011)                               |
| UNOCI                 | The military component was first reduced from 7,857 to 7,392, then increased from 7,392 to 7,792 and then to 9,797         | Resolutions 1962 (2010) and 1967 (2011)              |
|                       | The police component was increased three times, from 1,200 to 1,250, to 1,350 and then to 1,555                            | Resolutions 1942 (2010), 1962 (2010) and 2000 (2011) |
| UNMISS (new mission)  | A military component of 7,000 personnel and a police component of up to 900 personnel were authorized                      | Resolution 1996 (2011)                               |
| UNISFA (new mission)  | A military component of 4,200 personnel and a police component of 50 personnel were authorized                             | Resolution 1990 (2011)                               |
| MINURCAT              | The military component was reduced to 2,225 personnel from 5,225   | Resolution 1861 (2009)                               |
| MINUSTAH              | The military component was adjusted twice: it was first increased from 6,940 to 8,940 and then reduced from 8,940 to 7,340 | Resolutions 1908 (2010), 1927 (2010) and 2012 (2011) |



| <i>Mission</i> | <i>Changes in composition</i>  | <i>Decision</i>   |
|----------------|--|---|
|                | The police component was adjusted three times: it was first increased from 2,211 to 4,391 and then reduced from 4,391 to 3,241 | Resolutions <a href="#">1908 (2010)</a> , <a href="#">1927 (2010)</a> and <a href="#">2012 (2011)</a> |
| UNMIT          | The police component was decreased from 1,608 to 1,280   | Resolutions <a href="#">1912 (2010)</a> and <a href="#">1969 (2011)</a>                               |

*Abbreviations:* MINURCAT, United Nations Mission in the Central African Republic and Chad; MINUSTAH, United Nations Stabilization Mission in Haiti; MONUC, United Nations Organization Mission in the Democratic Republic of the Congo; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; UNISFA, United Nations Interim Security Force for Abyei; UNMIL, United Nations Mission in Liberia; UNOCI, United Nations Operation in Côte d'Ivoire; UNMISS, United Nations Mission in South Sudan; UNMIT, United Nations Integrated Mission in Timor-Leste.

## Africa

### United Nations Mission for the Referendum in Western Sahara

#### Background

The United Nations Mission for the Referendum in Western Sahara (MINURSO) was established by the Security Council on 29 April 1991, by resolution [690 \(1991\)](#), in accordance with the settlement proposals accepted on 30 August 1988 by Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente Polisario). The mandate for MINURSO, as given in resolutions [690 \(1991\)](#) and [1148 \(1998\)](#), included the following tasks: (a) monitoring of the ceasefire agreement; (b) monitoring of the confinement of Moroccan and Frente Polisario troops to designated locations; (c) taking steps with the parties to ensure the release of all Western Saharan political prisoners or detainees; (d) oversight of the exchange of prisoners of war; (e) implementation of

the repatriation programme; (f) identification and registration of qualified voters; and (g) organization of a free and fair referendum.

Prior to the reporting period, the mandate of MINURSO was last extended until 30 April 2010, with 230 military and 81 police personnel, respectively, as shown in table 4, which also shows the extensions of the mandate during the reporting period. Table 5 provides an overview of the mandate of MINURSO since its establishment.

#### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of MINURSO twice for periods of one year each, the last extension until 30 April 2012,<sup>12</sup> without any changes to its mandate.

<sup>12</sup> Resolutions [1920 \(2010\)](#), para. 9, and [1979 \(2011\)](#), para. 13.

Table 4  
MINURSO: extension of mandate and change in composition

|                            | Resolution              |                         |                          |                          |                          |
|----------------------------|-------------------------|-------------------------|--------------------------|--------------------------|--------------------------|
|                            | 1056 (1996)             | 1133 (1997)             | 1871 (2009)              | 1920 (2010)              | 1979 (2011)              |
| Date of adoption           | 29 May 1996             | 20 October 1997         | 30 April 2009            | 30 April 2010            | 27 April 2011            |
| Duration of mandate        | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(12 months) | Extension<br>(12 months) | Extension<br>(12 months) |
| <b>Authorized strength</b> |                         |                         |                          |                          |                          |
| <b>Military (total)</b>    | <b>230</b>              |                         |                          |                          |                          |
| <b>Police (total)</b>      |                         | <b>81</b>               |                          |                          |                          |

Table 5  
MINURSO: overview of mandate by category

| Category and mandated task   | Resolution |             |                |                |
|--|------------|-------------|----------------|----------------|
|  | 690 (1991) | 1148 (1998) | 1920 (2010)    | 1979 (2011)    |
| <b>Demilitarization and arms control</b>                                     |            |             |                |                |
| Demilitarization or arms monitoring  |            |             |                | X <sup>a</sup> |
| <b>Electoral assistance and certification</b>                                |            |             |                |                |
| Electoral assistance   |            |             |                | X <sup>a</sup> |
| <b>Humanitarian issues</b>   |            |             |                |                |
| Refugees/internally displaced persons: facilitation of return                |            |             |                | X <sup>a</sup> |
| <b>Military, police and security sector reform</b>                           |            |             |                |                |
| Police: executive policing   |            |             |                | X <sup>a</sup> |
| Protection of civilians, including refugees and internally displaced persons |            |             |                | X <sup>a</sup> |
| Ceasefire monitoring   |            |             |                | X <sup>a</sup> |
| Mine action  |            |             | X <sup>a</sup> |                |
| <b>Political processes</b>   |            |             |                |                |
| Peace agreement monitoring/implementation                                    |            |             |                | X <sup>a</sup> |
| Cooperation with/support to regional and subregional organizations           |            |             |                | X <sup>a</sup> |

<sup>a</sup> Newly mandated task.

## United Nations Organization Mission in the Democratic Republic of the Congo

### Background

The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) was established by the Security Council under Chapter VII of the Charter by resolution 1279 (1999) of 30 November 1999, following the signing in July 1999 of the Lusaka Ceasefire Agreement between the Democratic Republic of the Congo and five regional

States. The mandate of MONUC as given in resolutions 1756 (2007) and 1856 (2008) included the following categories of tasks: (a) protection of civilians, humanitarian personnel and United Nations personnel and facilities; (b) disarmament, demobilization and reintegration of foreign and Congolese armed groups; (c) territorial security of the Democratic Republic of the Congo; and (d) support for the strengthening of democratic institutions and the rule of law. The mandate of MONUC expired on 31 May 2010; its authorized military and police

strength stood at 20,575 and 1,441 personnel, respectively, as originally authorized by resolution 1843 (2008) and renewed by resolutions 1856 (2008) and 1906 (2009). Table 6 shows the last authorization prior to the reporting period of the military and police strength of MONUC and the last mandate extension, as well as all decisions authorizing the military and police strength taken during the reporting period, while table 7 provides an overview of the mandate since the adoption of resolution 1906 (2009).

## Developments during 2010 and 2011

### *Transition to a new peacekeeping operation*

On 28 May 2010, the Council extended the mandate of MONUC by one month, without modifying its mandate or composition. The Council also authorized the withdrawal of up to 2,000 United Nations military personnel by 30 June 2010 from areas where the security situation permitted and decided that, with effect from 1 July 2010, MONUC would bear the title “United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in view of the new phase reached in the country.”<sup>13</sup>

<sup>13</sup> Resolution 1925 (2010), paras. 1 and 3.

Table 6  
**MONUC: extension of mandate and change in composition**

|                              | <i>Resolution</i>    |                     |
|------------------------------|----------------------|---------------------|
|                              | <i>1906 (2009)</i>   | <i>1925 (2010)</i>  |
| Date of adoption             | 23 December 2009     | 28 May 2010         |
| Duration of mandate          | Extension (5 months) | Extension (1 month) |
| <b>Authorized strength</b>   |                      |                     |
| <b>Military (total)</b>      | <b>20 575</b>        | <b>18 575</b>       |
| Military personnel           | 19 815               |                     |
| Military observers           | 760                  |                     |
| <b>Police (total)</b>        | <b>1 441</b>         | <b>1 441</b>        |
| Police personnel             | 391                  |                     |
| Formed police unit personnel | 1 050                |                     |

Table 7  
**MONUC: overview of mandate by category**

| <i>Category and mandated task</i>             | <i>Resolution</i>  |                    |
|---|--------------------|--------------------|
|   | <i>1906 (2009)</i> | <i>1925 (2010)</i> |
| <b>General</b>                                |                    |                    |
| Authorization of the use of force             | X <sup>a</sup>     |                    |
| Benchmarks                                    | X <sup>a</sup>     |                    |
| <b>Coordination</b>                           |                    |                    |
| Coordination of international engagement      | X <sup>a</sup>     |                    |
| <b>Demilitarization and arms control</b>      |                    |                    |
| Disarmament, demobilization and reintegration | X <sup>a</sup>     |                    |
| Demilitarization or arms monitoring           | X <sup>a</sup>     |                    |

| Category and mandated task   | Resolution     |             |
|--|----------------|-------------|
|  | 1906 (2009)    | 1925 (2010) |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |                |             |
| Human rights: capacity-building  | X <sup>a</sup> |             |
| Human rights: investigation and prosecution  | X <sup>a</sup> |             |
| Women and peace and security   | X <sup>a</sup> |             |
| Children and armed conflict  | X <sup>a</sup> |             |
| <b>Institutions and governance</b>   |                |             |
| Institution-building   | X <sup>a</sup> |             |
| <b>Military, police and security sector reform</b>   |                |             |
| Monitoring the movement of armed personnel   | X <sup>a</sup> |             |
| Protection of civilians, including refugees and internally displaced persons                   | X <sup>a</sup> |             |
| Protection of humanitarian personnel/facilitation of humanitarian access                       | X <sup>a</sup> |             |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | X <sup>a</sup> |             |
| Support to national military   | X <sup>a</sup> |             |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence      | X <sup>a</sup> |             |
| Military reform  | X <sup>a</sup> |             |
| Police: capacity-building  | X <sup>a</sup> |             |
| Police: operational support to national police   | X <sup>a</sup> |             |
| Security sector reform   | X <sup>a</sup> |             |
| Consolidation of State authority   | X <sup>a</sup> |             |
| <b>Rule of law</b>   |                |             |
| Judicial and legal reform  | X <sup>a</sup> |             |
| Prisons  | X <sup>a</sup> |             |
| Promotion of the rule of law   | X <sup>a</sup> |             |
| <b>Other</b>   |                |             |
| Natural resources  | X <sup>a</sup> |             |
| Public information   | X <sup>a</sup> |             |
| Civilian-military coordination   | X <sup>a</sup> |             |

<sup>a</sup> Newly mandated task.

## United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

### Establishment

By [resolution 1925 \(2010\)](#) of 28 May 2010, the Security Council established the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) under Chapter VII of the Charter, for an initial period of 12 months as

from 1 July 2010, to succeed the earlier peacekeeping mission, the United Nations Organization Mission in the Democratic Republic of the Congo,<sup>14</sup> in view of the new phase that the Democratic Republic of the Congo was entering. The Council authorized MONUSCO to use all necessary means to carry out its mandate relating to the protection of civilians,

<sup>14</sup> See the section concerning the United Nations Organization Mission in the Democratic Republic of the Congo, above.

humanitarian personnel and human rights defenders under imminent threat of physical violence. MONUSCO was also mandated to support the efforts of the Government towards the safe return of internally displaced persons and refugees, to support the disarmament, demobilization and reintegration of Congolese armed groups, to consolidate State authority in the territory freed from armed groups, to support the Government of the Democratic Republic of the Congo in its stabilization and peace consolidation efforts, and to monitor the implementation of the arms embargo imposed under [resolution 1896 \(2009\)](#).<sup>15</sup>

Also by [resolution 1925 \(2010\)](#), the Council set the authorized military and police strengths of MONUSCO at 20,575 and 1,441 personnel, respectively, and authorized MONUSCO to keep a reserve force capable of redeploying rapidly elsewhere in the country, while concentrating its military forces in the east of the country. It was decided that future reconfigurations should be determined on the basis of the evolution of the situation on the ground and on the achievement of the objectives to be pursued by MONUSCO and the Government of the Democratic Republic of the Congo.<sup>16</sup> Table 8 shows decisions adopted by the Council during the reporting period by which it authorized the military and police strength of MONUSCO at its establishment and extended its mandate.

#### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of MONUSCO once for a period of 12 months, until 30 June 2012.<sup>17</sup> While its authorized strength remained the same, the mandate of MONUSCO was modified in the areas of coordination, electoral assistance, political process, the rule of law, human rights

and military tasks. An overview of the mandated tasks of MONUSCO since its establishment as well as the full text of all paragraphs in Council decisions that relate to the mandate of MONUSCO adopted during the period under review are provided in tables 9 and 10, respectively.

By [resolution 1991 \(2011\)](#), the Council added a new mandated task related to transitional justice under the rule of law: MONUSCO was called upon to assist the Government in actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country, including through cooperation with the International Criminal Court. The Council also modified several previously authorized tasks, relating inter alia to electoral assistance, political processes and human rights, mandating MONUSCO to provide electoral assistance by facilitating enhanced and regular dialogue with the National Independent Electoral Commission; supporting the Commission in facilitating dialogue among various Congolese stakeholders; monitoring, reporting and following up on human rights violations in the context of the elections; and using the good offices of the Special Representative of the Secretary-General for the Democratic Republic of the Congo. The Council also encouraged the use of “innovative measures” implemented by MONUSCO in the protection of civilians.<sup>18</sup> By [resolution 2021 \(2011\)](#), the Council expanded the existing mandate of MONUSCO in the areas of military tasks and sanctions enforcement and monitoring. Under a newly mandated task, MONUSCO was encouraged to take into account the findings of the Group of Experts regarding armed groups and challenges to the integration of armed groups in the contingency plans of the Mission in the six-month post-electoral period.<sup>19</sup>

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<sup>15</sup> [Resolution 1925 \(2010\)](#), paras. 1, 2 and 12.

<sup>16</sup> *Ibid.*, paras. 2 and 6.

<sup>17</sup> [Resolution 1991 \(2011\)](#), para. 1.

<sup>18</sup> *Ibid.*, paras. 1 and 19.

<sup>19</sup> [Resolution 2021 \(2011\)](#), paras. 16 and 18.

Table 8  
MONUSCO: extension of mandate and change in composition

|                            | <i>Resolution</i>         |                    |                       |                    |
|----------------------------|---------------------------|--------------------|-----------------------|--------------------|
|                            | <i>1925 (2010)</i>        | <i>1952 (2010)</i> | <i>1991 (2011)</i>    | <i>2021 (2011)</i> |
| Date of adoption           | 28 May 2010               | 29 November 2010   | 28 June 2011          | 29 November 2011   |
| Duration of mandate        | Establishment (12 months) |                    | Extension (12 months) |                    |
| <b>Authorized strength</b> |                           |                    |                       |                    |
| <b>Military (total)</b>    | <b>20 575</b>             |                    |                       |                    |
| Military personnel         | 19 815                    |                    |                       |                    |
| Military observers         | 760                       |                    |                       |                    |
| <b>Police (total)</b>      | <b>1 441</b>              |                    |                       |                    |
| Police personnel           | 391                       |                    |                       |                    |
| Formed police units        | 1 050                     |                    |                       |                    |

Table 9  
MONUSCO: overview of mandate by category

| <i>Category and mandated task</i>  | <i>Resolution</i>  |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|
|  | <i>1925 (2010)</i> | <i>1952 (2010)</i> | <i>1991 (2011)</i> | <i>2021 (2011)</i> |
| <b>General</b>   |                    |                    |                    |                    |
| Authorization of the use of force  | X <sup>a</sup>     |                    | X <sup>c</sup>     |                    |
| Benchmarks   |                    |                    |                    |                    |
| <b>Coordination</b>  |                    |                    |                    |                    |
| Coordination with United Nations agencies in the country                       | X <sup>a</sup>     |                    | X <sup>b</sup>     |                    |
| Coordination with other United Nations entities in the region                  | X <sup>a</sup>     | X <sup>c</sup>     |                    | X <sup>c</sup>     |
| Coordination of international engagement                                       | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>b</sup>     | X <sup>c</sup>     |
| <b>Demilitarization and arms control</b>                                       |                    |                    |                    |                    |
| Disarmament, demobilization and reintegration                                  | X <sup>a</sup>     |                    |                    |                    |
| Demilitarization or arms monitoring  | X <sup>a</sup>     |                    |                    |                    |
| Mine action  | X <sup>a</sup>     |                    |                    |                    |
| <b>Electoral assistance and certification</b>                                  |                    |                    |                    |                    |
| Electoral assistance   | X <sup>a</sup>     |                    | X <sup>b</sup>     |                    |
| <b>Humanitarian issues</b>   |                    |                    |                    |                    |
| Refugees/internally displaced persons: facilitation of return                  | X <sup>a</sup>     |                    |                    |                    |
| <b>Human rights; women and peace and security; children and armed conflict</b> |                    |                    |                    |                    |
| Human rights: promotion and protection   | X <sup>a</sup>     |                    |                    |                    |
| Human rights: investigation and prosecution                                    | X <sup>a</sup>     |                    |                    |                    |
| Human rights: monitoring   | X <sup>a</sup>     |                    | X <sup>b</sup>     |                    |
| Women and peace and security   | X <sup>a</sup>     |                    |                    |                    |
| Children and armed conflict  | X <sup>a</sup>     |                    |                    |                    |

## Repertoire of the Practice of the Security Council, 2010-2011

| Category and mandated task   | Resolution     |                |                |                |
|--|----------------|----------------|----------------|----------------|
|  | 1925 (2010)    | 1952 (2010)    | 1991 (2011)    | 2021 (2011)    |
| <b>Institutions and governance</b>   |                |                |                |                |
| Institution-building: strengthening/promotion of autonomy                              | X <sup>a</sup> |                |                |                |
| Territorial control/consolidation of State authority                                   | X <sup>a</sup> |                |                |                |
| <b>Military, police and security sector reform</b>                                     |                |                |                |                |
| Protection of civilians, including refugees and internally displaced persons           | X <sup>a</sup> |                | X <sup>b</sup> |                |
| Protection of United Nations personnel and facilities                                  | X <sup>a</sup> |                |                |                |
| Protection of humanitarian personnel/facilitation of humanitarian access               | X <sup>a</sup> |                |                |                |
| Monitoring the movement of armed groups  | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>b</sup> |
| Support to national military   | X <sup>a</sup> |                |                |                |
| Military reform  | X <sup>a</sup> |                |                |                |
| Police: capacity-building  | X <sup>a</sup> |                |                |                |
| Police: reform/restructuring   | X <sup>a</sup> |                |                |                |
| Security sector reform   | X <sup>a</sup> |                |                |                |
| <b>Political processes</b>   |                |                |                |                |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup> |                | X <sup>b</sup> |                |
| <b>Rule of law</b>   |                |                |                |                |
| Promotion of the rule of law   | X <sup>a</sup> |                |                |                |
| Judicial and legal reform  | X <sup>a</sup> | X <sup>c</sup> |                |                |
| Prisons  | X <sup>a</sup> |                |                |                |
| Transitional justice   |                |                | X <sup>a</sup> | X <sup>c</sup> |
| <b>Other</b>   |                |                |                |                |
| Natural resources  | X <sup>a</sup> |                | X <sup>b</sup> |                |
| Public information   | X <sup>a</sup> |                |                |                |
| Sanctions enforcement/monitoring   | X <sup>a</sup> | X <sup>c</sup> |                | X <sup>b</sup> |
| Development/reconstruction   | X <sup>a</sup> |                | X <sup>b</sup> |                |
| Contingency planning   |                |                |                | X <sup>a</sup> |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 10  
MONUSCO: establishment and changes to mandate, 2010-2011

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Resolution 1925 (2010) (adopted under Chapter VII)</b>     |   |                            |
| <b>General</b>  |   |                            |
| Authorization of the use of force                             | Emphasizes that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and authorizes the Mission to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 12 (a) to (k) and (t) [of the resolution] (para. 11)  | Newly mandated task        |
| <b>Coordination</b>   |   |                            |
| Coordination with United Nations agencies in the country      | Calls upon the United Nations system, along with international partners, to focus its efforts on helping the Government of the Democratic Republic of the Congo to consolidate the conditions to ensure effective protection of civilians and sustainable development in the Democratic Republic of the Congo, requests the Secretary-General to continue to coordinate all the activities of the United Nations system in the country through continued cooperation between the Mission and the United Nations country team under the authority of his Special Representative for the Democratic Republic of the Congo, and encourages the international and donor community to support the activities of the country team (para. 9) | Newly mandated task        |
| Coordination with other United Nations entities in the region | To coordinate strategies with other United Nations missions in the region for enhanced information-sharing in the light of the attacks by the Lord's Resistance Army and, at the request of the Government of the Democratic Republic of the Congo, may provide logistical support for regional military operations conducted against the Lord's Resistance Army in the Democratic Republic of the Congo, in compliance with international humanitarian, human rights and refugee law and the need to protect civilians (para. 12 (k))  | Newly mandated task        |
| Coordination of international engagement                      | Taking fully into account the leading role of the Government of the Democratic Republic of the Congo, to support, in close cooperation with other international partners, the efforts of the Congolese authorities to strengthen and reform security and judicial institutions (para. 12 (l))   | Newly mandated task        |



| <i>Category and mandated task</i>             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
|   | To support, in close cooperation with other international partners, the efforts of the Government of the Democratic Republic of the Congo to consolidate State authority in the territory freed from armed groups through the deployment of trained Congolese National Police, and to develop rule of law institutions and territorial administration, with respect to the Government's Stabilization and Reconstruction Plan and the International Security and Stabilization Support Strategy (para. 12 (p))  | Newly mandated task        |
|   | With respect to the urgent need to fight illegal exploitation of and trade in natural resources in the Democratic Republic of the Congo, to support the efforts of the Government of the Democratic Republic of the Congo and enhance its capabilities, along with international partners and neighbouring countries, to prevent the provision of support to armed groups, in particular support derived from illicit economic activities and illicit trade in natural resources, and consolidate and assess, jointly with the Government, the pilot project of bringing together all State services in five trading counters in North and South Kivu in order to improve the traceability of mineral products (para. 12 (r)) | Newly mandated task        |
| <b>Demilitarization and arms control</b>      |   |                            |
| Disarmament, demobilization and reintegration | To support, including through its political mediation efforts, the completion of activities of disarmament, demobilization and reintegration of Congolese armed groups or their effective integration in the army, which would remain subject to prior adequate training and equipment (para. 12 (i))   | Newly mandated task        |
|   | To support activities of disarmament, demobilization, repatriation, resettlement and reintegration of members of foreign armed groups, including the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, and support strategies towards a sustainable solution of the issue of the Forces démocratiques de libération du Rwanda, including repatriation, reinsertion or resettlement in other areas, or judicial prosecution as appropriate, with the help of all countries, especially those in the region (para. 12 (j))   | Newly mandated task        |
| Demilitarization or arms monitoring           | To support the efforts of the Government of the Democratic Republic of the Congo to bring the ongoing military operations against the Forces démocratiques de libération du Rwanda, the Lord's Resistance Army and other armed groups to completion, in compliance with international humanitarian, human rights and refugee law and the need to protect civilians, including through the support of the Armed Forces of the Democratic Republic of the Congo in jointly planned operations, as set out in paragraphs 21 to 23 and 32 of resolution <a href="#">1906 (2009)</a> (para. 12 (h))  | Newly mandated task        |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
|  | To monitor the implementation of the measures imposed by paragraph 1 of resolution <a href="#">1896 (2009)</a> , in cooperation, as appropriate, with the Governments concerned and with the Group of Experts on the Democratic Republic of the Congo established pursuant to resolution <a href="#">1533 (2004)</a> , seize or collect any arms or related materiel whose presence in the Democratic Republic of the Congo violates the measures imposed by paragraph 1 of resolution <a href="#">1896 (2009)</a> and dispose of them as appropriate, and provide assistance to the competent customs authorities of the Democratic Republic of the Congo in implementing the provisions of paragraph 9 of resolution <a href="#">1896 (2009)</a> (para. 12 (t)) | Newly mandated task        |
| Mine action  | To assist the Government of the Democratic Republic of the Congo in enhancing its demining capacity (para. 12 (s))  | Newly mandated task        |
| <b>Electoral assistance and certification</b>                                  |   |                            |
| Electoral assistance   | To provide technical and logistical support for the organization of national and local elections, upon explicit request from the Congolese authorities and within the limits of its capacities and resources (para. 12 (q))   | Newly mandated task        |
| <b>Humanitarian issues</b>   |   |                            |
| Refugees/internally displaced persons: facilitation of return                  | To support the efforts of the Government of the Democratic Republic of the Congo, along with international partners and neighbouring countries, to create an environment conducive to the voluntary, safe and dignified return of internally displaced persons and refugees, or voluntary local integration or resettlement (para. 12 (g))  | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: promotion and protection   | To support the efforts of the Government of the Democratic Republic of the Congo to ensure the protection of civilians from violations of international humanitarian law and human rights abuses, including all forms of sexual and gender-based violence, to promote and protect human rights and to fight impunity, including through the implementation of the Government's "zero-tolerance policy" with respect to discipline and human rights and humanitarian law violations committed by elements of the security forces, in particular the newly integrated elements (para. 12 (c))   | Newly mandated task        |
| Human rights: investigation and prosecution                                    | To support national and international efforts to bring perpetrators to justice, including by establishing prosecution support cells to assist the military justice authorities of the Armed Forces of the Democratic Republic of the Congo in prosecuting persons arrested by the Armed Forces (para. 12 (d))   | Newly mandated task        |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Category and mandated task</i>   | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| Human rights: monitoring  | Calls upon the Mission to collect information on potential threats against the civilian population as well as reliable information on violations of international humanitarian and human rights law, and bring them to the attention of the authorities as appropriate (para. 17)   | Newly mandated task        |
| Women and peace and security  | See para. 12 (c) of the resolution, above   | Newly mandated task        |
| Children and armed conflict   | To work closely with the Government of the Democratic Republic of the Congo to ensure the implementation of its commitments to address serious violations against children, in particular the finalization of the action plan to release children present in the Armed Forces of the Democratic Republic of the Congo and to prevent further recruitment, with the support of the monitoring and reporting mechanism (para. 12 (e)) | Newly mandated task        |
| <b>Institutions and governance</b>  |   |                            |
| Institution-building: strengthening/promotion of autonomy   | See para. 12 (r) of the resolution, under “Coordination” above  | Newly mandated task        |
| Territorial control/consolidation of State authority  | See para. 12 (p) of the resolution, under “Coordination” above  | Newly mandated task        |
| <b>Military, police and security sector reform</b>  |   |                            |
| Protection of civilians, including refugees and internally displaced persons  | To ensure the effective protection of civilians, including humanitarian personnel and human rights defenders, under imminent threat of physical violence, in particular violence emanating from any of the parties engaged in the conflict (para. 12 (a))   | Newly mandated task        |
|   | To implement the United Nations system-wide protection strategy in the Democratic Republic of the Congo, operationalizing it with the Mission’s protection strategy built on best practices, and extend useful protection measures, such as the joint protection teams, community liaison interpreters, joint investigation teams, surveillance centres and women’s protection advisers (para. 12 (f))                              | Newly mandated task        |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment/support to national military | To ensure the protection of United Nations personnel, facilities, installations and equipment (para. 12 (b))  | Newly mandated task        |
| Protection of humanitarian personnel/facilitation of humanitarian access  | See para. 12 (a) of the resolution, above   | Newly mandated task        |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Monitoring the movement of armed groups  | See para. 12 (h) of the resolution, under “Demilitarization and arms control” above   | Newly mandated task        |
|  | See para. 12 (k) of the resolution, under “Coordination” above  | Newly mandated task        |
| Support to national military   | See para. 12 (h) of the resolution, under “Demilitarization and arms control” above   | Newly mandated task        |
|  | See para. 12 (k) of the resolution, under “Coordination” above  | Newly mandated task        |
| Military reform  | In line with the relevant legislation on the reform of the Armed Forces of the Democratic Republic of the Congo and the army reform plan presented in January 2010, to assist the Government of the Democratic Republic of the Congo, along with international and bilateral partners, in strengthening its military capacity, including military justice and military police, in particular by harmonizing efforts and facilitating exchanges of information and lessons learned and, as the Government requests it, assist in the training of the Armed Forces and military police battalions, support military justice institutions and mobilize donors to provide equipment and other required resources (para. 12 (m)) | Newly mandated task        |
| Police: capacity-building  | To develop and implement, in close consultation with the Congolese authorities and in accordance with the Congolese strategy for justice reform, a multi-year joint United Nations justice support programme in order to develop the criminal justice chain, the police, the judiciary and prisons in conflict-affected areas and a strategic programmatic support at the central level in Kinshasa (para. 12 (o))  | Newly mandated task        |
| Police: reform/restructuring   | To support the reform of the police led by the Government of the Democratic Republic of the Congo, including by providing training to battalions of the Congolese National Police and mobilizing donors to provide basic supplies, recalling the urgent need for the Congolese authorities to adopt the appropriate legal framework (para. 12 (n))  | Newly mandated task        |
| Security sector reform   | See para. 12 (l) of the resolution, under “Coordination” above  | Newly mandated task        |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/ dialogue/preventive diplomacy/ mediation/good offices | See para. 12 (i) of the resolution, under “Demilitarization and arms control” above   | Newly mandated task        |

## Repertoire of the Practice of the Security Council, 2010-2011

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| <i>Category and mandated task</i>    | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--------------------------------------|--|----------------------------|
| <b>Rule of law</b>                   |  |                            |
| Promotion of the rule of law         | See para. 12 (p) of the resolution, under “Coordination” above   | Newly mandated task        |
| Judicial and legal reform            | See para. 12 (l) of the resolution, under “Coordination” above   | Newly mandated task        |
|                                      | See para. 12 (o) of the resolution, under “Military, police and security sector reform” above  | Newly mandated task        |
| Prisons                              | See para. 12 (o) of the resolution, under “Military, police and security sector reform” above  | Newly mandated task        |
| <b>Other</b>                         |  |                            |
| Natural resources                    | See para. 12 (r) of the resolution, under “Coordination” above   | Newly mandated task        |
| Public information                   | Encourages the Mission to ensure regular interaction with the civilian population to raise awareness and understanding about its mandate and activities (para. 16) | Newly mandated task        |
| Sanctions enforcement/<br>monitoring | See para. 12 (t) of the resolution, under “Demilitarization and arms control” above  | Newly mandated task        |
| Development/reconstruction           | See para. 9 of the resolution, under “Coordination” above  | Newly mandated task        |

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### **Resolution 1952 (2010) (adopted under Chapter VII)**

#### **Coordination**

|   |   |             |
|---|---|-------------|
| Coordination with other United Nations entities in the region | Encourages enhanced cooperation between all States, particularly those in the region, the Mission and the Group of Experts, and encourages further all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control (para. 17) | Reiteration |
| Coordination of international engagement                      | See para. 17 of the resolution, above   | Reiteration |

#### **Rule of law**

|                           |  |             |
|---------------------------|--|-------------|
| Judicial and legal reform | Urges the Mission to continue supporting the efforts of the Congolese authorities to strengthen their justice system, to consolidate the trading counters in North and South Kivu and to monitor the measures imposed by paragraph 1 [of the resolution], as mandated in paragraphs 12 (o), (r) and (t) of resolution 1925 (2010) (para. 16) | Reiteration |
|---------------------------|--|-------------|

| <i>Category and mandated task</i>                         | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Other</b>  |  |                            |
| Sanctions enforcement/monitoring                          | Encourages the Mission to continue to share all relevant information with the Group of Experts, especially information on the recruitment and use of children and on the targeting of women and children in situations of armed conflict (para. 13)  | Reiteration                |
|   | See para. 16 of the resolution, under “Rule of law” above  | Reiteration                |
|   | See para. 17 of the resolution, under “Coordination” above   | Reiteration                |
| <hr/>   |  |                            |
| <b>Resolution 1991 (2011) (adopted under Chapter VII)</b> |  |                            |
| <b>General</b>  |  |                            |
| Authorization of the use of force                         | Decides to extend until 30 June 2012 the mandate of MONUSCO as set out in paragraphs 2, 11 and 12 (a) to (p) and (r) to (t) of resolution 1925 (2010), reaffirms that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and encourages further the use of innovative measures implemented by the Mission in the protection of civilians (para. 1)   | Reiteration                |
| <b>Coordination</b>                                       |  |                            |
| Coordination with United Nations agencies in the country  | Calls upon the Mission to continue to work with the United Nations country team and the Congolese authorities towards the adoption and implementation of the Peace Consolidation Programme covering provinces not affected by the conflict and to continue to support the implementation of the Government’s Stabilization and Reconstruction Plan, including through the implementation of the International Security and Stabilization Support Strategy, and calls upon donors to support these efforts (para. 20)   | Additional element         |
| Coordination of international engagement                  | Takes note of the respective initiatives taken by the United Nations and the African Union to facilitate regional action against the Lord’s Resistance Army and to protect civilians, reiterates the need to enhance cooperation of all relevant parties to help to address the threat to civilians posed by the Lord’s Resistance Army, welcomes the steps taken by the Mission to enhance information-sharing and coordination with those conducting military operations against the Lord’s Resistance Army, and encourages the Mission to continue to keep close contacts with Lord’s Resistance Army-affected communities and to keep under review the deployment of its available resources to ensure maximum effect (para. 14) | Additional element         |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Electoral assistance and certification</b>                                  |   |                            |
| Electoral assistance   | Decides that the Mission shall support the organization and conduct of national, provincial and local elections through the provision of technical and logistical support as requested by the Congolese authorities, by facilitating enhanced and regular dialogue with the National Independent Electoral Commission, including through the Election Partnership Committee, by supporting the Commission in facilitating dialogue among various Congolese stakeholders, by monitoring, reporting and following up on human rights violations in the context of the elections, and by using the good offices of the Special Representative of the Secretary-General for the Democratic Republic of the Congo as required (para. 7)  | Additional element         |
|  | Calls upon the Mission and the United Nations country team to collect information on and identify potential threats against the civilian population, as well as reliable information on violations of international humanitarian and human rights law, to bring them to the attention of the Congolese authorities as appropriate, and to take appropriate action in accordance with the United Nations system-wide protection strategy in harmonization with the Mission's protection strategy, and further requests the Mission, consistent with its mandate and within its current capabilities, to provide assistance and advice to the Congolese authorities with security preparations in relation to the elections (para. 8) | Additional element         |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: monitoring   | See para. 7 of the resolution, under "Electoral assistance and certification" above   | Additional element         |
|  | See para. 8 of the resolution, under "Electoral assistance and certification" above   | Additional element         |
| <b>Military, police and security sector reform</b>                             |   |                            |
| Protection of civilians, including refugees and internally displaced persons   | Decides to extend until 30 June 2012 the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo as set out in paragraphs 2, 11 and 12 (a) to (p) and (r) to (t) of resolution <a href="#">1925 (2010)</a> , reaffirms that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and encourages further the use of innovative measures implemented by the Mission in the protection of civilians (para. 1)   | Additional element         |
|  | See para. 8 of the resolution, under "Electoral assistance and certification" above   | Additional element         |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Monitoring the movement of armed groups  | See para. 14 of the resolution, under “Coordination” above  | Additional element         |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/ dialogue/preventive diplomacy/ mediation/good offices | See para. 7 of the resolution, under “Electoral assistance and certification” above   | Additional element         |
| <b>Rule of law</b>   |   |                            |
| Transitional justice   | Commends the Government of the Democratic Republic of the Congo for the apprehension and the transfer to the International Criminal Tribunal for Rwanda of Mr. Bernard Munyagishari, a fugitive from international criminal justice, further stresses the importance of the Government of the Democratic Republic of the Congo actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end, including through cooperation with the International Criminal Court, and calls upon the Mission to use its existing authority to assist the Government in this regard (para. 19)   | Newly mandated task        |
| <b>Other</b>   |   |                            |
| Natural resources  | Welcomes the initial steps taken by the mining authorities in the Democratic Republic of the Congo and throughout the region to address the tracing and certification of minerals, encourages further demilitarization of the mining areas in the Democratic Republic of the Congo and the professionalization and deployment of the Congolese Mining Police in these areas, and calls upon the Mission to support the relevant Congolese authorities in preventing the provision of support to armed groups from illicit economic activities and illicit trade in natural resources, including to carry out spot checks and regular visits to mining sites, trade routes and markets in the vicinity of the five pilot trading counters (para. 17) | Additional element         |
| Development/reconstruction   | See para. 20 of the resolution, under “Coordination” above  | Additional element         |



| <i>Category and mandated task</i>                             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Resolution 2021 (2011) (adopted under Chapter VII)</b>     |   |                            |
| <b>Coordination</b>   |   |                            |
| Coordination with other United Nations entities in the region | Encourages enhanced cooperation between all States, particularly those in the region, the Mission and the Group of Experts, further encourages all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control, and reiterates its demand that all parties and all States ensure the safety of its members and unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate (para. 16) | Reiteration                |
| Coordination of international engagement                      | See para. 16 of the resolution, above   | Reiteration                |
| <b>Military, police and security sector reform</b>            |   |                            |
| Monitoring the movement of armed groups                       | Encourages the Mission to take into account the findings of the Group of Experts regarding armed groups and challenges to the integration of armed groups in the contingency plans of the Mission in the six-month post-electoral period (para. 18)   | Additional element         |
| <b>Rule of law</b>  |   |                            |
| Transitional justice  | Stresses the importance of the Government of the Democratic Republic of the Congo actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end, including through its ongoing cooperation with the International Criminal Court, and encourages the Mission to use its existing authority to assist the Government in this regard (para. 15)  | Reiteration                |
| <b>Other</b>  |   |                            |
| Sanctions enforcement/monitoring                              | See para. 16 of the resolution, under “Coordination” above  | Additional element         |
| Contingency planning  | Encourages the Mission to take into account the findings of the Group of Experts regarding armed groups and challenges to the integration of armed groups in the contingency plans of the Mission in the six-month post-electoral period (para. 18)   | Newly mandated task        |

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## United Nations Mission in Liberia

### Background

The United Nations Mission in Liberia (UNMIL) was established by the Security Council under Chapter VII of the Charter by resolution 1509 (2003) of 19 September 2003. The initial mandate of UNMIL was, inter alia, to support the implementation of the ceasefire agreement<sup>20</sup> and the peace process; protect United Nations personnel, facilities and civilians; facilitate the provision of humanitarian assistance; and assist in national security sector reform, including national police training and the formation of a new reconstructed military. Prior to the reporting period, the mandate of UNMIL was last extended until 30 September 2010, the police component was set at 1,375 and the military strength was set at 8,202, as shown in table 11, which also shows all decisions authorizing the military and police strength and the extensions of the mandate of UNMIL during the reporting period. Table 12 provides an overview of the mandate of UNMIL since its establishment.

<sup>20</sup> Agreement on Ceasefire and Cessation of Hostilities between the Government of the Republic of Liberia and Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia (S/2003/657, annex).

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNMIL twice for periods of one year each, the last until 30 September 2012, while modifying its mandate and reducing the authorized military strength from 8,202 to 7,952 personnel.<sup>21</sup> The full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review is provided in table 13.

The Council modified the existing tasks in the areas of benchmarks, coordination with the United Nations Operation in Côte d'Ivoire, women and peace and security and military activities. With regard to the latter, by resolution 1971 (2011), the Council discontinued its authorization, pursuant to paragraphs 5 and 7 of resolution 1626 (2005), to provide security to the Special Court for Sierra Leone and to evacuate officials of the Special Court in the event of a serious security crisis affecting those personnel and the Court, and requested that UNMIL withdraw the military personnel providing security for the Special Court by 7 March 2011.<sup>22</sup>

<sup>21</sup> Resolutions 1938 (2010), para. 1; and 2008 (2011), para. 1.

<sup>22</sup> Resolution 1971 (2011), paras. 1 and 2.

Table 11  
UNMIL: extension of mandate and change in composition

|                            | Resolution            |                       |                       |              |                       |
|----------------------------|-----------------------|-----------------------|-----------------------|--------------|-----------------------|
|                            | 1836 (2008)           | 1885 (2009)           | 1938 (2010)           | 1971 (2011)  | 2008 (2011)           |
| Date of adoption           | 29 September 2008     | 15 September 2009     | 15 September 2010     | 3 March 2011 | 16 September 2011     |
| Duration of mandate        | Extension (12 months) | Extension (12 months) | Extension (12 months) |              | Extension (12 months) |
| <b>Authorized strength</b> |                       |                       |                       |              |                       |
| <b>Military (total)</b>    |                       |                       | <b>8 202</b>          |              | <b>7 952</b>          |
| <b>Police (total)</b>      | <b>1 375</b>          |                       |                       |              |                       |
| Police advisers            | 498                   |                       |                       |              |                       |
| Correction officers        | 32                    |                       |                       |              |                       |
| Formed police units        | 845                   |                       |                       |              |                       |

Table 12  
**UNMIL: overview of mandate by category**

| Category and mandated task   | Resolution     |                |                |                |                |                |                |                |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1509<br>(2003) | 1521<br>(2003) | 1626<br>(2005) | 1638<br>(2005) | 1657<br>(2006) | 1712<br>(2006) | 1750<br>(2007) | 1777<br>(2007) | 1836<br>(2008) | 1885<br>(2009) | 1938<br>(2010) | 1971<br>(2011) | 2008<br>(2011) |
| <b>General</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Benchmarks   |                |                | X <sup>a</sup> |                |                | X <sup>b</sup> | X <sup>c</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>b</sup> |                |                |
| <b>Coordination</b>  |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Coordination with United Nations agencies in the country                       | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Coordination with other United Nations entities in the region                  |                |                | X <sup>a</sup> |                | X <sup>b</sup> |                |                |                |                |                |                |                | X <sup>b</sup> |
| Coordination of international engagement                                       | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| <b>Demilitarization and arms control</b>                                       |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Disarmament, demilitarization and reintegration                                | X <sup>a</sup> |                | X <sup>c</sup> |                |                |                |                |                |                |                |                |                |                |
| <b>Electoral assistance and certification</b>                                  |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Electoral assistance   | X <sup>a</sup> |                |                |                |                |                |                |                |                | X <sup>b</sup> | X <sup>c</sup> |                | X <sup>c</sup> |
| <b>Humanitarian issues</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Humanitarian support/coordination  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Refugees/internally displaced persons: facilitation of return                  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| <b>Human rights; women and peace and security; children and armed conflict</b> |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Human rights: promotion and protection   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Human rights: monitoring   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Women and peace and security   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                | X <sup>b</sup> |
| <b>Institutions and governance</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Institution-building: strengthening/promotion of autonomy                      | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Territorial control  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Consolidation of State authority   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| <b>Military, police and security sector reform</b>                             |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Border monitoring  |                |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                | X <sup>b</sup> |
| Monitoring the movement of armed groups  |                |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                | X <sup>b</sup> |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| Category and mandated task   | Resolution     |                |                |                |                |                |                |                |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1509<br>(2003) | 1521<br>(2003) | 1626<br>(2005) | 1638<br>(2005) | 1657<br>(2006) | 1712<br>(2006) | 1750<br>(2007) | 1777<br>(2007) | 1836<br>(2008) | 1885<br>(2009) | 1938<br>(2010) | 1971<br>(2011) | 2008<br>(2011) |
| Protection of civilians, including refugees and internally displaced persons                   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | X <sup>a</sup> |                | X <sup>b</sup> |                | X <sup>b</sup> |                |                |                |                |                |                | X <sup>b</sup> |                |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence      | X <sup>a</sup> |                |                |                |                |                |                |                |                |                | X <sup>b</sup> |                | X <sup>c</sup> |
| Military reform  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Police: capacity-building  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Police: executive policing   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Police: reform/restructuring   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Operational support to national police   |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |                |
| Ceasefire monitoring   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Civilian-military coordination   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Security for other institutions or bodies  |                |                | X <sup>a</sup> |                |                |                | X <sup>b</sup> |                |                |                |                |                | X <sup>d</sup> |
| <b>Political processes</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Peace agreement monitoring/implementation  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Cooperation with/support to regional and subregional organizations                             | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| <b>Rule of law</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Judicial and legal reform  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Prisons  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Transitional justice   |                |                |                | X <sup>a</sup> |                |                | X <sup>b</sup> |                |                |                |                |                |                |
| <b>Other</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Natural resources  | X <sup>a</sup> |                | X <sup>c</sup> |                |                |                |                |                |                |                |                |                |                |
| Public information   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |
| Sanctions enforcement/monitoring   |                | X <sup>a</sup> |                | X <sup>b</sup> |                |                |                |                |                |                |                |                |                |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

<sup>d</sup> Discontinuation.

Table 13  
UNMIL: changes to mandate, 2010-2011

| <i>Category and mandated task</i>   | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Resolution 1938 (2010) (adopted under Chapter VII)</b>                                 |   |                            |
| <b>General</b>  |   |                            |
| Benchmarks  | Endorses the recommendation of the Secretary-General that the conduct of free, fair and peaceful elections be a core benchmark for the future drawdown of the Mission (para. 4)   | Additional element         |
|   | Requests the Secretary-General to continue to monitor progress on core benchmarks, in particular on preparations for the 2011 elections, and on building the capability of the Liberia National Police, in that regard requests the Secretary-General to ensure that the police component of the Mission has the required specialized expertise, including civilian expertise, in accordance with its mandate, and further requests a revision of current benchmarks to include transition benchmarks, and requests the Secretary-General to report regularly on that progress to the Council (para. 9)             | Additional element         |
| <b>Electoral assistance and certification</b>   |   |                            |
| Electoral assistance  | Authorizes the Mission to assist the Government of Liberia, as requested, with the 2011 general presidential and legislative elections by providing logistical support, particularly to facilitate access to remote areas, coordinating international electoral assistance and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections (para. 2)  | Reiteration                |
| <b>Military, police and security sector reform</b>  |   |                            |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | Encourages the Mission and the Government of Liberia to continue to make progress in the transition planning process, especially towards conducting a comprehensive situational assessment and identifying critical gaps that need to be filled in order to facilitate a successful transition, and requests that the Secretary-General draw up, in coordination with the Government, a joint transition plan on the transfer of responsibility for internal security from the Mission to the appropriate national authorities and brief regularly on its progress and, if applicable, its implementation (para. 5) | Additional element         |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Resolution 1971 (2011) (adopted under Chapter VII)</b>                                      |  |                            |
| <b>Military, police and security sector reform</b>   |  |                            |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | Also decides to discontinue the authorization and request to the Mission in paragraph 7 of resolution 1626 (2005) to evacuate officials of the Special Court for Sierra Leone in the event of a serious security crisis affecting those personnel and the Court (para. 2)  | Additional element         |
| Security for other institutions or bodies  | Decides to discontinue the authorization granted in paragraph 5 of resolution 1626 (2005), and requests that the Mission withdraw, by 7 March 2011, the military personnel providing security for the Special Court for Sierra Leone (para. 1)   | Discontinued               |
| <b>Resolution 2008 (2011) (adopted under Chapter VII)</b>                                      |  |                            |
| <b>Coordination</b>  |  |                            |
| Coordination with other United Nations entities in the region                                  | Emphasizes the need for the Mission and the United Nations Operation in Côte d'Ivoire to regularly coordinate their strategies and operations in areas near the Liberian-Côte d'Ivoire border, in order to contribute to subregional security and to prevent armed groups from exploiting the seam of political boundaries, and requests the Secretary-General to report on them to the Security Council and troop-contributing countries (para. 7)        | Additional element         |
| <b>Electoral assistance and certification</b>  |  |                            |
| Electoral assistance   | Reiterates its authorization to the Mission to continue to assist the Government of Liberia, as requested, with the 2011 general presidential and legislative elections, by providing logistical support, particularly to facilitate access to remote areas, coordinating international electoral assistance and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections (para. 2) | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |  |                            |
| Women and peace and security   | Requests the Mission to continue to support the participation of women in conflict prevention, conflict resolution and peacebuilding, including in decision-making roles in post-conflict governance institutions, appointed and elected in Liberia, within existing resources (para. 14)  | Additional element         |
| <b>Military, police and security sector reform</b>   |  |                            |
| Border monitoring  | See para. 7 of the resolution, under "Coordination" above  | Additional element         |

| <i>Category and mandated task</i>   | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| Monitoring the movement of armed groups   | See para. 7 of the resolution, under “Coordination” above   | Additional element         |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | Encourages the Government of Liberia and the Mission to continue to make progress in the transition planning process, particularly in addressing critical gaps that need to be filled in order to facilitate a successful transition, and requests that the Secretary-General deploy a technical assessment mission to Liberia after the inauguration of the elected Government in 2012 that should focus on the security transition and also develop detailed proposals for the next stages of the drawdown of the Mission, based on a thorough review of progress made towards the transition benchmarks, with a view to providing timelines and recommendations for the further reduction of the military component of the Mission (para. 5) | Reiteration                |

## United Nations Operation in Côte d’Ivoire

### Background

The United Nations Operation in Côte d’Ivoire (UNOCI) was established by the Security Council under Chapter VII of the Charter by resolution [1528 \(2004\)](#) of 4 April 2004. UNOCI took over from the peacekeeping forces of the Economic Community of West African States and the United Nations Mission in Côte d’Ivoire.<sup>23</sup> The mandate of UNOCI, originally set by resolution [1528 \(2004\)](#), was subsequently modified a number of times to reflect the evolving situation on the ground and the needs of the Operation. The Council had authorized UNOCI to use all necessary means to carry out its mandate. The mandate as given in resolutions [1528 \(2004\)](#) and [1880 \(2009\)](#) included the following tasks: ceasefire monitoring; disarmament, demobilization, reintegration, repatriation and resettlement; support for the organization of open, free, fair and transparent elections; and the protection of United Nations personnel, institutions and civilians. UNOCI had been supported by the French forces, which had also been authorized to use force by the

Council. Prior to the reporting period, the mandate of UNOCI was last extended until 31 January 2010 and the last authorized strength of military and police components was 7,450 and 1,200, respectively, as shown in table 14, which also shows all decisions authorizing the military and police strength and the extensions of the mandate during the reporting period. Table 15 provides an overview of the mandate of UNOCI since the adoption of resolution [1739 \(2007\)](#).

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNOCI six times for various periods ranging from one to 12 months, by resolutions adopted under Chapter VII of the Charter, the last extension being until 31 July 2012.<sup>24</sup> The mandate of UNOCI went through several modifications during the period and was set out anew in resolutions [1933 \(2010\)](#) and [2000 \(2011\)](#).

The Council adjusted the authorized strength of the military and police components of UNOCI on a number of occasions. By resolution [1933 \(2010\)](#), the Council decided, while maintaining the combined total authorized strength at 8,650 personnel, to set the military component to a maximum of 7,200 troops and staff officers and 192 military observers, and a

<sup>23</sup> For information relating to the mandate of the United Nations Mission in Côte d’Ivoire, a political mission established by the Council in May 2003, see *Repertoire, Supplement 2000-2003*, chap. V, part I.E; and *Supplement 2004-2007*, chap. V, part I.F.

<sup>24</sup> Resolutions [1911 \(2010\)](#), para. 14; [1924 \(2010\)](#), para. 1; [1933 \(2010\)](#), para. 16; [1962 \(2010\)](#), para. 3; [1981 \(2011\)](#), para. 1; and [2000 \(2011\)](#), para. 1.

maximum of 1,250 police personnel and 8 seconded customs officers. By resolution 1942 (2010), the Council authorized a temporary increase in the number of authorized military and police personnel from 8,650 to 9,150, and that temporary increase was extended several times.<sup>25</sup> By resolution 1967 (2011) the Council authorized the deployment of an additional 2,000 military personnel until 30 June 2011, to bring the total number to 9,792, and that authorization was extended twice during the period under review.<sup>26</sup> Regarding the police component, the Council authorized the deployment of 60 formed police unit personnel, replacing 60 United Nations police officers, and subsequently authorized a further increase by 205 advisers.<sup>27</sup>

Within the framework of inter-mission cooperation arrangements provided for in paragraphs 4 to 6 of resolution 1609 (2005) and paragraph 6 of resolution 1938 (2010), temporary redeployments from the United Nations Mission in Liberia (UNMIL) to UNOCI were authorized several times: by resolution 1951 (2010) the temporary redeployment from UNMIL to UNOCI of a maximum of three infantry companies and an aviation unit comprising two military utility helicopters was authorized for an initial period of no more than four weeks; it was subsequently renewed four times for additional periods ranging from

four weeks to three months, expiring on 30 June 2011.<sup>28</sup> By resolution 1967 (2011), the Council authorized the transfer, on a temporary basis, of three armed helicopters with crews from UNMIL to UNOCI for an initial period of four weeks; that authorization was renewed three times for additional periods ranging from one to three months, but expired on 30 September 2011.<sup>29</sup>

By resolution 1933 (2010), the Council restated the mandate of UNOCI with a view to supporting the Ouagadougou political process more effectively, and authorized tasks in a wide range of areas, including demobilization and arms control, electoral assistance and certification, humanitarian issues, human rights, institutions and governance, military, police and security sector reform, political processes, and the rule of law. By that resolution, the Council renewed its authorization of the use of force by UNOCI and mandated the Operation, for the first time, to contribute to the support provided by the United Nations country team and other relevant actors to the process of identification of the population. By resolution 2000 (2011), the Council reiterated the elements of the mandate of UNOCI contained in resolution 1933 (2010), with some expansion. The full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review is provided in table 16.

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<sup>25</sup> Resolutions 1962 (2010), para. 4; 1967 (2011), para. 2; and 1992 (2011), para. 3.

<sup>26</sup> Resolutions 1992 (2011), para. 3; and 2000 (2011), para. 2.

<sup>27</sup> Resolutions 1967 (2010), para. 5; and 2000 (2011), para. 4.

<sup>28</sup> Resolutions 1962 (2010), para. 6; 1967 (2011), para. 3; 1968 (2011), para. 1; and 1981 (2011), para. 3.

<sup>29</sup> Resolutions 1968 (2011), para. 1; 1981 (2011), para. 3; and 1992 (2011), para. 1.



Table 14  
UNOCI: extension of mandate and changes in composition

|                                       | <i>Resolution</i>  |                    |                      |                      |                     |                      |                    |                      |                    |                    |                     |                       |
|---------------------------------------|--------------------|--------------------|----------------------|----------------------|---------------------|----------------------|--------------------|----------------------|--------------------|--------------------|---------------------|-----------------------|
|                                       | <i>1682 (2006)</i> | <i>1865 (2009)</i> | <i>1880 (2009)</i>   | <i>1911 (2010)</i>   | <i>1924 (2010)</i>  | <i>1933 (2010)</i>   | <i>1942 (2010)</i> | <i>1962 (2010)</i>   | <i>1967 (2011)</i> | <i>1992 (2011)</i> | <i>1981 (2011)</i>  | <i>2000 (2011)</i>    |
| Date of adoption                      | 2 June 2006        | 27 January 2009    | 30 July 2009         | 28 January 2010      | 27 May 2010         | 30 June 2010         | 29 September 2010  | 20 December 2010     | 19 January 2011    | 29 June 2011       | 13 May 2011         | 27 July 2011          |
| Duration of mandate                   |                    |                    | Extension (6 months) | Extension (4 months) | Extension (1 month) | Extension (6 months) |                    | Extension (6 months) |                    |                    | Extension (1 month) | Extension (12 months) |
| <b>Authorized strength</b>            |                    |                    |                      |                      |                     |                      |                    |                      |                    |                    |                     |                       |
| <b>Military (total)</b>               | <b>8 115</b>       | <b>7 450</b>       |                      |                      |                     | <b>7 392</b>         | <b>7 392</b>       | <b>7 792</b>         | <b>9 792</b>       | <b>9 792</b>       |                     | <b>9 792</b>          |
| Troops and staff officers             |                    |                    |                      |                      |                     | 7 200                |                    |                      |                    |                    |                     | 9 600                 |
| Military observers                    |                    |                    |                      |                      |                     | 192                  |                    |                      |                    |                    |                     | 192                   |
| Seconded customs officers             |                    |                    |                      |                      |                     | 8                    | 8                  | 8                    | 8                  | 8                  |                     |                       |
| <b>Police (total)</b>                 | <b>1 200</b>       |                    |                      |                      |                     | <b>1 250</b>         | <b>1 750</b>       | <b>1 350</b>         | <b>1 350</b>       | <b>1 350</b>       |                     | <b>1 555</b>          |
| Uniformed personnel (military police) |                    |                    |                      |                      |                     |                      | 500                |                      |                    |                    |                     |                       |
| <b>Total authorized composition</b>   | <b>9 315</b>       | <b>8 650</b>       |                      |                      |                     | <b>8 650</b>         | <b>9 150</b>       | <b>9 150</b>         | <b>11 150</b>      | <b>11 150</b>      |                     | <b>11 347</b>         |

Table 15  
UNOCI: overview of the mandate by category

| <i>Category and mandated task</i>           | <i>Resolution</i>  |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |
|---|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|   | <i>1739 (2007)</i> | <i>1765 (2007)</i> | <i>1795 (2008)</i> | <i>1819 (2008)</i> | <i>1826 (2008)</i> | <i>1842 (2008)</i> | <i>1865 (2009)</i> | <i>1880 (2009)</i> | <i>1893 (2009)</i> | <i>1911 (2010)</i> | <i>1933 (2010)</i> | <i>1946 (2010)</i> | <i>1980 (2011)</i> | <i>1981 (2011)</i> | <i>2000 (2011)</i> |
| <b>General</b>                              |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Authorization of the use of force           | X <sup>a</sup>     |                    |                    |                    |                    |                    |                    |                    |                    | X                  | X <sup>a</sup>     |                    |                    | X <sup>c</sup>     | X <sup>a</sup>     |
| Cross-cutting: women and peace and security | X <sup>a</sup>     |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Cross-cutting: children and armed conflict  |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Benchmarks                                  |                    |                    |                    |                    | X <sup>a</sup>     |                    | X <sup>b</sup>     | X <sup>b</sup>     |                    | X <sup>b</sup>     | X <sup>a</sup>     |                    |                    |                    |                    |

| Category and mandated task   | Resolution     |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1739<br>(2007) | 1765<br>(2007) | 1795<br>(2008) | 1819<br>(2008) | 1826<br>(2008) | 1842<br>(2008) | 1865<br>(2009) | 1880<br>(2009) | 1893<br>(2009) | 1911<br>(2010) | 1933<br>(2010) | 1946<br>(2010) | 1980<br>(2011) | 1981<br>(2011) | 2000<br>(2011) |
| <b>Coordination</b>  |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Coordination with United Nations agencies                                      |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| Coordination with other United Nations entities in the region                  | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                | X <sup>b</sup> | X <sup>a</sup> |
| Coordination of international engagement                                       |                | X <sup>a</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| <b>Demilitarization and arms control</b>                                       |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Disarmament, demobilization and reintegration                                  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                | X <sup>c</sup> | X <sup>c</sup> |                | X <sup>c</sup> | X <sup>a</sup> |                |                | X <sup>b</sup> | X <sup>a</sup> |
| Demilitarization or arms monitoring  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                | X <sup>c</sup> |                | X <sup>a</sup> |
| Small arms and light weapons   |                | X <sup>b</sup> |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| <b>Electoral assistance and certification</b>                                  |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Electoral assistance   | X <sup>a</sup> | X <sup>b</sup> |                |                | X <sup>b</sup> |                | X <sup>c</sup> | X <sup>c</sup> |                | X <sup>c</sup> | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| Electoral certification  |                | X <sup>a</sup> | X <sup>c</sup> |                | X <sup>c</sup> |                | X <sup>c</sup> | X <sup>b</sup> |                | X <sup>c</sup> | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| <b>Humanitarian issues</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Humanitarian support/coordination  |                | X <sup>a</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| Refugees/internally displaced persons: facilitation of return                  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| <b>Human rights; women and peace and security; children and armed conflict</b> |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Human rights: promotion and protection   | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                | X <sup>c</sup> | X <sup>c</sup> |                | X <sup>c</sup> | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| Human rights: capacity-building  |                |                |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| Human rights: monitoring   | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                |                | X <sup>a</sup> |                |                | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| Human rights: investigation and prosecution                                    | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                |                | X <sup>c</sup> |                |                | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| Women and peace and security   | X <sup>a</sup> |                |                |                |                |                | X <sup>b</sup> | X <sup>c</sup> |                | X <sup>c</sup> |                |                |                |                | X <sup>a</sup> |
| Children and armed conflict  | X <sup>a</sup> |                |                |                |                |                | X <sup>b</sup> | X <sup>c</sup> |                | X <sup>c</sup> |                |                |                |                | X <sup>a</sup> |

| Category and mandated task  | Resolution     |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
|---|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|   | 1739<br>(2007) | 1765<br>(2007) | 1795<br>(2008) | 1819<br>(2008) | 1826<br>(2008) | 1842<br>(2008) | 1865<br>(2009) | 1880<br>(2009) | 1893<br>(2009) | 1911<br>(2010) | 1933<br>(2010) | 1946<br>(2010) | 1980<br>(2011) | 1981<br>(2011) | 2000<br>(2011) |                |
| <b>Institutions and governance</b>  |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Promotion of autonomy   | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Institution-building:<br>strengthening/promotion of<br>autonomy   |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| Territorial control/<br>consolidation of State<br>authority   | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Border issues   |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>c</sup> |                |                |                |
| <b>Military, police and security sector reform</b>  |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Protection of civilians,<br>including refugees and<br>internally displaced persons                      | X <sup>a</sup> |                |                |                |                |                | X <sup>b</sup> |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Protection of United Nations<br>personnel and facilities/free<br>movement of personnel and<br>equipment |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Protection of humanitarian<br>personnel/facilitation of<br>humanitarian access                          | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Police: capacity-building   | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                | X <sup>c</sup> |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Police: operational support   |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Police: reform/restructuring  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                | X <sup>c</sup> |                |                |                |                |                |                |                |                |                |
| Security sector reform  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Security for Government<br>officials  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Ceasefire monitoring  | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Security for other institutions<br>or bodies  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Support to national military  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Territorial security, including<br>in key areas, patrolling and<br>deterrence                           |                | X <sup>a</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |                | X <sup>a</sup> |
| Border monitoring   | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                | X <sup>a</sup> |                | X <sup>c</sup> |                |                | X <sup>a</sup> |

| Category and mandated task   | Resolution     |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1739<br>(2007) | 1765<br>(2007) | 1795<br>(2008) | 1819<br>(2008) | 1826<br>(2008) | 1842<br>(2008) | 1865<br>(2009) | 1880<br>(2009) | 1893<br>(2009) | 1911<br>(2010) | 1933<br>(2010) | 1946<br>(2010) | 1980<br>(2011) | 1981<br>(2011) | 2000<br>(2011) |
| Monitoring the movement of armed groups  |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                | X <sup>a</sup> |
| <b>Political processes</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup> | X <sup>b</sup> | X <sup>b</sup> |                | X <sup>c</sup> |                | X <sup>c</sup> | X <sup>c</sup> |                | X <sup>c</sup> |                | X <sup>a</sup> |                |                | X <sup>a</sup> |
| National reconciliation  |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| Peace agreement monitoring/implementation  | X <sup>a</sup> | X <sup>b</sup> | X <sup>b</sup> |                | X <sup>c</sup> |                | X <sup>c</sup> | X <sup>c</sup> |                | X <sup>c</sup> |                | X <sup>a</sup> |                |                | X <sup>a</sup> |
| Cooperation with/support to regional and subregional organizations                     | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| <b>Rule of law</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Promotion of the rule of law   | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                |                | X <sup>c</sup> |                |                |                | X <sup>a</sup> |                |                |                |
| Capacity-building  |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Judicial and legal reform  | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                |                | X <sup>c</sup> |                |                |                |                |                |                | X <sup>a</sup> |
| Prisons  |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| <b>Other</b>   |                |                |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Public information   | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                | X <sup>c</sup> |                |                |                | X <sup>a</sup> |                |                | X <sup>a</sup> |
| Media capacity-building  | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                | X <sup>a</sup> |
| Sanctions enforcement/monitoring   | X <sup>a</sup> |                |                | X <sup>a</sup> |                | X <sup>b</sup> |                |                | X <sup>c</sup> |                | X <sup>a</sup> | X <sup>c</sup> | X <sup>c</sup> |                | X <sup>a</sup> |
| Development/reconstruction   | X <sup>a</sup> | X <sup>b</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Contingency planning   |                |                |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| Logistical support (non-combat)  |                |                |                |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |
| Resource mobilization  |                | X <sup>a</sup> |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Conduct of census  |                |                |                |                |                |                |                |                |                |                |                | X <sup>a</sup> |                |                |                |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 16  
UNOCI: changes to mandate, 2010-2011

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Resolution 1911 (2010) (adopted under Chapter VII)</b>                      |  |                            |
| <b>General</b>   |  |                            |
| Authorization of the use of force  | Decides to renew the mandate of UNOCI, as determined in resolution 1739 (2007), until 31 May 2010, in particular to support the organization in Côte d'Ivoire of free, fair open and transparent elections (para. 14)  | Reiteration                |
| Benchmarks   | Requests the Secretary-General to provide an update to the Council by mid-March 2010 and a full report by the end of April 2010, including detailed recommendations and options for the future of UNOCI as well as revised benchmarks based on the results of a technical assessment mission (para. 22)  | Additional element         |
| <b>Demilitarization and arms control</b>                                       |  |                            |
| Disarmament, demobilization and reintegration                                  | Requests UNOCI, within its existing resources and mandate, to continue to bring its full support to the parties in the implementation of the remaining tasks under the Ouagadougou Political Agreement and its supplementary agreements, in particular those that are essential to the holding of open, free, fair and transparent presidential elections, to provide technical and logistical support to the Independent Electoral Commission for the preparation and holding of the elections in a secure environment, to continue to support the disarmament, demobilization and reintegration programme and the disarmament and dismantling of militias and to continue to contribute to the promotion and protection of human rights, including the protection of women and children, pursuant to paragraph 26 of resolution 1880 (2009) (para. 15) | Reiteration                |
| <b>Electoral assistance and certification</b>                                  |  |                            |
| Electoral assistance   | See para. 15 of the resolution, under "Demilitarization and arms control" above  | Reiteration                |
| Electoral certification  | Reiterates further that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its full support for the Special Representative in his certification role (para. 5)   | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b> |  |                            |
| Human rights: promotion and protection   | See para. 15 of the resolution, under "Demilitarization and arms control" above  | Reiteration                |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Women and peace and security   | See para. 15 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| Children and armed conflict  | See para. 15 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Requests UNOCI to continue to assist the Facilitator and his Special Representative in Abidjan in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third supplementary agreement (para. 18)  | Reiteration                |
| Peace agreement monitoring/implementation  | See para. 15 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| <b>Resolution 1933 (2010) (adopted under Chapter VII)</b>                              |   |                            |
| <b>General</b>   |   |                            |
| Authorization of the use of force  | Authorizes UNOCI to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment (para. 17)  | Newly mandated task        |
| Benchmarks   | Requests the Secretary-General to monitor progress on the achievement of the existing benchmarks and to prepare a new set of benchmarks for a possible drawdown of the force, taking fully into account the necessary consolidation of the stability of the country (para. 26)  | Newly mandated task        |
|  | Requests the Secretary-General to inform the Council of the publication of the final voters list and to provide to it a midterm report, no later than 22 October 2010, and a full report, no later than 30 November 2010, on the situation on the ground, on the implementation of the present resolution and on the revised benchmarks referred to in paragraph 26 above, which should include possible adjustments to the structure and strength of UNOCI, and also requests the Secretary-General to submit to the Council recommendations in this regard, as appropriate (para. 28) | Newly mandated task        |

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Coordination</b>   |   |                            |
| Coordination with other United Nations entities in the region | <p>Monitoring the armed groups</p> <ul style="list-style-type: none"> <li>– To observe and monitor the implementation of the Ouagadougou Political Agreement of 4 March 2007 as far as the armed groups are concerned, to prevent, within its capabilities and its areas of deployment, any hostile action, including against civilians, and to investigate and report on any act of violence committed by the Ivorian parties to the Agreement</li> <li>– To support the Integrated Command Centre through continued technical advice, training and logistical support and to participate in the patrols of the Centre’s mixed units in sensitive areas</li> <li>– To liaise with the National Armed Forces of Côte d’Ivoire and the military elements of the Forces nouvelles, in coordination with the French forces, in order to promote mutual trust among all the Ivorian forces involved and to ease tensions</li> <li>– To assist the Government of Côte d’Ivoire in monitoring the borders, with particular attention to any cross-border movement of combatants or transfer of arms and to the situation of Liberian refugees, in close coordination with the United Nations Mission in Liberia</li> <li>– To support, in coordination with the Ivorian authorities, the provision of security for members of the Government of Côte d’Ivoire and key political stakeholders, in view of the preparation and holding of the elections (para. 16 (a))</li> </ul> | Newly mandated task        |
| Coordination of international engagement                      | <p>Operations of identification of the population</p> <ul style="list-style-type: none"> <li>– To contribute, within its capabilities and its areas of deployment, to the support provided by the United Nations country team and other relevant actors to the process of identification of the population (para. 16 (h))</li> </ul> <p>Support for the organization of open, free, fair and transparent elections</p> <ul style="list-style-type: none"> <li>– To provide, within its capabilities and its areas of deployment, technical and logistical support to the Independent Electoral Commission which is responsible for the preparation and holding of the elections, including to enable the Commission to continue the appeals process, to distribute the provisional and the final voters lists, to sensitize the media, to distribute identity cards and voters cards and to distribute and secure sensitive electoral material, notably ballot papers</li> </ul>  | Newly mandated task        |

| <i>Category and mandated task</i>             | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
|   | <ul style="list-style-type: none"> <li>– To work with all relevant actors in implementing the agreed security plan for the elections, and, in particular, to contribute to securing the high-risk areas where voting is to take place</li> <li>– To ensure the coordination of the work of international observers and to contribute to their security, within its capabilities and areas of deployment</li> <li>– To provide to the Special Representative of the Secretary-General the assistance necessary to fulfil his role of certification of the electoral process consistent with paragraph 4 [of the resolution]</li> <li>– To monitor the implementation of the Code of Good Conduct for Elections and the efforts of the Ivorian authorities in guaranteeing equitable access to public media, in particular in the electoral context, and to keep the Committee established pursuant to resolution <a href="#">1572 (2004)</a> regularly informed of the situation</li> <li>– To regularly inform the Council of any threat to the electoral process, as defined in paragraph 11 of resolution <a href="#">1911 (2010)</a>, and to bring to its attention all individuals identified as responsible for such a threat (para. 16 (g))</li> </ul> | Newly mandated task        |
| <b>Demilitarization and arms control</b>      |  |                            |
| Disarmament, demobilization and reintegration | <p>Disarmament, demobilization, storage of weapons and reintegration of former combatants of the two parties and members of militias</p> <ul style="list-style-type: none"> <li>– To support the Integrated Command Centre in conducting the processes of: <ul style="list-style-type: none"> <li>• Disarmament and secure storage of weapons of former combatants of the two parties</li> <li>• Demobilization of the former combatants of the Forces nouvelles</li> <li>• Disarmament, storage of weapons and dismantling of militias</li> </ul> </li> <li>– To assist the Ivorian authorities in particular in moving forward with the implementation of planned training of the former combatants of the Forces nouvelles selected to join the ranks of the future national army who are to be cantoned in Bouaké, Korhogo, Man and Séguéla, including in the area of human rights and international humanitarian law</li> <li>– To contribute to the reintegration of former combatants and members of militias and to encourage donors to continue to support initiatives in this regard (para. 16 (i))</li> </ul>   | Newly mandated task        |



| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Demilitarization or arms monitoring  | See para. 16 (i) of the resolution, above   | Newly mandated task        |
| <b>Electoral assistance and certification</b>                                  |   |                            |
| Electoral assistance   | See para. 16 (g) of the resolution, under “Coordination” above  | Newly mandated task        |
| Electoral certification  | Reiterates that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its full support to the Special Representative in his certification role (para. 4)   | Newly mandated task        |
|  | See para. 16 (g) of the resolution, under “Coordination” above  | Newly mandated task        |
| <b>Humanitarian issues</b>   |   |                            |
| Humanitarian support/coordination  | Support for humanitarian assistance <ul style="list-style-type: none"> <li>– To facilitate the free flow of people, goods and humanitarian assistance, inter alia, by contributing to enhancing security and taking into account the special needs of vulnerable groups, especially women, children, elderly persons, persons with disabilities and displaced persons (para. 16 (f))</li> </ul>   | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: promotion and protection   | Assistance in the field of human rights <ul style="list-style-type: none"> <li>– To contribute to the promotion and protection of human rights in Côte d’Ivoire, with special attention to violations committed against children and women and to all forms of sexual violence, to monitor, help to investigate and report on human rights and humanitarian law violations with a view to ending impunity, including as called for in resolutions <a href="#">1612 (2005)</a> and <a href="#">1882 (2009)</a>, to support the efforts all parties should make pursuant to paragraph 13 [of the resolution], to bring to the attention of the Council all individuals identified as perpetrators of serious human rights violations and to keep the Committee established pursuant to resolution <a href="#">1572 (2004)</a> regularly informed of developments in this regard (para. 16 (e))</li> </ul> | Newly mandated task        |
| Human rights: monitoring   | See para. 16 (e) of the resolution, above   | Newly mandated task        |
| Human rights: investigation and prosecution                                    | See para. 16 (e) of the resolution, above   | Newly mandated task        |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i>                            |
|--|---|---|
| <b>Institutions and governance</b>   |   |   |
| Territorial control/consolidation of State authority   | <p>Support to redeployment of Ivorian State administration and justice throughout the country</p> <ul style="list-style-type: none"> <li>– To support, within its capabilities and its areas of deployment, enhancing the security conditions to enable the Government of Côte d’Ivoire and United Nations agencies to identify and implement peacebuilding priorities throughout the country</li> <li>– To assist the Government of Côte d’Ivoire, in conjunction with relevant regional organizations, in re-establishing the authority of the judiciary and the rule of law throughout Côte d’Ivoire (para. 16 (j))</li> </ul>   | Newly mandated task                                   |
| <b>Military, police and security sector reform</b>   |   |   |
| Protection of civilians, including refugees and internally displaced persons                   | <p>See para. 16 (a) of the resolution, under “Coordination” above</p> <p>Protection of civilians</p> <ul style="list-style-type: none"> <li>– To protect, without prejudice to the primary responsibility of the Ivorian authorities, civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, including in high risk areas identified by UNOCI on the basis of the comprehensive protection of civilians strategy and the threat assessment referred to in the report of the Secretary-General of 20 May 2010</li> <li>– To work closely with humanitarian agencies, particularly in relation to areas of tension and areas of return of displaced persons, and to exchange information on possible outbreaks of violence and other threats against civilians in order to respond thereto in a timely and appropriate manner (para. 16 (b))</li> </ul> | <p>Newly mandated task</p> <p>Newly mandated task</p> |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | <p>Protection of United Nations personnel</p> <ul style="list-style-type: none"> <li>– To protect United Nations personnel, installations and equipment and to ensure the security and freedom of movement of United Nations personnel (para. 16 (m))</li> </ul>  | Newly mandated task                                   |
| Police: capacity-building  | <p>Reform of the security sector</p> <ul style="list-style-type: none"> <li>– To advise the Government of Côte d’Ivoire, as appropriate, on security sector reform and the organization of the future national army, including on establishing an effective vetting mechanism, in accordance with international standards</li> </ul>  | Newly mandated task                                   |

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| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
|  | – To contribute, as appropriate, to the development by the Ivorian authorities of the capacities of the police and gendarmerie, in particular through crowd control training, and to restoring their presence throughout Côte d’Ivoire (para. 16 (k))  |                            |
| Security sector reform   | See para. 16 (k) of the resolution, above  | Newly mandated task        |
| Security for Government officials  | See para. 16 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
| Support to national military   | See para. 16 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
| Territorial security, including in key areas, patrolling and deterrence                | See para. 16 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
|  | See para. 16 (g) of the resolution, under “Coordination” above   | Newly mandated task        |
|  | See para. 16 (j) of the resolution, under “Institutions and governance” above  | Newly mandated task        |
| Border monitoring  | See para. 16 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
| Monitoring the movement of armed groups  | See para. 16 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
| <b>Political processes</b>   |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Facilitation<br>– To coordinate with the Facilitator and his Special Representative in Abidjan, to assist them in the conduct of the facilitation, as needed and as appropriate and within available means, including by providing logistical support to the office of the Special Representative (para. 16 (l)) | Newly mandated task        |
| Peace agreement monitoring/implementation  | See para. 16 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
| <b>Rule of law</b>   |  |                            |
| Promotion of the rule of law   | See para. 16 (j) of the resolution, under “Institutions and governance” above  | Newly mandated task        |

| <i>Category and mandated task</i>    | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--------------------------------------|--|----------------------------|
| <b>Other</b>                         |  |                            |
| Public information                   | <p>Public information</p> <ul style="list-style-type: none"> <li>– To promote the peace process arising from the Ouagadougou Political Agreement throughout the territory of Côte d’Ivoire through the public information capacity of the United Nations Operation in Côte d’Ivoire, in particular its radio broadcasting capability through UNOCI FM</li> <li>– To encourage the Ivorian mass media and the main political actors to fully implement the Code of Good Conduct for Elections that the Ivorian parties have signed under the auspices of the Secretary-General as well as to sign and adhere to the Code of Good Conduct for the Media; To monitor any public incidents of incitement to hatred, intolerance and violence, to bring to the attention of the Security Council all individuals identified as instigators of political violence, and to keep the Security Council Committee established pursuant to resolution <a href="#">1572 (2004)</a> regularly informed of developments in this regard (para. 16 (d))</li> </ul> | Newly mandated task        |
|                                      | See para. 16 (g) of the resolution, under “Coordination” above   | Newly mandated task        |
| Media capacity-building              | See para. 16 (d) of the resolution, above  | Newly mandated task        |
|                                      | See para. 16 (g) of the resolution, under “Coordination” above   | Newly mandated task        |
| Sanctions enforcement/<br>monitoring | <p>Monitoring of the arms embargo</p> <ul style="list-style-type: none"> <li>– To monitor the implementation of the measures imposed by paragraph 7 of resolution <a href="#">1572 (2004)</a>, in cooperation with the Group of Experts on Côte d’Ivoire established pursuant to resolution <a href="#">1584 (2005)</a>, including by inspecting, as they deem it necessary and when appropriate without notice, all weapons, ammunition and related materiel regardless of location, consistent with resolution <a href="#">1893 (2009)</a></li> <li>– To collect, as appropriate, arms and any related materiel brought into Côte d’Ivoire in violation of the measures imposed by paragraph 7 of resolution <a href="#">1572 (2004)</a> and to dispose of such arms and related materiel as appropriate (para. 16 (c))</li> </ul>   | Newly mandated task        |
|                                      | See para. 16 (d) of the resolution, above  | Newly mandated task        |
|                                      | See para. 16 (e) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above  | Newly mandated task        |
| Conduct of census                    | See para. 16 (h) of the resolution, under “Coordination” above   | Newly mandated task        |

**Resolution 1946 (2010) (adopted under Chapter VII)**

**Other**

|                                      |   |             |
|--------------------------------------|---|-------------|
| Sanctions enforcement/<br>monitoring | Calls upon the Ivorian parties to the Ouagadougou Political Agreement and all States, in particular those in the subregion, to fully implement the measures renewed in paragraph 1 [of the resolution], including, as appropriate, by making the necessary rules and regulations, calls upon UNOCI to bring its full support, within its capacities and its mandate, and calls upon the French forces to support UNOCI in this regard, within the limits of their deployment and their capabilities (para. 3) | Reiteration |
|--------------------------------------|---|-------------|

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**Resolution 1980 (2011) (adopted under Chapter VII)**

**Demilitarization and arms control**

|  |  |             |
|--|--|-------------|
| Demilitarization or<br>arms monitoring | Urges all illegal armed combatants to lay down their arms immediately, encourages UNOCI, within its mandate and the limits of its capabilities and its areas of deployment, to continue to assist the Government of Côte d'Ivoire in collecting and storing those arms, and calls upon the Ivorian authorities, including the National Commission to Fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, to ensure that those arms are neutralized or are not illegally disseminated, in accordance with the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials (para. 4) | Reiteration |
|--|--|-------------|

**Institutions and governance**

|               |  |             |
|---------------|--|-------------|
| Border issues | Also encourages the Ivorian authorities to deploy customs and border control officials throughout the country, particularly in the north and the west, and encourages UNOCI, within its mandate, to assist the Ivorian authorities in the re-establishment of normal customs and border control operation (para. 20) | Reiteration |
|---------------|--|-------------|

**Military, police and security sector reform**

|                   |  |             |
|-------------------|--|-------------|
| Border monitoring | Expresses its deep concern about the presence of mercenaries in Côte d'Ivoire, notably from neighbouring countries, and calls upon the authorities of Côte d'Ivoire and Liberia to coordinate their action to solve this issue, and further encourages UNOCI and the United Nations Mission in Liberia, within their respective mandates, capabilities and areas of deployment, to assist respectively the Governments of Côte d'Ivoire and Liberia in monitoring their border, with particular attention to any cross-border movement of combatants or transfer of arms (para. 6) | Reiteration |
|-------------------|--|-------------|

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Other</b>  |  |                            |
| Sanctions enforcement/monitoring                              | Calls upon all Member States, in particular those in the subregion, to fully implement the measures renewed in paragraph 1 [of the resolution], including, as appropriate, by enforcing the necessary rules and regulations, calls upon UNOCI to lend its full support within its capacities and its mandate, and calls upon the French forces to support the United Nations Operation in Côte d'Ivoire in this regard, within the limits of their deployment and their capabilities (para. 3)   | Reiteration                |
| <b>Resolution 1981 (2011) (adopted under Chapter VII)</b>     |  |                            |
| <b>General</b>  |  |                            |
| Authorization of the use of force                             | Decides to extend until 31 July 2011 the mandate of UNOCI as set out in resolutions 1933 (2010), 1962 (2010) and 1975 (2011) (para. 1)   | Reiteration                |
| <b>Coordination</b>   |  |                            |
| Coordination with other United Nations entities in the region | Requests the Secretary-General, further to paragraph 6 of resolution 1980 (2011), to keep the Council informed by 30 June 2011, in the final report referred to in paragraph 2 [of the resolution] and further in his next relevant reports on UNOCI and the United Nations Mission in Liberia, of developments, measures taken and efforts made in the coordination of UNOCI and the United Nations Mission in Liberia to assist respectively the Governments of Côte d'Ivoire and Liberia in monitoring their border and surrounding areas, including on how the redeployed assets are assisting in this effort, with particular attention to any cross-border movement of combatants or transfer of arms, and in this regard encourages UNOCI and the United Nations Mission in Liberia, within their mandates and limits of capabilities and areas of deployment, to assist respectively the Governments of Côte d'Ivoire and of Liberia jointly in disarming those endangering national reconciliation and the consolidation of peace (para. 5) | Additional element         |
| <b>Demilitarization and arms control</b>                      |  |                            |
| Disarmament, demobilization and reintegration                 | See para. 5 of the resolution, under "Coordination" above  | Additional element         |
| <b>Resolution 2000 (2011) (adopted under Chapter VII)</b>     |  |                            |
| <b>General</b>  |  |                            |
| Authorization of the use of force                             | Decides to continue its authorization given to UNOCI to use all means necessary to carry out its mandate, within its capabilities and its areas of deployment, pursuant to resolutions 1933 (2010) and 1962 (2010) (para. 8)   | Newly mandated task        |

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Coordination</b>   |   |                            |
| Coordination with United Nations agencies in the country      | <p>Protection of civilians</p> <ul style="list-style-type: none"> <li>– To protect, without prejudice to the primary responsibility of the Ivorian authorities, the civilian population from imminent threat of physical violence, within its capabilities and areas of deployment</li> <li>– To revise the comprehensive strategy for the protection of civilians and coordinate it with the United Nations protection of civilians strategy in liaison with the United Nations country team, to take into account the new realities on the ground and the specific needs of vulnerable groups, and to include measures to prevent gender-based violence pursuant to resolutions <a href="#">1960 (2010)</a> and <a href="#">1882 (2009)</a></li> <li>– To work closely with humanitarian agencies, particularly in relation to areas of tension and areas of return of displaced persons, to collect information on and identify potential threats against the civilian population, as well as reliable information on violations of international humanitarian and human rights law, to bring them to the attention of the Ivorian authorities, as appropriate, and to take appropriate action in accordance with the United Nations system-wide protection strategy in harmonization with the protection strategy of UNOCI</li> <li>– To monitor and report on violations and abuses against vulnerable populations, including children, in line with resolutions <a href="#">1612 (2005)</a>, <a href="#">1882 (2009)</a> and <a href="#">1998 (2011)</a> and contribute to efforts to prevent such violations and abuses (para. 7 (a))</li> </ul> | Newly mandated task        |
| Coordination with other United Nations entities in the region | <p>Addressing remaining security threats and border-related challenges</p> <ul style="list-style-type: none"> <li>– To continue to support, within its existing authorities, capabilities and areas of deployment, the national authorities in stabilizing the security situation in the country</li> <li>– To continue to monitor and deter the activities of militias, mercenaries and other illegal armed groups consistent within its existing mandate to protect civilians, and to keep the Security Council regularly informed of developments in this regard</li> </ul>  | Newly mandated task        |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>        | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
|  | <ul style="list-style-type: none"> <li>– To support the Government of Côte d’Ivoire in monitoring and addressing cross-border security and other challenges along the borders and in border areas, notably with Liberia, with particular attention to the cross-border movement of armed elements and weapons and, to this end, to coordinate closely with the United Nations Mission in Liberia with a view to further inter-mission cooperation, such as undertaking joint patrols and contingency planning, where appropriate and within their mandates and capabilities</li> <li>– To liaise with the Republican Forces of Côte d’Ivoire in order to promote mutual trust among all elements composing the Republican Forces</li> <li>– To support, in coordination with the Government of Côte d’Ivoire, the provision of security for members of the Government and key political stakeholders, including in view of the preparation and the holding of the upcoming legislative elections (para. 7 (b))</li> </ul> |                            |
|  | Disarmament, demobilization and reintegration programme   | Newly mandated task        |
|  | <ul style="list-style-type: none"> <li>– To assist the Government of Côte d’Ivoire, in close coordination with other international and bilateral partners, in developing and implementing without delay a new national programme for the disarmament, demobilization and reintegration of combatants and the dismantling of militias and self-defence groups that includes clear individual criteria and is tailored to the new context, taking into account the rights and needs of the different categories of persons to be disarmed, demobilized and reintegrated, including children and women</li> <li>– To continue to support the registration and screening of former combatants</li> <li>– To support the disarmament and repatriation of foreign armed elements, where relevant in cooperation with the United Nations Mission in Liberia and United Nations country teams in the region (para. 7 (e))</li> </ul>  |                            |
| Coordination of international engagement | See para. 7 (e) of the resolution, above  | Newly mandated task        |
|  | Reconstitution and reform of security and rule of law institutions  | Newly mandated task        |
|  | <ul style="list-style-type: none"> <li>– To assist the Government of Côte d’Ivoire in conducting, without delay and in close coordination with other international partners, a sector-wide review of the security institutions and in developing a comprehensive national security strategy and plans for their reform, taking also into account the national disarmament, demobilization and reintegration programme</li> </ul>  |                            |



| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
|  | <ul style="list-style-type: none"> <li data-bbox="505 296 1192 548">– Under the leadership of the Government of Côte d’Ivoire and in close cooperation with international stakeholders, to support effective coordination, transparency and harmonization of efforts, as well as a clear division of tasks and responsibilities, by all international partners involved in assisting the security sector reform process, and to report to the Security Council, when appropriate, on developments in the security sector reform process</li> <li data-bbox="505 569 1192 1066">– To advise the Government of Côte d’Ivoire, as appropriate, on security sector reform and the organization of the future national army, to facilitate the provision, within its current resources, as requested by the Government and in close coordination with other international partners, of training in human rights, child protection and protection from sexual and gender-based violence to the security and law enforcement institutions, as well as support for capacity development through technical assistance, co-location and mentoring programmes for the police, gendarmerie, and justice and corrections officers, to contribute to restoring their presence throughout Côte d’Ivoire and to offer support with regard to the development of a sustainable vetting mechanism for personnel that will be absorbed in security sector institutions</li> <li data-bbox="505 1087 1192 1402">– To support the development and implementation by the Government of Côte d’Ivoire of a national justice sector strategy as well as the development and implementation of a multi-year joint United Nations justice support programme in order to develop the police, judiciary, prisons and access to justice in Côte d’Ivoire, as well as the initial emergency rehabilitation of relevant infrastructure and the provision of equipment, within existing resources and in coordination with international partners</li> <li data-bbox="505 1423 1192 1612">– To support, within its current resources and in collaboration with the broader United Nations system, reconciliation, including the establishment and functioning of mechanisms to prevent, mitigate or resolve conflict, in particular at the local level, as well as to foster social cohesion (para. 7 (f))</li> </ul> |                            |
| <p><b>Demilitarization and arms control</b></p> <p>Disarmament, demobilization and reintegration</p> | <p>See para. 7 (e) of the resolution, under “Coordination” above</p>  | <p>Newly mandated task</p> |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| Demilitarization or arms monitoring           | <p>Collection of weapons</p> <ul style="list-style-type: none"> <li>– To continue to assist the national authorities, including the National Commission to Fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, in collecting, registering, securing and disposing of weapons and in clearing explosive remnants of war, as appropriate, in accordance with resolution <a href="#">1980 (2011)</a></li> <li>– To support the Government of Côte d’Ivoire in coordination with other partners to develop and implement community weapons collection programmes, which should be linked to community violence reduction and reconciliation</li> <li>– To coordinate with the Government of Côte d’Ivoire in ensuring that the collected weapons are not disseminated or reutilized outside a comprehensive national security strategy, as referred to in point (f) [of para. 7] (para. 7(d))</li> </ul>   | Newly mandated task        |
| Small arms and light weapons                  | See para. 7 (d) of the resolution, above  | Newly mandated task        |
| <b>Electoral assistance and certification</b> |   |                            |
| Electoral assistance                          | <p>Support for the organization and conduct of open, timely, free, fair and transparent legislative elections</p> <ul style="list-style-type: none"> <li>– To promote an inclusive political process and support the creation of a political environment conducive to the upcoming elections, including in coordination with efforts undertaken by the Economic Community of West African States and the African Union</li> <li>– To support the organization and conduct of open, free, fair and transparent legislative elections, provide appropriate logistical and technical assistance and assist the Government of Côte d’Ivoire to put in place effective security arrangements</li> <li>– To provide technical and logistical support to assist the Independent Electoral Commission in completing outstanding tasks prior to the holding of the legislative elections and to facilitate, as required, consultations between all political stakeholders as well as with the Commission to this end</li> <li>– To undertake the coordination of international observers and to contribute to their security, within its capabilities and areas of deployment (para. 7 (i))</li> </ul> | Newly mandated task        |
|   | See para. 7 (b) of the resolution, under “Coordination” above   | Newly mandated task        |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| Electoral certification  | Reiterates that, pursuant to paragraph 4 of resolution <a href="#">1933 (2010)</a> and previous resolutions, the Special Representative of the Secretary-General for Côte d'Ivoire shall certify that all stages of the upcoming legislative elections provide all the necessary guarantees for open, free, fair and transparent elections, in accordance with international standards and the agreed criteria (para. 6)   | Newly mandated task        |
|  | See para. 7 (i) of the resolution, above   | Newly mandated task        |
| <b>Humanitarian issues</b>   |  |                            |
| Humanitarian support/coordination  | Support for humanitarian assistance <ul style="list-style-type: none"> <li>– To continue to facilitate unhindered humanitarian access and to help to strengthen the delivery of humanitarian assistance to conflict-affected and vulnerable populations, notably by contributing to enhancing security conducive to this delivery</li> <li>– To support the Ivorian authorities in preparing for the voluntary, safe and sustainable return of refugees and displaced persons in cooperation with relevant humanitarian organizations, and in creating security conditions conducive to it (para. 7 (h))</li> </ul>  | Newly mandated task        |
| Refugees/internally displaced persons: facilitation of return                  | See para. 7 (h) of the resolution, above   | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b> |  |                            |
| Human rights: promotion and protection   | Support for efforts to promote and protect human rights <ul style="list-style-type: none"> <li>– To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to grave violations and abuses committed against children and women, notably sexual and gender-based violence, in close coordination with the independent expert whose mandate was established pursuant to Human Rights Council resolution 17/21 of 17 June 2011</li> <li>– To monitor, help to investigate, and report publicly and to the Security Council on human rights and humanitarian law violations with a view to preventing violations, developing a protecting environment and ending impunity, and to this end to strengthen its human rights monitoring, investigation and reporting capacity</li> </ul> | Newly mandated task        |

| <i>Category and mandated task</i>                         | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
|   | <ul style="list-style-type: none"> <li>– To bring to the attention of the Security Council all individuals identified as perpetrators of serious human rights violations and to keep the Security Council Committee established pursuant to resolution <a href="#">1572 (2004)</a> regularly informed of developments in this regard</li> <li>– To support the efforts of the Government of Côte d’Ivoire in combating sexual and gender-based violence, including by contributing to the development of a nationally owned multisectoral strategy in cooperation with United Nations Action against Sexual Violence in Conflict entities, to appoint women’s protection advisers and to ensure gender expertise and training, as appropriate and from within existing resources, in accordance with resolution <a href="#">1888 (2009)</a>, <a href="#">1889 (2009)</a> and <a href="#">1960 (2010)</a> (para. 7 (g))</li> </ul> |                            |
| Human rights: capacity-building                           | See para. 7 (f) of the resolution, under “Coordination” above   | Newly mandated task        |
| Human rights: monitoring                                  | See para. 7 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
|   | See para. 7 (g) of the resolution, above  | Newly mandated task        |
| Human rights: investigation and prosecution               | See para. 7 (g) of the resolution, above  | Newly mandated task        |
|   | Calls upon UNOCI, where consistent with its existing authorities and responsibilities, to support national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law in Côte d’Ivoire (para. 12)  | Newly mandated task        |
| Women and peace and security                              | See para. 7 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
|   | See para. 7 (g) of the resolution, above  | Newly mandated task        |
| Children and armed conflict                               | See para. 7 (a) of the resolution, under “Coordination” above   | Newly mandated task        |
| <b>Institutions and governance</b>                        |   |                            |
| Institution-building: strengthening/promotion of autonomy | <p>Redeployment of State administration and the extension of State authority throughout the country</p> <ul style="list-style-type: none"> <li>– To support the Ivorian authorities in extending and re-establishing effective State administration and strengthening public administration in key areas throughout the country, at the national and local levels, as well as the implementation of the unfinished aspects of the Ouagadougou Agreements as they relate to the reunification of the country (para. 7 (k))</li> </ul>  | Newly mandated task        |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| Territorial control/<br>consolidation of State<br>authority  | See para. 7 (k) of the resolution, above   | Newly mandated task        |
| <b>Military, police and security sector reform</b>   |  |                            |
| Protection of civilians,<br>including refugees and<br>internally displaced<br>persons                      | See para. 7 (a) of the resolution, under “Coordination” above  | Newly mandated task        |
| Protection of United<br>Nations personnel and<br>facilities/free movement<br>of personnel and<br>equipment | Protection of United Nations personnel<br>– To protect United Nations personnel, installations and<br>equipment and ensure the security and freedom of<br>movement of United Nations personnel (para. 7 (m))   | Newly mandated task        |
| Police: capacity-<br>building  | See para. 7 (f) of the resolution, under “Coordination” above  | Newly mandated task        |
| Security sector reform   | See para. 7 (f) of the resolution, under “Coordination” above  | Newly mandated task        |
| Security for<br>Government officials   | See para. 7 (b) of the resolution, under “Coordination” above  | Newly mandated task        |
| Support to national<br>military  | See para. 7 (b) of the resolution, under “Coordination” above  | Newly mandated task        |
| Territorial security,<br>including in key areas,<br>patrolling and<br>deterrence                           | See para. 7 (b) of the resolution, under “Coordination” above  | Newly mandated task        |
| Border monitoring  | See para. 7 (b) of the resolution, under “Coordination” above  | Newly mandated task        |
| Monitoring the<br>movement of armed<br>groups  | See para. 7 (b) of the resolution, under “Coordination” above  | Newly mandated task        |
| <b>Political processes</b>   |  |                            |
| Facilitation of political<br>process/dialogue/<br>preventive diplomacy/<br>mediation/good offices          | Facilitation<br>– To coordinate with the Facilitator and his Special<br>Representative in Abidjan, to assist the Government of<br>Côte d’Ivoire in the implementation of the outstanding<br>tasks of the peace process, as needed and within available<br>means, including by providing logistical support to the<br>office of the Special Representative, as appropriate<br>(para. 7 (l)) | Newly mandated task        |
| National reconciliation  | See para. 7 (f) of the resolution, under “Coordination” above  | Newly mandated task        |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>                                      | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Peace agreement monitoring/<br>implementation                          | See para. 7 (k) of the resolution, under “Institutions and governance” above  | Newly mandated task        |
| Cooperation with/<br>support to regional and subregional organizations | See para. 7 (i) of the resolution, under “Electoral assistance and certification” above   | Newly mandated task        |
| <b>Rule of law</b>   |   |                            |
| Judicial and legal reform  | See para. 7 (f) of the resolution, under “Coordination” above   | Newly mandated task        |
| Prisons  | See para. 7 (f) of the resolution, under “Coordination” above   | Newly mandated task        |
| <b>Other</b>   |   |                            |
| Public information   | <p>Public information</p> <ul style="list-style-type: none"> <li>– To continue to closely monitor the Ivorian media and continue to facilitate providing assistance, as appropriate, to media and regulatory bodies, consistent with its mandate</li> <li>– To continue to use the broadcasting capacity of the United Nations Operation in Côte d’Ivoire, through UNOCI FM, to contribute to the overall effort to create a peaceful environment, including for the legislative elections</li> <li>– To encourage the Ivorian mass media and the main political actors to fully implement the Code of Good Conduct for Elections that the Ivorian parties have signed under the auspices of the Secretary-General as well as to sign and adhere to the Code of Good Conduct for the Media</li> <li>– To monitor any public incidents of incitement to hatred, intolerance and violence and bring to the attention of the Security Council all individuals identified as instigators of political violence, and to keep the Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard (para. 7 (j))</li> </ul> | Newly mandated task        |
| Media capacity-building  | See para. 7 (j) of the resolution, above  | Newly mandated task        |

| <i>Category and mandated task</i>    | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--------------------------------------|--|----------------------------|
| Sanctions enforcement/<br>monitoring | <p>Monitoring of the arms embargo</p> <ul style="list-style-type: none"> <li>– To monitor the implementation of the measures imposed by paragraph 7 of resolution <a href="#">1572 (2004)</a>, in cooperation with the Group of Experts on Côte d’Ivoire established pursuant to resolution <a href="#">1584 (2005)</a>, including by inspecting, as they deem it necessary and when appropriate without notice, all weapons, ammunition and related materiel regardless of location, consistent with resolution <a href="#">1980 (2011)</a></li> <li>– To collect, as appropriate, arms and any related materiel brought into Côte d’Ivoire in violation of the measures imposed by paragraph 7 of resolution <a href="#">1572 (2004)</a>, and to dispose of such arms and related materiel as appropriate (para. 7 (c))</li> </ul> <p>See para. 7 (g) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above</p> <p>See para. 7 (j) of the resolution, above</p> | Newly mandated task        |
| Contingency planning                 | See para. 7 (b) of the resolution, under “Coordination” above  | Newly mandated task        |
| Logistical support<br>(non-combat)   | See para. 7 (l) of the resolution, under “Political processes” above   | Newly mandated task        |

## United Nations Mission in the Sudan

### Background

The United Nations Mission in the Sudan (UNMIS) was established by the Security Council on 24 March 2005 by resolution [1590 \(2005\)](#) to support implementation of the Comprehensive Peace Agreement signed by the Government of the Sudan and the Sudan People’s Liberation Movement/Army on 9 January 2005. Under Chapter VII of the Charter, UNMIS was authorized to take all necessary action to protect civilians under imminent threat of physical violence as well as to protect United Nations personnel and humanitarian workers. UNMIS was further mandated (a) to support implementation of the Comprehensive Peace Agreement; (b) to facilitate and coordinate, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance; (c) to provide humanitarian demining assistance, technical advice, and coordination; and (d) to contribute towards international efforts to protect

and promote human rights in the Sudan, as well as to coordinate international efforts towards the protection of civilians, with particular attention to vulnerable groups. Prior to the reporting period, the last extension of the UNMIS mandate was until 30 April 2010 and the authorized strength remained at 10,715, as shown in table 17, which also shows the extensions of the mandate of the Mission during the reporting period. Table 18 provides an overview of the mandate of UNMIS since its establishment.

### Developments during 2010 and 2011

On 29 April 2010, the Council extended the mandate of UNMIS for a period of one year, without modifying the authorized strength. The Council modified some of the existing mandated tasks in the areas of demilitarization and arms control, electoral assistance, institutions and governance, military activities and political processes. In particular, the Council called upon UNMIS to implement a civilian protection strategy comprehensively throughout the Mission area, including the implementation of tribal

conflict resolution mechanisms, and urged it to enhance its presence in areas at high risk of localized conflict, including by conducting frequent patrols. The Council also requested UNMIS to be prepared to play a lead role in international efforts to provide assistance to support preparations for the referendums in 2011.<sup>30</sup> On 27 April 2011, having considered the results of the Southern Sudan referendum held on 9 January 2011 and considering the request by the Government of Southern Sudan for a continued United Nations presence in South Sudan, the Council extended the mandate of UNMIS until 9 July 2011, while announcing its intent to establish a mission to succeed UNMIS.<sup>31</sup> The full text of all paragraphs in Council

<sup>30</sup> Resolution 1919 (2010), paras. 1, 6 and 7.

<sup>31</sup> Resolution 1978 (2011), para. 1.

decisions that relate to changes to the mandate adopted during the period under review is provided in table 19.

*Termination and transition to new peacekeeping operations*

By resolution 1997 (2011), the Council decided to withdraw UNMIS effective 11 July 2011, and requested the Secretary-General to transfer appropriate staff, equipment, supplies and other assets from UNMIS to the two successor peacekeeping operations, the United Nations Mission in South Sudan and the United Nations Interim Security Force for Abyei.<sup>32</sup>

<sup>32</sup> Resolution 1997 (2011), paras. 1 and 3. For information on the United Nations Mission in South Sudan and the United Nations Interim Security Force for Abyei, see the relevant sections below.

Table 17  
UNMIS: extension of mandate and change in composition

|                            | Resolution            |                       |                      |
|----------------------------|-----------------------|-----------------------|----------------------|
|                            | 1769 (2007)           | 1919 (2010)           | 1978 (2011)          |
| Date of adoption           | 31 July 2007          | 29 April 2010         | 27 April 2011        |
| Duration of mandate        | Extension (12 months) | Extension (12 months) | Extension (2 months) |
| <b>Authorized strength</b> |                       |                       |                      |
| <b>Military (total)</b>    | <b>10 000</b>         |                       |                      |
| <b>Police (total)</b>      | <b>715</b>            |                       |                      |

Table 18  
UNMIS: overview of mandate by category

| Category and mandated task                                     | Resolution     |             |                |                |                |                |                |                |
|--|----------------|-------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1590 (2005)    | 1663 (2006) | 1706 (2006)    | 1784 (2007)    | 1812 (2008)    | 1870 (2009)    | 1919 (2010)    | 1978 (2011)    |
| <b>General</b>   |                |             |                |                |                |                |                |                |
| Authorization of the use of force                              | X <sup>a</sup> |             | X <sup>b</sup> |                |                |                | X <sup>c</sup> | X <sup>c</sup> |
| Cross-cutting: women and peace and security                    |                |             |                |                | X <sup>c</sup> |                |                |                |
| Benchmarks   |                |             |                | X <sup>a</sup> |                | X <sup>c</sup> | X <sup>c</sup> |                |
| Cross-cutting: protection of civilians                         |                |             |                |                |                |                | X <sup>a</sup> |                |
| <b>Coordination</b>  |                |             |                |                |                |                |                |                |
| Coordination with other United Nations agencies in the country | X <sup>a</sup> |             | X <sup>b</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> |                |



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| Category and mandated task   | Resolution     |             |                |                |                |                |                |             |
|--|----------------|-------------|----------------|----------------|----------------|----------------|----------------|-------------|
|  | 1590 (2005)    | 1663 (2006) | 1706 (2006)    | 1784 (2007)    | 1812 (2008)    | 1870 (2009)    | 1919 (2010)    | 1978 (2011) |
| Coordination with other United Nations entities  |                |             |                |                |                | X <sup>a</sup> | X <sup>c</sup> |             |
| Coordination of donors   | X <sup>a</sup> |             |                |                |                |                |                |             |
| Coordination of international engagement   | X <sup>a</sup> |             | X <sup>b</sup> |                |                |                |                |             |
| <b>Demilitarization and arms control</b>   |                |             |                |                |                |                |                |             |
| Disarmament, demobilization and reintegration  | X <sup>a</sup> |             | X <sup>b</sup> | X <sup>c</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>b</sup> |             |
| Demilitarization or arms monitoring  |                |             |                |                |                |                | X <sup>a</sup> |             |
| Mine action  | X <sup>a</sup> |             |                |                |                |                |                |             |
| <b>Electoral assistance and certification</b>  |                |             |                |                |                |                |                |             |
| Electoral assistance   | X <sup>a</sup> |             | X <sup>b</sup> | X <sup>c</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>b</sup> |             |
| <b>Humanitarian issues</b>   |                |             |                |                |                |                |                |             |
| Humanitarian support/coordination  | X <sup>a</sup> |             |                |                | X <sup>b</sup> |                |                |             |
| Refugees/internally displaced persons: facilitation of return                                  | X <sup>a</sup> |             |                |                | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |             |
| <b>Human rights: women and peace and security; children and armed conflict</b>                 |                |             |                |                |                |                |                |             |
| Human rights: promotion and protection   | X <sup>a</sup> |             | X <sup>b</sup> |                |                |                |                |             |
| Human rights: monitoring   | X <sup>a</sup> |             | X <sup>b</sup> |                |                |                |                |             |
| Women and peace and security   |                |             |                |                |                |                |                |             |
| Children and armed conflict  |                |             |                |                |                | X <sup>a</sup> | X <sup>c</sup> |             |
| <b>Institutions and governance</b>   |                |             |                |                |                |                |                |             |
| Border issues  |                |             |                |                | X <sup>a</sup> | X <sup>c</sup> | X <sup>b</sup> |             |
| <b>Military, police and security sector reform</b>   |                |             |                |                |                |                |                |             |
| Protection of civilians, including refugees and internally displaced persons                   | X <sup>a</sup> |             | X <sup>b</sup> |                | X <sup>b</sup> | X <sup>b</sup> | X <sup>c</sup> |             |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | X <sup>a</sup> |             | X <sup>b</sup> |                |                | X <sup>c</sup> |                |             |
| Protection of humanitarian personnel/facilitation of humanitarian access                       | X <sup>a</sup> |             | X <sup>b</sup> |                |                | X <sup>c</sup> |                |             |
| Police: capacity-building  | X <sup>a</sup> |             |                |                | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |             |
| Police: reform/restructuring   | X <sup>a</sup> |             | X <sup>b</sup> |                | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |             |
| Ceasefire monitoring   | X <sup>a</sup> |             | X <sup>b</sup> |                |                |                |                |             |
| Support to national security   |                |             |                |                |                | X <sup>a</sup> |                |             |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>   | <i>Resolution</i>  |                    |                    |                    |                    |                    |                    |                    |
|---|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|   | <i>1590 (2005)</i> | <i>1663 (2006)</i> | <i>1706 (2006)</i> | <i>1784 (2007)</i> | <i>1812 (2008)</i> | <i>1870 (2009)</i> | <i>1919 (2010)</i> | <i>1978 (2011)</i> |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence |                    |                    | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     | X <sup>b</sup>     |                    |
| Border monitoring   |                    |                    | X <sup>a</sup>     |                    |                    |                    |                    |                    |
| Monitoring the movement of armed groups   | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>b</sup>     |                    |                    | X <sup>b</sup>     |                    |                    |
| <b>Political processes</b>  |                    |                    |                    |                    |                    |                    |                    |                    |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | X <sup>a</sup>     |                    | X <sup>b</sup>     | X <sup>c</sup>     |                    | X <sup>b</sup>     |                    |                    |
| National reconciliation   | X <sup>a</sup>     |                    | X <sup>b</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |                    |                    |                    |
| Peace agreement monitoring/implementation   | X <sup>a</sup>     |                    | X <sup>b</sup>     |                    |                    |                    | X <sup>b</sup>     |                    |
| Cooperation with/support to regional and subregional organizations                        | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>b</sup>     |                    | X <sup>b</sup>     | X <sup>c</sup>     |                    |                    |
| Local conflict resolution   |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>b</sup>     |                    |
| <b>Rule of law</b>  |                    |                    |                    |                    |                    |                    |                    |                    |
| Promotion of the rule of law  | X <sup>a</sup>     |                    | X <sup>b</sup>     |                    | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |                    |
| Judicial and legal reform   | X <sup>a</sup>     |                    |                    |                    |                    |                    |                    |                    |
| Prisons   |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |                    |
| Transitional justice  |                    |                    |                    |                    |                    |                    |                    |                    |
| <b>Other</b>  |                    |                    |                    |                    |                    |                    |                    |                    |
| Public information  | X <sup>a</sup>     |                    | X <sup>b</sup>     |                    |                    |                    |                    |                    |
| Sanctions enforcement/monitoring  |                    |                    | X <sup>a</sup>     |                    |                    |                    |                    |                    |
| Development/reconstruction  |                    |                    |                    |                    | X <sup>a</sup>     |                    |                    |                    |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 19  
UNMIS: changes to mandate, 2010-2011

| <i>Category and mandated task</i>                              | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Resolution 1919 (2010)</b>                                  |  |                            |
| <b>General</b>   |  |                            |
| Authorization of the use of force                              | Decides to extend the mandate of UNMIS until 30 April 2011, with the intention to renew it for further periods as may be required (para. 1)  | Reiteration                |
| Benchmarks   | Also stresses the importance of achievable and realistic targets against which the progress of the Mission can be measured, and in this regard requests the Secretary-General to report on and assess the progress in meeting benchmarks in each quarterly report, as well as any consequent recommendations regarding the configuration of the Mission (para. 22)   | Reiteration                |
| Cross-cutting: protection of civilians                         | Calls upon the Mission to implement a Mission-wide civilian protection strategy, comprehensively throughout the Mission area, including the implementation of tribal conflict resolution mechanisms, and urges the Mission to enhance its presence in areas at high risk of localized conflict, including by conducting frequent patrols (para. 6)   | Newly mandated task        |
| <b>Coordination</b>  |  |                            |
| Coordination with other United Nations agencies in the country | Also encourages the Mission to work closely with the Sudanese Armed Forces and the Sudan People's Liberation Army to reinvigorate the disarmament, demobilization and reintegration process and to assist in voluntary disarmament and weapons collection and destruction efforts in implementation of the disarmament, demobilization and reintegration process under the Comprehensive Peace Agreement, to ensure the timely provision of sustainable reintegration programmes, which will help to promote continued and enhanced funding support from donors for the reintegration phase, and to coordinate with local authorities and with the United Nations agencies, funds and programmes initiatives that strengthen disarmament, demobilization and reintegration with the creation of economic opportunities for reintegrated individuals, further urges donors to respond to calls for assistance to the disarmament, demobilization and reintegration process, in particular the reintegration phase, calls upon donors to honour all obligations and pledges of assistance, and takes note in this context of the need to also assist the victims in conflict-affected communities (para. 18) | Reiteration                |

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
|   | Also welcomes the continuing organized return of internally displaced persons and refugees to the Three Areas and Southern Sudan, and requests the Mission, within its current mandate, capabilities and areas of deployment, to coordinate with United Nations and other partners to facilitate sustainable returns, including by helping to establish and maintain the necessary security conditions (para. 20)   | Reiteration                |
| Coordination with other United Nations entities in the region | Reiterates its call upon the Mission to coordinate strategies with other United Nations missions in the region for information on the protection of civilians in the light of the attacks by the Lord's Resistance Army, and requests the Secretary-General to include in his quarterly reports on the Mission information on cooperation between United Nations missions in dealing with the threats of the Lord's Resistance Army (para. 5)   | Reiteration                |
|   | Notes that conflict in one area of the Sudan affects conflict in other areas of the country, and therefore urges the Mission, consistent with its current mandate, to cooperate closely with all United Nations entities operating in the region, including the African Union-United Nations Joint Mediation Support Team and other stakeholders, so that the implementation of the mandates of those bodies supports the overall objective of peace in the Sudan and the region (para. 14)   | Reiteration                |
| <b>Demilitarization and arms control</b>                      |   |                            |
| Disarmament, demobilization and reintegration                 | See para. 18 of the resolution, under "Coordination" above  | Additional element         |
|   | Welcomes the adoption by the Sudan People's Liberation Army of an action plan to release all children still associated with its forces by the end of 2010, and in order to achieve this goal, calls for timely implementation of this action plan, requests the Mission, consistent with its mandate and in coordination with the relevant parties and with particular emphasis on the protection, release and reintegration with their families of children recruited to and participating with armed forces and armed groups, to increase its support for the National Disarmament, Demobilization and Reintegration Coordination Council and the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions and to monitor the reintegration process (para. 19) | Additional element         |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| Demilitarization or arms monitoring  | Recognizes the detrimental impact of the proliferation of arms, in particular small arms, on the security of civilians by fuelling armed conflict, encourages the Mission to continue its efforts in providing assistance to the Government of Southern Sudan with regard to the civilian disarmament process, in particular by strengthening the capacity of local authorities to deter inter-communal conflicts and by monitoring forced civilian disarmament initiatives in an effort to avert disarmament operations that could exacerbate insecurity in Southern Sudan (para. 15)   | Newly mandated task        |
| <b>Electoral assistance and certification</b>                                  |  |                            |
| Electoral assistance   | Recalls the provision in the Comprehensive Peace Agreement for referendums, as well as the responsibility of the parties to pursue efforts to make unity attractive, reaffirms the support of the Mission for these activities, requests that the Mission be prepared to play a lead role in international efforts to provide assistance, as requested, to support preparations for the referendums in 2011, including in consultation with those Member States able and willing to provide support, and an advisory role related to security arrangements for the referendums, and urges the international community to provide technical and material assistance, including observation capacity for the referendums, as requested by the relevant Sudanese authorities to support the referendums and popular consultations (para. 7) | Additional element         |
| <b>Humanitarian issues</b>   |  |                            |
| Refugees/internally displaced persons: facilitation of return                  | See para. 20 of the resolution, under “Coordination” above   | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b> |  |                            |
| Children and armed conflict  | See para. 19 of the resolution, under “Demilitarization and arms control” above  | Reiteration                |

| <i>Category and mandated task</i>   | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Institutions and governance</b>  |   |                            |
| Border issues   | Requests the Mission, within its current mandate and capabilities, to continue to assist the parties, as requested, in the implementation of all elements of the Comprehensive Peace Agreement, including creation of, and appointments to, the referendum and popular consultation commissions, implementation of the decision of the Permanent Court of Arbitration in The Hague regarding Abyei, north-south border demarcation, wealth-sharing, security arrangements, and resolution of conflict in Southern Kordofan and Blue Nile states (para. 9) | Additional element         |
|   | Requests the Mission, acting within its current mandate and within its current means and capabilities, to continue to provide technical and logistical support to the Ad Hoc Technical Border Committee, as requested, to help the parties to urgently conclude the process of demarcation of the north/south border of 1956, in accordance with the Comprehensive Peace Agreement (para. 16)   | Reiteration                |
| <b>Military, police and security sector reform</b>  |   |                            |
| Protection of civilians, including refugees and internally displaced persons              | See para. 20 of the resolution, under “Coordination” above  | Reiteration                |
| Police: capacity-building   | Encourages the Mission, consistent with its mandate, and within authorized levels of civilian police, to continue efforts to assist the parties to the Comprehensive Peace Agreement in promoting the rule of law, restructuring the police and corrections services throughout the Sudan, particularly in the south, owing to the lack of development of the police services, and assisting in the training of civilian police and corrections officers (para. 17)   | Reiteration                |
| Police: reform/restructuring  | See para. 17 of the resolution, above   | Reiteration                |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | See para. 6 of the resolution, under “General” above  | Additional element         |

| <i>Category and mandated task</i>          | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Political processes</b>                 |   |                            |
| Peace agreement monitoring/ implementation | See para. 9 of the resolution, under “Institutions and governance” above                  | Additional element         |
| Local conflict resolution                  | See para. 6 of the resolution, under “General” above                                      | Additional element         |
| <b>Rule of law</b>                         |   |                            |
| Promotion of the rule of law               | See para. 17 of the resolution, under “Military, police and security sector reform” above | Reiteration                |
| Prisons                                    | See para. 17 of the resolution, under “Military, police and security sector reform” above | Reiteration                |

## Resolution 1978 (2011)

### General

|                                   |  |             |
|-----------------------------------|--|-------------|
| Authorization of the use of force | Decides to extend until 9 July 2011 the mandate of UNMIS as set out in resolution 1590 (2005) (para.1) | Reiteration |
|-----------------------------------|--|-------------|

## United Nations Mission in South Sudan

### Establishment

Welcoming the establishment of the Republic of South Sudan on 9 July 2011 upon its proclamation as an independent State, the Security Council established the United Nations Mission in South Sudan (UNMISS) under Chapter VII of the Charter by resolution 1996 (2011) of 8 July 2011 for an initial period of one year. UNMISS was tasked to support peace consolidation and thereby foster longer-term State-building and economic development; and support the Government of South Sudan in exercising its responsibilities for conflict prevention, mitigation and resolution and the protection of civilians, as well as in developing its capacity to provide security, to establish the rule of law, and to strengthen the security and justice sectors. UNMISS was authorized to use all necessary means to carry out the protection of civilians.<sup>33</sup> Table 20 provides an overview

of the mandate of UNMISS, while table 21 presents the full text of all paragraphs of resolution 1996 (2011) that relate to the mandate of UNMISS.

The Council decided that UNMISS would consist of up to 7,000 military personnel, including military liaison officers and staff officers, up to 900 civilian police personnel, including as appropriate formed units, and an appropriate civilian component, including technical human rights investigation expertise, and further decided to review, in three and in six months, whether the conditions on the ground could allow a reduction of military personnel to a level of 6,000.<sup>34</sup>

### Developments during 2010 and 2011

No further decisions were taken during the period under review concerning the mandate of UNMISS.

<sup>34</sup> Ibid., para. 1.

<sup>33</sup> Resolution 1996 (2011), paras. 1-4.

Table 20  
UNMISS: overview of mandate by category

| <i>Category and mandated task</i>  | <i>Resolution</i><br><i>1996 (2011)</i> |
|--|---|
| <b>General</b>   |   |
| Authorization of the use of force  | X <sup>a</sup>                          |
| Cross-cutting: children and armed conflict   | X <sup>a</sup>                          |
| Benchmarks   | X <sup>a</sup>                          |
| <b>Coordination</b>  |   |
| Coordination with United Nations agencies in the country                                       | X <sup>a</sup>                          |
| Coordination with other United Nations entities in the region                                  | X <sup>a</sup>                          |
| Coordination of international engagement   | X <sup>a</sup>                          |
| <b>Demilitarization and arms control</b>   |   |
| Disarmament, demobilization and reintegration  | X <sup>a</sup>                          |
| Mine action  | X <sup>a</sup>                          |
| <b>Electoral assistance and certification</b>  |   |
| Electoral assistance   | X <sup>a</sup>                          |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |   |
| Human rights: capacity-building  | X <sup>a</sup>                          |
| Human rights: monitoring   | X <sup>a</sup>                          |
| Human rights: legal and constitutional support   | X <sup>a</sup>                          |
| Human rights: investigation and prosecution  | X <sup>a</sup>                          |
| Children and armed conflict  | X <sup>a</sup>                          |
| Women and peace and security   | X <sup>a</sup>                          |
| <b>Institutions and governance</b>   |   |
| Institution-building: strengthening/promotion of autonomy                                      | X <sup>a</sup>                          |
| Territorial control/consolidation of State authority   | X <sup>a</sup>                          |
| <b>Military, police and security sector reform</b>   |   |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence      | X <sup>a</sup>                          |
| Border monitoring  | X <sup>a</sup>                          |
| Protection of civilians, including refugees and internally displaced persons                   | X <sup>a</sup>                          |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | X <sup>a</sup>                          |
| Protection of humanitarian personnel/facilitation of humanitarian access                       | X <sup>a</sup>                          |
| Police: capacity-building  | X <sup>a</sup>                          |
| Security sector reform   | X <sup>a</sup>                          |
| <b>Political processes</b>   |   |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices         | X <sup>a</sup>                          |
| Regional cooperation   | X <sup>a</sup>                          |



| <i>Category and mandated task</i> | <i>Resolution</i>  |
|-----------------------------------|--------------------|
|                                   | <i>1996 (2011)</i> |
| <b>Rule of law</b>                |                    |
| Promotion of the rule of law      | X <sup>a</sup>     |
| Judicial and legal reform         | X <sup>a</sup>     |
| Constitutional support            | X <sup>a</sup>     |
| Prisons                           | X <sup>a</sup>     |
| <b>Other</b>                      |                    |
| Development/reconstruction        | X <sup>a</sup>     |
| Media capacity-building           | X <sup>a</sup>     |

<sup>a</sup> Newly mandated task.

Table 21  
UNMISS: mandate during 2010 and 2011

| <i>Category and mandated task</i>                         | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Resolution 1996 (2011) (adopted under Chapter VII)</b> |   |                            |
| <b>General</b>  |   |                            |
| Authorization of the use of force                         | Authorizes the Mission to use all means necessary, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 3 (b) (iv) to (vi) [of the resolution] (para. 4)   | Newly mandated task        |
| Cross-cutting: children and armed conflict                | Calls upon the Government of the Republic of South Sudan and the Sudan People's Liberation Army to renew the action plan (signed by the United Nations and the Sudan People's Liberation Army on 20 November 2009) to end the recruitment and use of child soldiers that expired in November 2010, and requests the Mission to advise and assist the Government in this regard; and further requests the Secretary-General to strengthen child protection in United Nations system activities in the Republic of South Sudan and ensure continued monitoring and reporting of the situation of children (para. 10)  | Newly mandated task        |
| Benchmarks  | Requests the Secretary-General to report to the Council on the expected timeline of the deployment of all Mission elements, including the status of consultations with troop- and police-contributing countries and of the deployment of key enablers; and, stressing the importance of achievable and realistic targets against which the progress of the Mission can be measured, also requests the Secretary-General, following consultations with the Government of the Republic of South Sudan, to present benchmarks for the Mission to the Council within four months and to keep the Council regularly informed of progress every four months thereafter (para. 19) | Newly mandated task        |

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Coordination</b>   |  |                            |
| Coordination with United Nations agencies in the country      | Welcomes the appointment by the Secretary-General of his Special Representative for South Sudan, and requests the Secretary-General, through his Special Representative, to direct the operations of an integrated Mission, coordinate all activities of the United Nations system in the Republic of South Sudan, and support a coherent international approach to a stable peace in the Republic of South Sudan (para. 2)  | Newly mandated task        |
|   | Requests the Special Representative of the Secretary-General for South Sudan and UNMISS to work with the Government of the Republic of South Sudan, the United Nations country team and bilateral and multilateral partners, including the World Bank, and report back to the Council within four months on a plan for United Nations system support to specific peacebuilding tasks, especially security sector reform, police institutional development, rule of law and justice sector support, human rights capacity-building, early recovery, formulation of national policies related to key issues of State-building and development, and establishing the conditions for development, consistent with national priorities and with a view to contributing to the development of a common framework for monitoring progress in these areas (para. 18) | Newly mandated task        |
| Coordination with other United Nations entities in the region | Calls upon the Mission to coordinate with the Government of the Republic of South Sudan and participate in regional coordination and information mechanisms to improve protection of civilians and support disarmament, demobilization and reintegration efforts in the light of the attacks by the Lord's Resistance Army in the Republic of South Sudan, and requests the Secretary-General to include in his trimesterly reports on the Mission a summary of cooperation and information-sharing between the Mission, the African Union-United Nations Hybrid Operation in Darfur, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and regional and international partners in addressing the Lord's Resistance Army threats (para. 15)  | Newly mandated task        |
|   | Authorizes the Secretary-General to take the necessary steps in order to ensure inter-mission cooperation, and authorizes, within the overall troop ceiling set out in paragraph 1 [of the resolution], appropriate transfers of troops from other missions, subject to the agreement of the troop-contributing countries and without prejudice to the performance of the mandates of these United Nations missions (para. 17)   | Newly mandated task        |

| <i>Category and mandated task</i>             | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| Coordination of international engagement      | See para. 2 of the resolution, above   | Newly mandated task        |
|   | See para. 15 of the resolution, above  | Newly mandated task        |
|   | See para. 18 of the resolution, above  | Newly mandated task        |
| <b>Demilitarization and arms control</b>      |  |                            |
| Disarmament, demobilization and reintegration | Support the Government of the Republic of South Sudan, in accordance with the principles of national ownership, and in cooperation with the United Nations country team and other international partners, in developing its capacity to provide security, to establish the rule of law and to strengthen the security and justice sectors by:  | Newly mandated task        |
|   | <p>(i) Supporting the development of strategies for security sector reform, rule of law, and justice sector development, including human rights capacities and institutions</p> <p>(ii) Supporting the Government of the Republic of South Sudan in developing and implementing a national disarmament, demobilization and reintegration strategy, in cooperation with international partners, with particular attention to the special needs of women and child combatants</p> <p>(iii) Strengthening the capacity of the Republic of South Sudan Police Services through advice on policy, planning and legislative development, as well as training and mentoring in key areas</p> <p>(iv) Supporting the Government of the Republic of South Sudan in developing a military justice system that is complementary to the civil justice system</p> <p>(v) Facilitating a protective environment for children affected by armed conflict, through the implementation of a monitoring and reporting mechanism</p> <p>(vi) Supporting the Government of the Republic of South Sudan in conducting demining activities within available resources and strengthening the capacity of the Republic of South Sudan Demining Authority to conduct mine action in accordance with the International Mine Action Standards (para. 3 (c))</p> |                            |
|   | See para. 15 of the resolution, under “Coordination” above   | Newly mandated task        |
| Mine action                                   | See para. 3 (c) of the resolution, above   | Newly mandated task        |

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| <i>Category and mandated task</i> | <i>Text of mandate</i> | <i>Mandated task level</i> |
|-----------------------------------|------------------------|----------------------------|
|-----------------------------------|------------------------|----------------------------|

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**Electoral assistance and certification**

|                      |   |                     |
|----------------------|---|---------------------|
| Electoral assistance | <p>Decides that the mandate of the Mission shall be to consolidate peace and security and to help to establish the conditions for development in the Republic of South Sudan, with a view to strengthening the capacity of the Government of the Republic of South Sudan to govern effectively and democratically and establish good relations with its neighbours, and accordingly authorizes the Mission to perform the following tasks:</p> <p>(a) Support for peace consolidation and thereby fostering longer-term State-building and economic development, by:</p> <p style="padding-left: 40px;">(i) Providing good offices, advice and support to the Government of the Republic of South Sudan on political transition, governance and establishment of State authority, including the formulation of national policies in this regard</p> <p style="padding-left: 40px;">(ii) Promoting popular participation in political processes, including by advising and supporting the Government of the Republic of South Sudan on an inclusive constitutional process; the holding of elections in accordance with the constitution; promoting the establishment of an independent media; and ensuring the participation of women in decision-making forums (para. 3 (a))</p> | Newly mandated task |
|----------------------|---|---------------------|

**Human rights; women and peace and security; children and armed conflict**

|                                 |  |                     |
|---------------------------------|--|---------------------|
| Human rights: capacity-building | <p>See para. 3 (c ) of the resolution, under “Demilitarization and arms control” above</p> <p>See para. 18 of the resolution, under “Coordination” above</p>   | Newly mandated task |
| Human rights: monitoring        | <p>Support the Government of the Republic of South Sudan in exercising its responsibilities for conflict prevention, mitigation and resolution and protect civilians by:</p> <p>(i) Exercising good offices, confidence-building, and facilitation at the national, state and county levels within capabilities to anticipate, prevent, mitigate and resolve conflict</p> <p>(ii) Establishment and implementation of a mission-wide early warning capacity, with an integrated approach to information-gathering, monitoring, verification, early warning and dissemination, and follow-up mechanisms</p> | Newly mandated task |

| <i>Category and mandated task</i>              | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
|  | (iii) Monitoring, investigating, verifying and reporting regularly on human rights and potential threats against the civilian population as well as actual and potential violations of international humanitarian and human rights law, working as appropriate with the Office of the United Nations High Commissioner for Human Rights, bringing these to the attention of the authorities as necessary, and immediately reporting gross violations of human rights to the Security Council |                            |
|  | (iv) Advising and assisting the Government of the Republic of South Sudan, including the military and police at the national and local levels as appropriate, in fulfilling its responsibility to protect civilians, in compliance with international humanitarian, human rights and refugee law   |                            |
|  | (v) Deterring violence, including through proactive deployment and patrols in areas at high risk of conflict, within its capabilities and in its areas of deployment, protecting civilians under imminent threat of physical violence, in particular when the Government of the Republic of South Sudan is not providing such security   |                            |
|  | (vi) Providing security for United Nations and humanitarian personnel, installations and equipment necessary for the implementation of mandated tasks, bearing in mind the importance of mission mobility, and contributing to the creation of security conditions conducive to safe, timely and unimpeded humanitarian assistance (para. 3 (b))   |                            |
| Human rights: legal and constitutional support | Encourages the Government of the Republic of South Sudan to ratify into law and implement key international human rights treaties and conventions, including those related to women and children, refugees and statelessness, and requests the Mission to advise and assist the Government in this regard (para. 11)   | Newly mandated task        |
| Human rights: investigation and prosecution    | See para. 3 (b) of the resolution, above   | Newly mandated task        |
| Children and armed conflict                    | See para. 10 of the resolution, under “General” above  | Newly mandated task        |
|  | See para. 3 (c) of the resolution, under “Demilitarization and arms control” above   | Newly mandated task        |
| Women and peace and security                   | See para. 3 (a) of the resolution, under “Electoral assistance and certification” above  | Newly mandated task        |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
|  | Reaffirms the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions 1325 (2000) and 1820 (2008), recalls the need to address violence against women and girls as a tool of warfare, looks forward to the appointment of women’s protection advisers in accordance with resolutions 1888 (2009), 1889 (2009) and 1960 (2010), requests the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence, including rape in situations of armed conflict and in post-conflict and other situations relevant to the implementation of resolution 1888 (2009), as appropriate, and encourages the Mission as well as the Government of the Republic of South Sudan to actively address these issues (para. 24) | Newly mandated task        |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/<br>promotion of autonomy                                      | Decides that the mandate of the Mission shall be to consolidate peace and security and to help to establish the conditions for development in the Republic of South Sudan, with a view to strengthening the capacity of the Government of the Republic of South Sudan to govern effectively and democratically and establish good relations with its neighbours (para. 3)   | Newly mandated task        |
|  | See para. 3 (a) of the resolution, under “Electoral assistance and certification” above   | Newly mandated task        |
|  | See para. 3 (c) of the resolution, under “Demilitarization and arms control” above  | Newly mandated task        |
| Territorial control/<br>consolidation of State<br>authority  | See para. 3 (a) of the resolution, under “Electoral assistance and certification” above   | Newly mandated task        |
| <b>Military, police and security sector reform</b>   |   |                            |
| Territorial security,<br>including ensuring<br>presence in key areas,<br>patrolling and deterrence | See para. 3 (b) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above  | Newly mandated task        |
| Border monitoring  | Requests the Government of the Sudan and the Government of the Republic of South Sudan to propose by 20 July 2011 modalities for the implementation of the agreement on border monitoring of 29 June 2011, and, in case the parties fail to do so, requests the Mission to observe and report on any flow of personnel, arms and related materiel across the border with the Sudan (para. 5)  | Newly mandated task        |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| Protection of civilians, including refugees and internally displaced persons                   | See para. 3 (b) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above | Newly mandated task        |
|  | See para. 15 of the resolution, under “Coordination” above   | Newly mandated task        |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | See para. 3 (b) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above | Newly mandated task        |
| Protection of humanitarian personnel/facilitation of humanitarian access                       | See para. 3 (b) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above | Newly mandated task        |
| Police: capacity-building  | See para. 3 (c) of the resolution, under “Demilitarization and arms control” above                                       | Newly mandated task        |
|  | See para. 18 of the resolution, under “Coordination” above   | Newly mandated task        |
| Security sector reform   | See para. 3 (c) of the resolution, under “Demilitarization and arms control” above                                       | Newly mandated task        |
|  | See para. 18 of the resolution, under “Coordination” above   | Newly mandated task        |
| <b>Political processes</b>   |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices         | See para. 3 (a) of the resolution, under “Electoral assistance and certification” above                                  | Newly mandated task        |
|  | See para. 3 (b) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above | Newly mandated task        |
| Regional cooperation   | See para. 3 of the resolution, under “Institutions and governance” above   | Newly mandated task        |
|  | See para. 15 of the resolution, under “Coordination” above   | Newly mandated task        |
| <b>Rule of law</b>   |  |                            |
| Promotion of the rule of law   | See para. 3 (c) of the resolution, under “Demilitarization and arms control” above                                       | Newly mandated task        |
|  | See para. 18 of the resolution, under “Coordination” above   | Newly mandated task        |
| Judicial and legal reform  | See para. 3 (c) of the resolution, under “Demilitarization and arms control” above                                       | Newly mandated task        |
|  | See para. 18 of the resolution, under “Coordination” above   | Newly mandated task        |

| <i>Category and mandated task</i> | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|-----------------------------------|--|----------------------------|
| Constitutional support            | See para. 3 (a) of the resolution, under “Electoral assistance and certification” above  | Newly mandated task        |
| Prisons                           | Calls upon the Government of the Republic of South Sudan to end prolonged, arbitrary detention and to establish a safe, secure and humane prison system through the provision of advice and technical assistance, in cooperation with international partners, and requests the Mission to advise and assist the Government in this regard (para. 14) | Newly mandated task        |
| <b>Other</b>                      |  |                            |
| Development/<br>reconstruction    | See para. 3 of the resolution, under “Institutions and governance” above   | Newly mandated task        |
|                                   | See para. 3 (a) of the resolution, under “Electoral assistance and certification” above  | Newly mandated task        |
|                                   | See para. 18 of the resolution, under “Coordination” above   | Newly mandated task        |
| Media capacity-building           | See para. 3 (a) of the resolution, under “Electoral assistance and certification” above  | Newly mandated task        |

## **African Union-United Nations Hybrid Operation in Darfur**

### **Background**

The African Union-United Nations Hybrid Operation in Darfur (UNAMID) was established by the Security Council on 31 July 2007 by resolution [1769 \(2007\)](#) in support of the early and effective implementation of the Darfur Peace Agreement of 5 May 2008. UNAMID succeeded the African Union Mission in the Sudan on 31 December 2007. The mandate of UNAMID included the following tasks: support for the peace process and good offices, security, rule of law, human rights and humanitarian assistance. Acting under Chapter VII of the Charter, the Council authorized UNAMID to take the necessary action (a) to protect its personnel, facilities, installations and equipment, and ensure the security and freedom of movement of its own personnel and humanitarian workers; and (b) to support early and effective implementation of the Darfur Peace Agreement, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the Government of the Sudan. Prior to the reporting period, the last mandate extension was

until 31 July 2010 and the authorized strength remained at 25,987, with 19,555 military and 6,432 police personnel, as shown in table 22, which also shows the extensions of the mandate during the reporting period. Table 23 provides an overview of the mandate of UNAMID since its establishment.

### **Developments during 2010 and 2011**

During the period under review, the Council extended the mandate of UNAMID twice for periods of one year each, the last until 31 July 2012,<sup>35</sup> without modifying its authorized strength. The Council modified the existing mandated tasks in the areas of coordination, electoral assistance, military activities and the political process, among others, and added two newly mandated tasks: local conflict resolution in the area of the political process and the coordination of political engagement.

By resolution [1935 \(2010\)](#), UNAMID was tasked, inter alia, to assist and complement the United Nations Mission in the Sudan by providing electoral assistance in preparation for the referendums in Southern Sudan

<sup>35</sup> Resolutions [1935 \(2010\)](#), para.1; and [2003 \(2011\)](#), para. 1.



and Abyei planned for January 2011; in the political process, to support the Joint African Union-United Nations Chief Mediator for Darfur and the Joint Mediation Support Team; and to support local conflict resolution mechanisms.<sup>36</sup> The Council underlined the need for UNAMID to make full use of its mandate and capabilities to protect civilians across Darfur and to ensure safe, timely and unhindered humanitarian access and the safety and security of humanitarian personnel and humanitarian activities.<sup>37</sup> By resolution 2003 (2011), while adding tasks to the existing mandate in such areas as coordination, military activities and the

political process, the Council emphasized the Chapter VII mandate of UNAMID, as defined in resolution 1769 (2007), to protect civilians without prejudice to the primary responsibility of the Government of the Sudan.<sup>38</sup> The full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review is provided in table 24.<sup>39</sup>

<sup>36</sup> Resolution 1935 (2010), paras. 12, 14 and 17.

<sup>37</sup> Resolutions 1935 (2010), para. 2; and 2003 (2011), para. 3.

<sup>38</sup> Resolution 2003 (2011), para. 5.

<sup>39</sup> For information relating to the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) prior to the period under review, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. I.

Table 22  
UNAMID: extension of mandate and change in composition

|   | <i>Resolution</i>                    |                          |                          |                          |
|---|--------------------------------------|--------------------------|--------------------------|--------------------------|
|   | <i>1769 (2007)</i>                   | <i>1881 (2009)</i>       | <i>1935 (2010)</i>       | <i>2003 (2011)</i>       |
| Date of adoption                        | 31 July 2007                         | 30 July 2009             | 30 July 2010             | 29 July 2011             |
| Duration of mandate                     | Establishment<br>(12 months)         | Extension<br>(12 months) | Extension<br>(12 months) | Extension<br>(12 months) |
| <b>Authorized strength</b>              |                                      |                          |                          |                          |
| <b>Military (total)</b>                 | <b>19 555</b>                        |                          |                          |                          |
| Military observers and liaison officers | 360                                  |                          |                          |                          |
| <b>Police (total)</b>                   | <b>6 432</b>                         |                          |                          |                          |
| Police personnel                        | 3 772                                |                          |                          |                          |
| Formed police units                     | 19 units up to<br>140 personnel each |                          |                          |                          |

Table 23  
UNAMID: overview of mandate by category

| <i>Category and mandated task</i>                        | <i>Resolution</i>  |                    |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|
|  | <i>1769 (2007)</i> | <i>1828 (2008)</i> | <i>1881 (2009)</i> | <i>1935 (2010)</i> | <i>2003 (2011)</i> |
| <b>General</b>   |                    |                    |                    |                    |                    |
| Authorization of the use of force                        | X <sup>a</sup>     |                    |                    | X <sup>c</sup>     | X <sup>c</sup>     |
| Cross-cutting: women and peace and security              |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>b</sup>     |
| Benchmarks   |                    |                    | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>c</sup>     |
| <b>Coordination</b>                                      |                    |                    |                    |                    |                    |
| Coordination with United Nations agencies in the country | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     | X <sup>b</sup>     |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Resolution</i>  |                    |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|
|  | <i>1769 (2007)</i> | <i>1828 (2008)</i> | <i>1881 (2009)</i> | <i>1935 (2010)</i> | <i>2003 (2011)</i> |
| Coordination with other United Nations entities in the region                                  |                    |                    | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>b</sup>     |
| Coordination of international engagement   |                    |                    |                    |                    | X <sup>a</sup>     |
| <b>Demilitarization and arms control</b>   |                    |                    |                    |                    |                    |
| Disarmament, demobilization and reintegration  | X <sup>a</sup>     |                    |                    |                    |                    |
| Mine action  | X <sup>a</sup>     |                    |                    |                    |                    |
| Small arms and light weapons   | X <sup>a</sup>     |                    |                    | X <sup>c</sup>     | X <sup>c</sup>     |
| <b>Electoral assistance and certification</b>  |                    |                    |                    |                    |                    |
| Electoral assistance   | X <sup>a</sup>     |                    | X <sup>b</sup>     | X <sup>b</sup>     |                    |
| <b>Humanitarian issues</b>   |                    |                    |                    |                    |                    |
| Humanitarian support/coordination  | X <sup>a</sup>     |                    |                    |                    |                    |
| Refugees/internally displaced persons: facilitation of return                                  | X <sup>a</sup>     |                    |                    |                    |                    |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |                    |                    |                    |                    |                    |
| Human rights: promotion and protection   | X <sup>a</sup>     |                    |                    |                    |                    |
| Women and peace and security   | X <sup>a</sup>     |                    |                    |                    |                    |
| Children and armed conflict  | X <sup>a</sup>     |                    |                    |                    |                    |
| <b>Institutions and governance</b>   |                    |                    |                    |                    |                    |
| Institution-building: strengthening/promotion of autonomy                                      | X <sup>a</sup>     |                    |                    |                    |                    |
| <b>Military, police and security sector reform</b>   |                    |                    |                    |                    |                    |
| Border monitoring  | X <sup>a</sup>     |                    |                    |                    |                    |
| Monitoring the movement of armed groups  | X <sup>a</sup>     |                    |                    |                    |                    |
| Protection of civilians, including refugees and internally displaced persons                   | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     | X <sup>b</sup>     |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | X <sup>a</sup>     |                    |                    |                    |                    |
| Protection of humanitarian personnel/facilitation of humanitarian access                       | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     | X <sup>b</sup>     |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence      | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     | X <sup>b</sup>     |
| Police: capacity-building  | X <sup>a</sup>     |                    |                    |                    |                    |
| Ceasefire monitoring   | X <sup>a</sup>     |                    |                    |                    |                    |
| Police: operational support to national police   | X <sup>a</sup>     |                    |                    |                    |                    |
| Police: reform/restructuring   | X <sup>a</sup>     |                    |                    |                    |                    |
| <b>Political processes</b>   |                    |                    |                    |                    |                    |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices         | X <sup>a</sup>     |                    | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>b</sup>     |
| Local conflict resolution  |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     |
| Peace agreement monitoring/implementation  | X <sup>a</sup>     |                    |                    |                    |                    |

## Repertoire of the Practice of the Security Council, 2010-2011

| Category and mandated task   | Resolution     |             |             |                |                |
|--|----------------|-------------|-------------|----------------|----------------|
|  | 1769 (2007)    | 1828 (2008) | 1881 (2009) | 1935 (2010)    | 2003 (2011)    |
| Cooperation with/support to regional and subregional organizations | X <sup>a</sup> |             |             | X <sup>b</sup> |                |
| <b>Rule of law</b>   |                |             |             |                |                |
| Anti-corruption/good governance                                    | X <sup>a</sup> |             |             |                |                |
| Judicial and legal reform  | X <sup>a</sup> |             |             |                |                |
| Prisons  | X <sup>a</sup> |             |             |                |                |
| Promotion of the rule of law                                       | X <sup>a</sup> |             |             |                |                |
| <b>Other</b>   |                |             |             |                |                |
| Sanctions enforcement/monitoring                                   | X <sup>a</sup> |             |             | X <sup>c</sup> | X <sup>c</sup> |
| Logistical support (non-combat)                                    | X <sup>a</sup> |             |             |                |                |
| Development/reconstruction   | X <sup>a</sup> |             |             | X <sup>b</sup> | X <sup>b</sup> |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 24

### UNAMID: changes to mandate, 2010-2011

| Category and mandated task                  | Text of mandate   | Mandated task level |
|---|---|---------------------|
| <b>Resolution 1935 (2010)</b>               |   |                     |
| <b>General</b>                              |   |                     |
| Authorization of the use of force           | Decides to extend the mandate of UNAMID as set out in resolution <a href="#">1769 (2007)</a> for a further 12 months, until 31 July 2011 (para. 1)  | Reiteration         |
| Cross-cutting: women and peace and security | Demands that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution <a href="#">1820 (2008)</a> , requests UNAMID to report on the implementation of its comprehensive strategy for providing protection to women and children from sexual violence and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and requests the Secretary-General to ensure that the relevant provisions of resolutions <a href="#">1325 (2000)</a> , <a href="#">1820 (2008)</a> , <a href="#">1888 (2009)</a> and <a href="#">1889 (2009)</a> are implemented by the Operation and to include information on this in his reporting to the Council (para. 18) | Reiteration         |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>                              | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Benchmarks   | Stresses the importance of achievable and realistic targets against which the progress of United Nations peacekeeping operations can be measured, requests the Secretary-General to continue reporting to the Security Council every 90 days on progress made towards implementing across Darfur the mandate of UNAMID, including on progress towards and obstacles to the implementation of the strategy referred to in paragraph 4 [of the resolution], also including an assessment of progress against the benchmarks set out in annex II to the report of the Secretary-General of 16 November 2009 as well as on progress in the political process, the security and humanitarian situation, including in the internally displaced persons sites and refugee camps, and early recovery and compliance by all parties with their international obligations (para. 8) | Additional element         |
| <b>Coordination</b>  |   |                            |
| Coordination with other United Nations agencies in the country | Requests UNAMID, in consultation with the United Nations country team, to develop a comprehensive strategy for the achievement of the objectives set out in paragraph 2 [of the resolution], and requests the Operation to maximize the use of its capabilities in Darfur in the implementation of that strategy (para. 4)  | Additional element         |
|  | Notes that security will greatly facilitate early recovery initiatives and a return to normalcy in Darfur, stresses the importance of early recovery efforts in Darfur and in this respect encourages UNAMID, within its current mandate, to facilitate the work of the United Nations country team and expert agencies on early recovery and reconstruction in Darfur, inter alia, through the provision of area security, and calls upon the Government of the Sudan to continue its efforts to resolve the root causes of the Darfur crisis and to increase investment in early recovery activity (para. 16)   | Additional element         |
| Coordination with other United Nations entities in the region  | Notes that conflict in one area of the Sudan affects other areas of the Sudan and the wider region, and urges UNAMID to coordinate closely with other United Nations missions in the region, including the United Nations Mission in the Sudan and the United Nations Mission in the Central African Republic and Chad (para. 13)   | Reiteration                |
|  | Requests UNAMID, consistent with its current capabilities and mandate, to assist and complement the efforts of the United Nations Mission in the Sudan, as appropriate, in preparing for the referendums in Southern Sudan and Abyei, including by coordinating closely with the Mission in sharing analysis of risks in the border areas, particularly regarding threats to civilians (para. 14)   | Additional element         |

| <i>Category and mandated task</i>   | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Demilitarization and arms control</b>  |  |                            |
| Small arms and light weapons  | Expresses deep concern over the persistent localized conflicts and violence and their effect on civilians, and the proliferation of arms, in particular small arms, and in this regard requests UNAMID to continue to support local conflict resolution mechanisms and to monitor whether any arms or related material are present in Darfur, in accordance with its mandate as set out in paragraph 9 of resolution <a href="#">1769 (2007)</a> (para. 17)  | Reiteration                |
| <b>Electoral assistance and certification</b>   |  |                            |
| Electoral assistance  | See para. 14 of the resolution, under “Coordination” above   | Additional element         |
| <b>Military, police and security sector reform</b>  |  |                            |
| Protection of civilians, including refugees and internally displaced persons              | See para. 4 of the resolution, under “Coordination” above  | Additional element         |
| Protection of humanitarian personnel/facilitation of humanitarian access                  | See para. 4 of the resolution, under “Coordination” above  | Additional element         |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | See para. 16 of the resolution, under “Coordination” above   | Additional element         |
| <b>Political processes</b>  |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | See para. 17 of the resolution, under “Demilitarization and arms control” above  | Reiteration                |
| Local conflict resolution   | See para. 17 of the resolution, under “Demilitarization and arms control” above  | Newly mandated task        |
| Cooperation with/support to regional and subregional organizations                        | Demands that all parties to the conflict, including all rebel groups, immediately engage fully and constructively in the peace process without preconditions, including by entering into talks under the mediation of Mr. Bassolé with a view to completing an inclusive and comprehensive agreement, underlines the importance of completing such an agreement in order to bring a stable and durable peace to the region, welcomes the work of Qatar in this regard and the support of other countries in the region, and calls upon UNAMID to continue to support the Joint Chief Mediator and the African Union-United Nations Joint Mediation Support Team (para. 12) | Additional element         |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>              | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Other</b>                                   |  |                            |
| Sanctions enforcement/<br>monitoring           | See para. 17 of the resolution, under “Demilitarization and arms control” above  | Reiteration                |
| Development/<br>Reconstruction                 | See para. 16 of the resolution, under “Coordination” above   | Additional element         |
| <b>Resolution 2003 (2011)</b>                  |  |                            |
| <b>General</b>                                 |  |                            |
| Authorization of the use<br>of force           | Decides to extend the mandate of UNAMID as set out in resolution <a href="#">1769 (2007)</a> for a further 12 months, until 31 July 2012 (para. 1)   | Reiteration                |
| Cross-cutting: women and<br>peace and security | Demands that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution <a href="#">1820 (2008)</a> , and requests UNAMID to report on sexual and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and further emphasizes the need to include protection for women and children from sexual violence and gender-based violence, as part of the mission-wide protection of civilians strategy identified in paragraph 3 [of the resolution], and requests the Secretary-General to ensure that the relevant provisions of resolutions <a href="#">1325 (2000)</a> , <a href="#">1820 (2008)</a> , <a href="#">1888 (2009)</a> , <a href="#">1889 (2009)</a> and <a href="#">1960 (2010)</a> are implemented by the Operation, including the participation of women through the appointment of women protection advisers, and to include information on this in his reporting to the Council (para. 22) | Additional element         |
| Benchmarks                                     | Requests the Secretary-General to continue reporting to the Council every 90 days on progress made towards implementing across Darfur the mandate of UNAMID, including on progress towards and obstacles to the implementation of the strategy referred to in paragraph 3 [of the resolution], also including an assessment of progress against the benchmarks and indicators set out in annex II to the report of the Secretary-General of 16 November 2009 as well as on progress in the security and humanitarian situation, including in the internally displaced persons sites and refugee camps, human rights, violations of international humanitarian and human rights law, and early recovery and compliance by all parties with their international obligations (para. 13)   | Reiteration                |

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Coordination</b>   |  |                            |
| Coordination with United Nations agencies in the country      | Underlines the need for UNAMID to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to (a) the protection of civilians across Darfur, including through proactive deployment and patrols in areas at high risk of conflict, securing internally displaced persons camps and adjacent areas, and implementation of a mission-wide early warning strategy and capacity, and (b) ensuring safe, timely and unhindered humanitarian access and the safety and security of humanitarian personnel and humanitarian activities, so as to facilitate the unimpeded delivery of humanitarian assistance throughout Darfur; and requests the Operation to maximize the use of its capabilities, in cooperation with the United Nations country team and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives (para. 3) | Additional element         |
|   | Notes that security and freedom of movement will greatly facilitate early recovery initiatives and a return to normalcy in Darfur; stresses the importance of early recovery efforts in Darfur when such interventions are suitable, and in this respect encourages UNAMID, within its current mandate, to facilitate the work of the United Nations country team and expert agencies on early recovery and reconstruction in Darfur, inter alia, through the provision of area security; and calls upon all parties to provide unhindered access and upon the Government of the Sudan to lift all access restrictions, work to resolve the root causes of the Darfur crisis and to increase investment in early recovery activity (para. 19)  | Reiteration                |
| Coordination with other United Nations entities in the region | Notes that conflict in one area of the Sudan affects other areas of the Sudan and the wider region; and urges close coordination among United Nations missions in the region, including UNAMID, the United Nations Interim Security Force for Abyei and the United Nations Mission in South Sudan, and requests the Secretary-General to ensure effective inter-mission cooperation (para. 17)   | Additional element         |
| Coordination of international engagement                      | See para. 3 of the resolution, under “Coordination” above  | Newly mandated task        |

| <i>Category and mandated task</i>   | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Demilitarization and arms control</b>  |  |                            |
| Small arms and light weapons  | Expresses its deep concern over the persistent localized conflicts and violence and their effect on civilians, but in this context notes a reduction in inter-tribal clashes and calls upon all parties to put an end to such clashes and to pursue reconciliation; expresses its deep concern over the proliferation of arms, in particular small arms and light weapons, and in this regard requests UNAMID to continue to support local conflict resolution mechanisms, to monitor whether any arms or related material are present in Darfur in accordance with its mandate as set out in paragraph 9 of resolution <a href="#">1769 (2007)</a> , and in this context to continue to cooperate with the Panel of Experts on the Sudan established by resolution <a href="#">1591 (2005)</a> in order to facilitate its work (para. 21) | Reiteration                |
| <b>Military, police and security sector reform</b>  |  |                            |
| Protection of civilians, including refugees and internally displaced persons              | See para. 3 of the resolution, under “Coordination” above  | Additional element         |
| Protection of humanitarian personnel/facilitation of humanitarian access                  | See para. 3 of the resolution, under “Coordination” above  | Additional element         |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | See para. 3 of the resolution, under “Coordination” above  | Additional element         |
|   | See para. 19 of the resolution, under “Coordination” above   | Reiteration                |
| <b>Political processes</b>  |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | Commends the outcome of the Darfur International Conference on Water, held in Khartoum on 27 and 28 June 2011, as a step towards sustainable peace, and calls upon UNAMID, where consistent with its mandate, and all other United Nations agencies, in particular the United Nations Children’s Fund, the United Nations Development Programme and the United Nations Environment Programme, as well as international actors and donors to meet their commitments made at that conference (para. 20)  | Additional element         |
| Local conflict resolution   | See para. 21 of the resolution, under “Demilitarization and arms control” above  | Reiteration                |



| <i>Category and mandated task</i>    | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--------------------------------------|---|----------------------------|
| <b>Other</b>                         |   |                            |
| Sanctions enforcement/<br>monitoring | See para. 21 of the resolution, under “Demilitarization and arms control” above | Reiteration                |
| Development/Reconstruction           | See para. 19 of the resolution, under “Coordination” above                      | Additional element         |

## **United Nations Interim Security Force for Abyei**

### **Establishment**

The Security Council established the United Nations Interim Security Force for Abyei (UNISFA) by resolution 1990 (2011) of 27 June 2011 for an initial period of six months, taking into account the Agreement between the Government of the Sudan and the Sudan People’s Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area. It was decided that the Force would comprise a maximum of 4,200 military personnel, 50 police personnel and appropriate civilian support. The Council, *inter alia*, mandated UNISFA to monitor and verify the redeployment of any Sudanese Armed Forces, the Sudan People’s Liberation Army or its successor from the Abyei Area, and provide demining assistance and technical advice as well as security for the oil infrastructure in the Area.<sup>40</sup> Acting under Chapter VII of the Charter, the Council authorized UNISFA to take the actions necessary to protect Force and United Nations personnel, facilities, installations and equipment; ensure the security and freedom of movement of United Nations personnel, humanitarian personnel and members of the Joint Military Observation Committee and Joint Military Observer Teams and to protect civilians in the Abyei

<sup>40</sup> Resolution 1990 (2011), paras. 1 and 2.

Area under imminent threat of physical violence. UNISFA was also authorized to use force to protect the Area “from incursions by unauthorized elements”, as defined in the Agreement on Temporary Arrangements.<sup>41</sup> Table 25 contains decisions by which the Council authorized the military and police strength of UNISFA from its establishment, as well as the extension of its mandate.

### **Developments during 2010 and 2011**

During the period under review, the Council recognized the urgent need for the Sudan and South Sudan to commence the process of border normalization, and decided that the mandate of UNISFA would include additional tasks in support of the Joint Border Verification and Monitoring Mechanism, including assisting the parties in ensuring the observance within the Safe Demilitarized Border Zone of the security commitments agreed upon.<sup>42</sup> The Council subsequently extended the mandate of UNISFA for a period of five months.<sup>43</sup> Table 26 provides an overview of changes to the mandate of UNISFA since its establishment. The full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review is provided in table 27.

<sup>41</sup> *Ibid.*, para. 3.

<sup>42</sup> Resolution 2024 (2011), para. 1.

<sup>43</sup> Resolution 2032 (2011), para. 1.

Table 25  
UNISFA: extension of mandate and change in composition

|                            | <i>Resolution</i>        |                    |                      |
|----------------------------|--------------------------|--------------------|----------------------|
|                            | <i>1990 (2011)</i>       | <i>2024 (2011)</i> | <i>2032 (2011)</i>   |
| Date of adoption           | 27 June 2011             | 14 December 2011   | 22 December 2011     |
| Duration of mandate        | Establishment (6 months) |                    | Extension (5 months) |
| <b>Authorized strength</b> |                          |                    |                      |
| <b>Military (total)</b>    | <b>4 200</b>             |                    |                      |
| <b>Police (total)</b>      | <b>50</b>                |                    |                      |

Table 26  
UNISFA: overview of mandate by category

| <i>Category and mandated task</i>  | <i>Resolution</i>  |                    |                    |
|--|--------------------|--------------------|--------------------|
|  | <i>1990 (2011)</i> | <i>2024 (2011)</i> | <i>2032 (2011)</i> |
| <b>General</b>   |                    |                    |                    |
| Authorization of the use of force  | X <sup>a</sup>     |                    |                    |
| <b>Demilitarization and arms control</b>   |                    |                    |                    |
| Demilitarization or arms monitoring  | X <sup>a</sup>     | X <sup>b</sup>     |                    |
| Mine action  | X <sup>a</sup>     |                    |                    |
| <b>Humanitarian issues</b>   |                    |                    |                    |
| Humanitarian support/coordination  | X <sup>a</sup>     |                    |                    |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |                    |                    |                    |
| Human rights: monitoring   | X <sup>a</sup>     |                    | X <sup>c</sup>     |
| <b>Military, police and security sector reform</b>   |                    |                    |                    |
| Protection of civilians, including refugees and internally displaced persons                   | X <sup>a</sup>     |                    |                    |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | X <sup>a</sup>     |                    |                    |
| Protection of humanitarian personnel/facilitation of humanitarian access                       | X <sup>a</sup>     |                    |                    |
| Police: capacity-building  | X <sup>a</sup>     |                    |                    |
| Police: operational support to national police   | X <sup>a</sup>     |                    |                    |
| Security for other institutions and bodies   | X <sup>a</sup>     | X <sup>b</sup>     |                    |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence      | X <sup>a</sup>     |                    |                    |
| Border monitoring  |                    | X <sup>a</sup>     |                    |
| Monitoring the movement of armed groups  | X <sup>a</sup>     |                    |                    |
| <b>Political processes</b>   |                    |                    |                    |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices         | X <sup>a</sup>     | X <sup>b</sup>     |                    |
| Peace agreement monitoring/implementation  | X <sup>a</sup>     |                    |                    |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 27

**UNISFA: changes to mandate in 2011**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Resolution 1990 (2011) (adopted in part under Chapter VII)</b>                              |   |                            |
| <b>General</b>   |   |                            |
| Authorization of the use of force  | Acting under Chapter VII of the Charter of the United Nations, authorizes the Force, within its capabilities and its area of deployment, to take the actions necessary ... (para. 3)  | Newly mandated task        |
| <b>Demilitarization and arms control</b>   |   |                            |
| Demilitarization or arms monitoring  | Monitor and verify the redeployment of any Sudanese Armed Forces and the Sudan People's Liberation Army or its successor, from the Abyei Area as defined by the Permanent Court of Arbitration; henceforth, the Abyei Area shall be demilitarized from any forces other than the Force and the Abyei Police Service (para. 2 (a)) | Newly mandated task        |
| Mine action  | Provide, in cooperation with other international partners in the mine action sector, demining assistance and technical advice (para. 2 (c))   | Newly mandated task        |
| <b>Humanitarian issues</b>   |   |                            |
| Humanitarian support/coordination  | Facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel in coordination with relevant Abyei Area bodies as defined by the Agreement (para. 2 (d))   | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |   |                            |
| Human rights: monitoring   | Requests the Secretary-General to ensure that effective human rights monitoring is carried out and the results included in his reports to the Security Council (para. 10)   | Newly mandated task        |
| <b>Military, police and security sector reform</b>   |   |                            |
| Protection of civilians, including refugees and internally displaced persons                   | Without prejudice to the responsibilities of the relevant authorities, to protect civilians in the Abyei Area under imminent threat of physical violence (para. 3 (d))  | Newly mandated task        |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | To protect Force personnel, facilities, installations and equipment (para. 3 (a))   | Newly mandated task        |
|  | To protect United Nations personnel, facilities, installations and equipment (para. 3 (b))  | Newly mandated task        |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>   | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| Protection of humanitarian personnel/facilitation of humanitarian access                  | See para. 2 (d) of the resolution, under “Humanitarian issues” above   | Newly mandated task        |
|   | To ensure the security and freedom of movement of United Nations personnel, humanitarian personnel and members of the Joint Military Observation Committee and Joint Military Observer Teams (para. 3 (c)) | Newly mandated task        |
| Police: capacity-building   | Strengthen the capacity of the Abyei Police Service by providing support, including the training of personnel, and coordinate with the Abyei Police Service on matters of law and order (para. 2 (e))      | Newly mandated task        |
| Police: operational support to national police  | See para. 2 (e) of the resolution, above   | Newly mandated task        |
|   | When necessary and in cooperation with the Abyei Police Service, provide security for oil infrastructure in the Abyei Area (para. 2 (f))   | Newly mandated task        |
| Security for other institutions or bodies   | See para. 3 (c ) of the resolution, above  | Newly mandated task        |
|   | See para. 2 (f) of the resolution, above   | Newly mandated task        |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | To protect the Abyei Area from incursions by unauthorized elements, as defined in the Agreement (para. 3 (e))  | Newly mandated task        |
|   | To ensure security in the Abyei Area (para. 3 (f))   | Newly mandated task        |
| Monitoring the movement of armed groups   | See para. 2 (a) of the resolution, under “Demilitarization and arms control” above   | Newly mandated task        |
|   | See para. 3 (e) of the resolution, above   | Newly mandated task        |
| <b>Political processes</b>  |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | Participate in relevant Abyei Area bodies as stipulated in the Agreement (para. 2 (b))   | Newly mandated task        |
| Peace agreement monitoring/implementation   | See para. 2 (b) of the resolution, above   | Newly mandated task        |

**Resolution 2024 (2011)**

**Demilitarization and arms control**

|                                     |   |                    |
|-------------------------------------|---|--------------------|
| Demilitarization or arms monitoring | Assist the parties in ensuring the observance within the Safe Demilitarized Border Zone of the security commitments agreed upon by them in the Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011 and Agreement on the Border Monitoring Support Mission of 30 July 2011 (para. 1 (a)) | Additional element |
|-------------------------------------|---|--------------------|

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Military, police and security sector reform</b>                                     |  |                            |
| Security for other institutions or bodies  | Support the operational activities of the Joint Border Verification and Monitoring Mechanism, including its sectors and teams, in undertaking verifications, investigations, monitoring, arbitrations, liaison coordinating, reporting, information exchange and patrols, and by providing security, as appropriate (para. 1 (b))        | Additional element         |
| Border monitoring  | See para. 1 (a) of the resolution, under “Demilitarization and arms control” above   | Newly mandated task        |
|  | See para. 1 (b) of the resolution, above   | Newly mandated task        |
|  | Assist and advise the Joint Border Verification and Monitoring Mechanism in its overall coordination of planning monitoring and verification of the implementation of the Joint Position Paper on Border Security of 30 May 2011 (para. 1 (c))   | Newly mandated task        |
|  | Assist the Joint Border Verification and Monitoring Mechanism to maintain the necessary chart, geographical and mapping references, which shall be used for the purpose of monitoring the implementation of paragraph 2 of the Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011 (para. 1 (d)) | Newly mandated task        |
| <b>Political processes</b>   |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Facilitate liaison between the parties (para. 1 (e))   | Additional element         |
|  | Support the parties, when requested, in developing effective bilateral management mechanisms along the border (para. 1 (f))  | Additional element         |
|  | Assist in building mutual trust (para. 1 (g))  | Additional element         |
| <b>Resolution 2032 (2011)</b>  |  |                            |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |  |                            |
| Human rights: monitoring   | Requests the Secretary-General to ensure that effective human rights monitoring is carried out and the results included in his reports to the Council, and calls upon the Government of the Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end (para. 10)                     | Reiteration                |

## United Nations Mission in the Central African Republic and Chad

### Background

The United Nations Mission in the Central African Republic and Chad (MINURCAT) was established by the Security Council on 25 September 2007 by resolution 1778 (2007), to help to create the security conditions conducive to a secure and sustainable return of refugees and displaced persons, inter alia, by creating favourable conditions for the reconstruction and economic and social development of eastern Chad and the north-eastern Central African Republic. By resolution 1861 (2009), the Council authorized the deployment of a military component of MINURCAT to follow up the European Union operation (EUFOR Chad/Central African Republic). Acting under Chapter VII of the Charter, the Council authorized MINURCAT to use all necessary measures to protect civilians, humanitarian workers and United Nations personnel and facilities. Table 28 shows the last authorization prior to the reporting period of the military and police strength of MINURCAT and the last mandate extension, as well as all decisions authorizing the military and police strength and extensions of the mandate during the reporting period. Table 29 provides an overview of the mandate of MINURCAT since the adoption of resolution 1861 (2009).

### Developments during 2010 and 2011

During the period under review, the Council twice extended the mandate of MINURCAT, for periods of two months and two weeks, respectively, without modifying its mandate or composition.<sup>44</sup>

#### *Termination*

By resolution 1923 (2010), taking note of the fact that the Government of Chad had informed the Secretary-General, through a note verbale dated

15 January 2010, that it wished MINURCAT to withdraw from Chad as from 15 March 2010, and the letter dated 3 March 2010 from the representative of Chad informing the President of the Security Council of his Government's reconsideration of its earlier request,<sup>45</sup> as well as the consultations conducted between 15 January and 23 April 2010 by the Government of Chad and the United Nations Secretariat, the Council decided to extend the mandate of MINURCAT for a final period until 31 December 2010. In preparation for the withdrawal of the Mission, the Council decided to reduce its military component to 2,200 military personnel (1,900 in Chad and 300 in the Central African Republic), while maintaining the authorized strength of military liaison officers and police officers at 25 and 300, respectively. The initial withdrawal of troops was to be implemented by 15 July 2010, the final withdrawal of the remaining troops beginning on 15 October 2010 and the withdrawal of all uniformed and civilian components was to be completed by 31 December 2010.<sup>46</sup>

Taking note of the commitment of the Government of Chad<sup>47</sup> to assume full responsibility for the security and protection of the civilian population in eastern Chad, the Council decided that MINURCAT should continue to support the *Détachement intégré de sécurité*; to support efforts to relocate refugee camps away from the border; to liaise with other security structures in Chad and the Central African Republic; and to contribute to the protection of civil rights and promotion of the rule of law in Chad.<sup>48</sup> The full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review is provided in table 30.

MINURCAT completed its mandate on 31 December 2010, in accordance with resolution 1923 (2010).

<sup>44</sup> Resolutions 1913 (2010), para. 1; and 1922 (2010), para. 1.

<sup>45</sup> S/2010/115.

<sup>46</sup> Resolution 1923 (2010), sixteenth preambular paragraph and paras. 1, 6 and 7.

<sup>47</sup> See S/2010/250.

<sup>48</sup> Resolution 1923 (2010), paras. 2 and 8.

Table 28  
**MINURCAT: extension of mandate and change in composition**

|                            | <i>Resolution</i>     |                      |                     |                      |
|----------------------------|-----------------------|----------------------|---------------------|----------------------|
|                            | <i>1861 (2009)</i>    | <i>1913 (2010)</i>   | <i>1922 (2010)</i>  | <i>1923 (2010)</i>   |
| Date of adoption           | 14 January 2009       | 12 March 2010        | 12 May 2010         | 25 May 2010          |
| Duration of mandate        | Extension (14 months) | Extension (2 months) | Extension (2 weeks) | Extension (7 months) |
| <b>Authorized strength</b> |                       |                      |                     |                      |
| <b>Military (total)</b>    | <b>5 225</b>          |                      |                     | <b>2 225</b>         |
| Military personnel         | 5 200                 |                      |                     | 2 200                |
| Military liaison officers  | 25                    |                      |                     | 25                   |
| <b>Police (total)</b>      | <b>300</b>            |                      |                     | <b>300</b>           |

 Table 29  
**MINURCAT: overview of mandate by category**

| <i>Category and mandated task</i>  | <i>Resolution</i>  |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|
|  | <i>1861 (2009)</i> | <i>1913 (2010)</i> | <i>1922 (2010)</i> | <i>1923 (2010)</i> |
| <b>General</b>   |                    |                    |                    |                    |
| Authorization of the use of force  | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>b</sup>     |                    |
| Benchmarks   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| <b>Coordination</b>  |                    |                    |                    |                    |
| Coordination with United Nations agencies in the country                                       | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Coordination with other United Nations entities in the region                                  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Coordination of international engagement   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| <b>Humanitarian issues</b>   |                    |                    |                    |                    |
| Humanitarian support/coordination  | X <sup>a</sup>     |                    |                    |                    |
| Refugees/internally displaced persons: facilitation of return                                  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |                    |                    |                    |                    |
| Human rights: promotion and protection   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Human rights: capacity-building  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Human rights: monitoring   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Children and armed conflict  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Women and peace and security   |                    |                    |                    | X <sup>a</sup>     |
| <b>Military, police and security sector reform</b>   |                    |                    |                    |                    |
| Protection of civilians, including refugees and internally displaced persons                   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Protection of humanitarian personnel/facilitation of humanitarian access                       | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Support to national army   | X <sup>a</sup>     |                    |                    |                    |
| Police: capacity-building  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Police: operational support to national police   | X <sup>a</sup>     |                    |                    |                    |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Resolution</i>  |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|
|  | <i>1861 (2009)</i> | <i>1913 (2010)</i> | <i>1922 (2010)</i> | <i>1923 (2010)</i> |
| Monitoring of security situation   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Territorial security, including presence in key areas, patrolling and deterrence | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| <b>Political processes</b>   |                    |                    |                    |                    |
| National reconciliation  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Regional cooperation   |                    |                    |                    |                    |
| Cooperation with/support to regional and subregional organizations               | X <sup>a</sup>     |                    |                    |                    |
| <b>Rule of law</b>   |                    |                    |                    |                    |
| Promotion of the rule of law   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Judicial and legal reform  |                    |                    |                    | X <sup>a</sup>     |
| Prisons  | X <sup>a</sup>     |                    |                    |                    |
| <b>Other</b>   |                    |                    |                    |                    |
| Logistical support (non-combat)  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Civil affairs/civil society development  | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |
| Development/reconstruction   | X <sup>a</sup>     |                    |                    | X <sup>a</sup>     |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Reiteration.

Table 30  
**MINURCAT: changes to mandate, 2010-2011**

| <i>Category and mandated task</i> | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|-----------------------------------|---|----------------------------|
| <b>Resolution 1913 (2010)</b>     |   |                            |
| <b>General</b>                    |   |                            |
| Authorization of the use of force | Decides to extend until 15 May 2010 the mandate of MINURCAT as set out in resolution 1861 (2009) (para.1)   | Reiteration                |
| <b>Resolution 1922 (2010)</b>     |   |                            |
| <b>General</b>                    |   |                            |
| Authorization of the use of force | Decides to extend until 26 May 2010 the mandate of MINURCAT as set out in resolution 1861 (2009) and extended by resolution 1913 (2010) (para.1)  | Reiteration                |
| <b>Resolution 1923 (2010)</b>     |   |                            |
| <b>General</b>                    |   |                            |
| Benchmarks                        | Requests the Secretary-General to continue to keep the Council regularly informed, and requests him to provide reports by 31 July, 15 October and 15 December 2010 on the security and humanitarian situation, including movements of refugees and internally displaced persons in eastern Chad and the north-eastern Central African | Newly mandated task        |



| <i>Category and mandated task</i>                             | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
|   | Republic, on the progress in the implementation of the relevant agreements, on the progress towards the fulfilment by the Government of Chad of the tasks and benchmarks set out in paragraphs 2 and 3 [of the resolution], including on the measures adopted in response to possible shortcomings identified by the joint High-level Working Group referred to in paragraph 4 [of the resolution], and on the implementation of the mandate of the Mission, and stresses that it will monitor closely the relevance of the mandate of the Mission and review it if necessary (para. 25)   |                            |
| <b>Coordination</b>   |  |                            |
| Coordination with United Nations agencies in the country      | Decides that the Mission shall have the following mandate in eastern Chad and the north-eastern Central African Republic, in liaison with the United Nations country team and, as appropriate, in liaison with the United Nations Integrated Peacebuilding Office in the Central African Republic and without prejudice to the mandate of the Office (para. 8)   | Newly mandated task        |
| Coordination with other United Nations entities in the region | To liaise with the national army, the gendarmerie and police forces, the Nomad National Guard, the judicial authorities and prison officials in Chad and the Central African Republic, the Government of the Sudan, the United Nations Mission in the Sudan, the African Union-United Nations Hybrid Operation in Darfur, the United Nations Integrated Peacebuilding Office in the Central African Republic, the multinational force of the Economic Community of Central African States in the Central African Republic and the Community of Sahel-Saharan States to exchange information on banditry, criminality and emerging threats to humanitarian activities in the region (para. 8 (iii)) | Newly mandated task        |
| Coordination of international engagement                      | See para. 8 (iii) of the resolution, above   | Newly mandated task        |
| <b>Humanitarian issues</b>                                    |  |                            |
| Refugees/internally displaced persons: facilitation of return | To liaise with the Government of Chad and the Office of the United Nations High Commissioner for Refugees in support of their efforts to relocate refugee camps which are in close proximity to the border, and to provide to the Office of the High Commissioner, on availability and on a cost-reimbursable basis, logistical assistance for that purpose (para. 8 (ii))   | Newly mandated task        |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
|  | To support the initiatives of national and local authorities in Chad to resolve local tensions and promote local reconciliation efforts, in order to enhance the environment for the return of internally displaced persons (para. 8 (iv))   | Newly mandated task        |
|  | Encourages the Mission and the United Nations country team to continue to assist the Government of Chad to prevent the recruitment of refugees and children by armed groups and to maintain the civilian nature of refugee camps and internally displaced persons sites, in coordination with the <i>Détachement intégré de sécurité</i> and the humanitarian community (para. 23) | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b>                 |  |                            |
| Human rights: promotion and protection   | To contribute to the monitoring and to the promotion and protection of human rights in Chad, with particular attention to sexual and gender-based violence, and to recommend action to the competent authorities, with a view to fighting impunity (para. 8 (v))   | Newly mandated task        |
| Human rights: capacity-building  | To support, within its capabilities, efforts aimed at strengthening the capacity of the Government of Chad and civil society through training in international human rights standards, and efforts to put an end to the recruitment and use of children by armed groups (para. 8 (vi))   | Newly mandated task        |
| Human rights: monitoring   | See para. 8 (v) of the resolution, above   | Newly mandated task        |
| Children and armed conflict  | See para. 8 (vi) of the resolution, above  | Newly mandated task        |
|  | See para. 23 of the resolution, under “Humanitarian issues” above  | Newly mandated task        |
| Women and peace and security   | See para. 8 (v) of the resolution, above   | Newly mandated task        |
| <b>Military, police and security sector reform</b>   |  |                            |
| Protection of civilians, including refugees and internally displaced persons                   | Decides further that, without prejudice to paragraph 2 [of the resolution], the Mission, acting within its means and capabilities and, where possible, in consultation with the Government of Chad, shall be authorized to respond to imminent threats of violence to civilians in its immediate vicinity (para. 10)   | Newly mandated task        |
| Protection of United Nations personnel and facilities/free movement of personnel and equipment | Decides also that, until the start of the final withdrawal of its military personnel on 15 October 2010, the Mission shall be authorized to fulfil the following functions within its capabilities and its area of operations in eastern Chad, in liaison with the Government of Chad:   | Newly mandated task        |

| <i>Category and mandated task</i>   | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
|   | To provide security for United Nations personnel, facilities, installations and equipment and associated personnel (para. 9 (i))  |                            |
|   | To provide escorts for United Nations military personnel carrying out enabling support functions (para. 9 (iii))  | Newly mandated task        |
|   | To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger (para. 9 (iv))   | Newly mandated task        |
|   | To provide medical evacuation support for United Nations personnel (para. 9 (v))  | Newly mandated task        |
|   | Decides that, until the start of the final withdrawal of its military personnel on 15 October 2010, the Mission shall be authorized to fulfil the following functions within its capabilities and its area of operations in the north-eastern Central African Republic through its military presence in Birao and in liaison with the Government of the Central African Republic: | Newly mandated task        |
|   | To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger (para. 11 (ii))  |                            |
|   | To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff and United Nations and associated personnel (para. 11 (iii))   | Newly mandated task        |
| Protection of humanitarian personnel/ facilitation of humanitarian access                 | See para. 8 (iii) of the resolution, under “Coordination” above   | Newly mandated task        |
|   | See paras. 9 (iv) and 11 (ii) of the resolution, above  | Newly mandated task        |
| Police: capacity-building   | To select, mentor, monitor, train, advise and facilitate support to elements of the Chadian <i>Détachement intégré de sécurité</i> (para. 8(i))   | Newly mandated task        |
| Monitoring of security situation  | To maintain situational awareness in the vicinity of Mission locations (para. 9 (ii))   | Newly mandated task        |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | To contribute to the creation of a more secure environment (para. 11 (i))   | Newly mandated task        |
| <b>Political processes</b>  |   |                            |
| National reconciliation   | See para. 8 (iv) of the resolution, under “Humanitarian issues” above   | Newly mandated task        |

| <i>Category and mandated task</i>       | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Rule of law</b>                      |  |                            |
| Promotion of the rule of law            | To assist the Government of Chad in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies (para. 8 (vii)) | Newly mandated task        |
| Judicial and legal reform               | See para. 8 (vii) of the resolution, above   | Newly mandated task        |
| <b>Other</b>                            |  |                            |
| Logistical support (non-combat)         | See para. 8 (iv) of the resolution, under “Humanitarian issues” above  | Newly mandated task        |
| Civil affairs/civil society development | See para. 8 (vi) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above  | Newly mandated task        |
| Development/reconstruction              | See para. 8 (ii) of the resolution, under “Humanitarian issues” above  | Newly mandated task        |

## Americas

### United Nations Stabilization Mission in Haiti

#### Background

The United Nations Stabilization Mission in Haiti (MINUSTAH) was established by the Security Council on 30 April 2004 by resolution 1542 (2004); it succeeded on 1 June the Multinational Interim Force which had been authorized by resolution 1529 (2004) of 29 February 2004. Acting under Chapter VII of the Charter, the Council mandated MINUSTAH to ensure a secure and stable environment; to assist the Transitional Government in restructuring and reforming the Haitian National Police and to help with disarmament, demobilization and reintegration programmes; to assist in the restoration and maintenance of the rule of law and to protect civilians under imminent threat of physical violence. MINUSTAH had additional mandated tasks not under Chapter VII of the Charter relating to the political process and human rights. Prior to the reporting period, the mandate of MINUSTAH was last extended until 15 October 2010 and the authorized strength was set at 6,940 troops for the military component and up to 2,211 police, as shown in table 31, which also shows all decisions authorizing the military and police strength and the extensions of the mandate during the reporting

period. Table 32 provides an overview of the mandate of MINUSTAH since its establishment.

#### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of MINUSTAH twice for a period of one year each time, the last extension until 15 October 2012,<sup>49</sup> while expanding several areas of its existing mandated tasks.

Following the earthquake in Haiti on 12 January 2010, the Council, by resolution 1908 (2010), recognizing the dire circumstances and urgent need for a response, authorized an increase in the military and police components of MINUSTAH, up to 8,940 troops and 3,711 police, to support the immediate recovery, reconstruction and stability efforts.<sup>50</sup> By resolution 1927 (2010), the Council authorized an additional deployment of 680 police, as a temporary surge capacity with clearly defined objectives and a particular focus on building the capacity of the Haitian National Police.<sup>51</sup>

<sup>49</sup> Resolutions 1944 (2010), para. 1; and 2012 (2011), para. 1.

<sup>50</sup> Resolution 1908 (2010), fourth preambular paragraph and para. 2.

<sup>51</sup> Resolution 1927 (2010), para. 1.

By resolution [2012 \(2011\)](#), recognizing that the overall security situation had improved and allowed a partial drawdown of military and police capabilities of MINUSTAH, the Council authorized a reduction of the military component to 7,340 troops and of the police component to 3,241 personnel.<sup>52</sup>

With regard to the mandate of MINUSTAH, the Council, by resolution [1927 \(2010\)](#), acting under Chapter VII of the Charter as described in section I of paragraph 7 of [1542 \(2004\)](#), added new tasks, such as to assist the Government of Haiti in providing adequate protection of the population, with particular attention to the needs of internally displaced persons and other vulnerable groups and to tackle the risk of a resurgence

<sup>52</sup> Resolution [2012 \(2011\)](#), para. 2.

in gang violence, while modifying the tasks in the areas of coordination, humanitarian issues, institutions and governance, military and police activities and the rule of law.<sup>53</sup> By resolutions [1944 \(2010\)](#) and [2012 \(2011\)](#) the Council modified the existing mandated tasks of MINUSTAH in the areas of electoral assistance, humanitarian issues, human rights, institutions and governance, military activities and the rule of law.<sup>54</sup> The full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review is provided in table 33.

<sup>53</sup> Resolution [1927 \(2010\)](#), paras. 4, 5 and 7.

<sup>54</sup> Resolutions [1944 \(2010\)](#), paras. 3, 4, 17 and 18; and [2012 \(2011\)](#), paras. 5, 9 and 18.

Table 31  
**MINUSTAH: extension of mandate and change in composition**

|                                     | Resolution                  |                             |                             |                             |                             |
|-------------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
|                                     | <a href="#">1892 (2009)</a> | <a href="#">1908 (2010)</a> | <a href="#">1927 (2010)</a> | <a href="#">1944 (2010)</a> | <a href="#">2012 (2011)</a> |
| Date of adoption                    | 13 October 2009             | 19 January 2010             | 4 June 2010                 | 14 October 2010             | 14 October 2011             |
| Duration of mandate                 | Extension<br>(12 months)    |                             |                             | Extension<br>(12 months)    | Extension<br>(12 months)    |
| <b>Authorized strength</b>          |                             |                             |                             |                             |                             |
| Military (total)                    | 6 940                       | 8 940                       | 8 940                       | 8 940                       | 7 340                       |
| Police (total)                      | 2 211                       | 3 711                       | 4 391                       | 4 391                       | 3 241                       |
| <b>Total authorized composition</b> | <b>9 151</b>                | <b>12 651</b>               | <b>13 331</b>               | <b>13 331</b>               | <b>10 581</b>               |

Table 32  
**MINUSTAH: overview of mandate by category**

| Category and mandated task                               | Resolution                  |                             |                             |                             |                             |                             |                             |                             |                             |                             |
|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
|  | <a href="#">1542 (2004)</a> | <a href="#">1608 (2005)</a> | <a href="#">1702 (2006)</a> | <a href="#">1743 (2007)</a> | <a href="#">1780 (2007)</a> | <a href="#">1840 (2008)</a> | <a href="#">1892 (2009)</a> | <a href="#">1927 (2010)</a> | <a href="#">1944 (2010)</a> | <a href="#">2012 (2011)</a> |
| <b>General</b>   |                             |                             |                             |                             |                             |                             |                             |                             |                             |                             |
| Cross-cutting: children and armed conflict               |                             |                             |                             |                             | X <sup>a</sup>              | X <sup>c</sup>              | X <sup>c</sup>              |                             |                             |                             |
| Cross-cutting: women and peace and security              |                             |                             |                             | X <sup>a</sup>              | X <sup>c</sup>              | X <sup>c</sup>              | X <sup>c</sup>              |                             |                             |                             |
| Benchmarks   |                             |                             |                             |                             | X <sup>c</sup>              | X <sup>b</sup>              | X <sup>b</sup>              |                             |                             |                             |
| <b>Coordination</b>                                      |                             |                             |                             |                             |                             |                             |                             |                             |                             |                             |
| Coordination with United Nations agencies in the country |                             |                             | X <sup>a</sup>              | X <sup>c</sup>              | X <sup>c</sup>              | X <sup>c</sup>              | X <sup>c</sup>              | X <sup>b</sup>              |                             |                             |
| Coordination of donors                                   |                             |                             | X <sup>a</sup>              |                             |                             |                             |                             |                             |                             |                             |
| Coordination of international engagement                 | X <sup>a</sup>              |                             |                             | X <sup>b</sup>              |                             |                             |                             | X <sup>c</sup>              | X <sup>c</sup>              | X <sup>c</sup>              |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Resolution</i>      |                        |                        |                        |                        |                        |                        |                        |                        |                        |
|--|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
|  | <i>1542<br/>(2004)</i> | <i>1608<br/>(2005)</i> | <i>1702<br/>(2006)</i> | <i>1743<br/>(2007)</i> | <i>1780<br/>(2007)</i> | <i>1840<br/>(2008)</i> | <i>1892<br/>(2009)</i> | <i>1927<br/>(2010)</i> | <i>1944<br/>(2010)</i> | <i>2012<br/>(2011)</i> |
| <b>Demilitarization and arms control</b>   |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Disarmament, demobilization and reintegration  | X <sup>a</sup>         | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |                        |                        |                        |
| Small arms and light weapons   | X <sup>a</sup>         |                        |                        |                        | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |                        | X <sup>c</sup>         | X <sup>c</sup>         |
| <b>Electoral assistance and certification</b>  |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Electoral assistance   | X <sup>a</sup>         |                        | X <sup>b</sup>         |                        | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>b</sup>         | X <sup>c</sup>         |
| <b>Humanitarian issues</b>   |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Humanitarian support/coordination  | X <sup>a</sup>         |                        |                        |                        |                        |                        |                        | X <sup>b</sup>         |                        |                        |
| Refugees/internally displaced persons:<br>facilitation of return                                     |                        |                        |                        |                        |                        |                        |                        | X <sup>a</sup>         | X <sup>b</sup>         | X <sup>c</sup>         |
| <b>Human rights; women and peace and security; children and armed conflict</b>                       |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Human rights: promotion and protection   | X <sup>a</sup>         |                        | X <sup>c</sup>         |                        |                        | X <sup>c</sup>         | X <sup>c</sup>         |                        | X <sup>c</sup>         | X <sup>b</sup>         |
| Human rights: capacity-building  |                        |                        |                        |                        | X <sup>a</sup>         |                        |                        |                        | X <sup>c</sup>         |                        |
| Human rights: monitoring   | X <sup>a</sup>         |                        | X <sup>c</sup>         |                        |                        |                        |                        |                        |                        | X <sup>b</sup>         |
| Human rights: investigation and prosecution  | X <sup>a</sup>         | X <sup>b</sup>         | X <sup>c</sup>         |                        |                        |                        |                        |                        |                        |                        |
| Children and armed conflict  |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Women and peace and security   |                        |                        |                        |                        |                        |                        |                        | X <sup>a</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |
| <b>Institutions and governance</b>   |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Border issues  |                        |                        |                        |                        | X <sup>a</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |                        |                        |                        |
| Institution-building: strengthening/promotion<br>of autonomy   | X <sup>a</sup>         |                        | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |
| Territorial control/consolidation of State<br>authority  | X <sup>a</sup>         |                        |                        |                        |                        |                        |                        |                        |                        | X <sup>b</sup>         |
| <b>Military, police and security sector reform</b>   |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Protection of civilians, including refugees<br>and internally displaced persons                      | X <sup>a</sup>         |                        |                        |                        |                        |                        |                        | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |
| Protection of United Nations personnel and<br>facilities/free movement of personnel and<br>equipment | X <sup>a</sup>         |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Support to national military   | X <sup>a</sup>         |                        | X <sup>c</sup>         | X <sup>a</sup>         |                        |                        |                        |                        |                        |                        |
| Police: capacity-building  | X <sup>a</sup>         |                        |                        | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |                        |                        | X <sup>b</sup>         |
| Police: operational support to national police   | X <sup>a</sup>         | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |
| Police: reform/restructuring   | X <sup>a</sup>         |                        |                        | X <sup>b</sup>         | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |                        | X <sup>b</sup>         | X <sup>b</sup>         |
| Territorial security, including ensuring<br>presence in key areas, patrolling and<br>deterrence      | X <sup>a</sup>         | X <sup>b</sup>         |                        | X <sup>b</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |                        | X <sup>b</sup>         | X <sup>c</sup>         |
| Border monitoring  |                        |                        |                        |                        | X <sup>a</sup>         |                        |                        |                        |                        |                        |
| <b>Political processes</b>   |                        |                        |                        |                        |                        |                        |                        |                        |                        |                        |
| Facilitation of political process/dialogue/<br>preventive diplomacy/mediation/good offices           | X <sup>a</sup>         |                        | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>b</sup>         | X <sup>c</sup>         |                        | X <sup>c</sup>         | X <sup>c</sup>         |
| National reconciliation  | X <sup>a</sup>         |                        |                        | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>c</sup>         | X <sup>c</sup>         |                        |                        |                        |
| Cooperation with/support to regional and<br>subregional organizations                                | X <sup>a</sup>         |                        | X <sup>b</sup>         |                        |                        |                        |                        |                        |                        |                        |

## Repertoire of the Practice of the Security Council, 2010-2011

| Category and mandated task                 | Resolution     |                |                |                |                |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1542<br>(2004) | 1608<br>(2005) | 1702<br>(2006) | 1743<br>(2007) | 1780<br>(2007) | 1840<br>(2008) | 1892<br>(2009) | 1927<br>(2010) | 1944<br>(2010) | 2012<br>(2011) |
| <b>Rule of law</b>                         |                |                |                |                |                |                |                |                |                |                |
| Promotion of the rule of law               | X <sup>a</sup> |                | X <sup>b</sup> |                |                |                |                | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> |
| Judicial and legal reform                  | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |                |                |                |
| Prisons                                    | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>b</sup> |                | X <sup>c</sup> | X <sup>c</sup> |                | X <sup>b</sup> | X <sup>b</sup> |
| Anti-corruption/good governance            | X <sup>a</sup> |                | X <sup>b</sup> |                |                |                |                |                |                | X <sup>b</sup> |
| Organized crime/human and drug trafficking |                |                | X <sup>a</sup> |                |                |                | X <sup>c</sup> | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> |
| Constitutional support                     | X <sup>a</sup> |                | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |                |                |                |                |                |
| <b>Other</b>                               |                |                |                |                |                |                |                |                |                |                |
| Public information                         |                | X <sup>a</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |                |                |                |
| Development/reconstruction                 |                | X <sup>a</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>c</sup> |

<sup>a</sup> Newly mandated task.  
<sup>b</sup> Additional element.  
<sup>c</sup> Reiteration.

Table 33  
**MINUSTAH: changes to mandate, 2010-2011**

| Category and mandated task  | Text of mandate  | Mandated task level |
|---|--|---------------------|
| <b>Resolution 1927 (2010) (adopted in part under Chapter VII)</b> |  |                     |
| <b>Coordination</b>   |  |                     |
| Coordination with United Nations agencies in the country          | Requests the Mission to continue, within its current mandate, its collaboration with the Office for the Coordination of Humanitarian Affairs of the Secretariat and the United Nations country team in supporting the humanitarian and recovery efforts, and further encourages all actors to continue to engage in joint planning and coordination at the national and local levels (para. 5) | Additional element  |
| Coordination of international engagement                          | Requests the Mission to continue its support to the Government of Haiti and to the Provisional Electoral Council, as requested, in the preparation and conduct of Haiti's elections, and to coordinate international electoral assistance to Haiti in cooperation with other international stakeholders, including the Organization of American States (para. 8)                               | Reiteration         |
| <b>Electoral assistance and certification</b>                     |  |                     |
| Electoral assistance  | See para. 8 of the resolution, under "Coordination" above  | Reiteration         |
| <b>Humanitarian issues</b>  |  |                     |
| Humanitarian support/coordination                                 | See para. 5 of the resolution, under "Coordination" above  | Additional element  |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Refugees/internally displaced persons: facilitation of return                  | Encourages the Mission to provide logistical support and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels, and to speed up the implementation of the Government's resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian national capacity grows (para. 7)                                 | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Women and peace and security   | Recognizes the need for the Mission to assist the Government of Haiti in providing adequate protection of the population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through additional joint community policing in the camps, along with strengthened mechanisms to address sexual and gender-based violence; and to tackle the risk of a resurgence in gang violence, organized crime and trafficking in children (para. 4) | Newly mandated task        |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                      | See para. 7 of the resolution, under "Humanitarian issues" above  | Additional element         |
| <b>Military, police and security sector reform</b>                             |   |                            |
| Protection of civilians, including refugees and internally displaced persons   | See para. 4 of the resolution, under "Human rights; women and peace and security; children and armed conflict" above  | Additional element         |
| Police: operational support to national police                                 | See para. 4 of the resolution, under "Human rights; women and peace and security; children and armed conflict" above  | Additional element         |
| <b>Rule of law</b>   |   |                            |
| Promotion of the rule of law   | See para. 7 of the resolution, under "Humanitarian issues" above  | Additional element         |
| Organized crime/human and drug trafficking                                     | See para. 4 of the resolution, under "Human rights; women and peace and security; children and armed conflict" above  | Additional element         |
| <b>Other</b>   |   |                            |
| Development/reconstruction   | See para. 5 of the resolution, under "Coordination" above   | Additional element         |



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| <i>Category and mandated task</i> | <i>Text of mandate</i> | <i>Mandated task level</i> |
|-----------------------------------|------------------------|----------------------------|
|-----------------------------------|------------------------|----------------------------|

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**Resolution 1944 (2010) (adopted in part under Chapter VII)**

**Coordination**

|  |   |             |
|--|---|-------------|
| Coordination of international engagement | Also recognizes that the successful holding of free, fair, inclusive and transparent presidential and legislative elections in accordance with the constitutional timetable is a key condition for the consolidation of a stable political environment in which recovery and reconstruction efforts can progress, reaffirms its call upon the Mission to support the political process under way in Haiti, including through the good offices of the Special Representative of the Secretary-General for Haiti, and encourages the Mission to continue its support to the Government of Haiti and to the Provisional Electoral Council in the preparation and conduct of Haiti's presidential and legislative elections and to coordinate international electoral assistance to Haiti in cooperation with other international stakeholders, including the Organization of American States and the Caribbean Community (para. 4) | Reiteration |
|--|---|-------------|

**Demilitarization and arms control**

|                              |  |             |
|------------------------------|--|-------------|
| Small arms and light weapons | Also requests the Mission to continue to support the Haitian authorities in their efforts to control the flow of small arms, including labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, reform of the weapons permit system and the development and implementation of a national community policing doctrine (para. 19) | Reiteration |
|------------------------------|--|-------------|

**Electoral assistance and certification**

|                      |   |                    |
|----------------------|---|--------------------|
| Electoral assistance | See para. 4 of the resolution, under "Coordination" above | Additional element |
|----------------------|---|--------------------|

**Humanitarian issues**

|   |   |                    |
|---|---|--------------------|
| Refugees/internally displaced persons: facilitation of return | Recognizes the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, welcomes the steps taken by the Mission to provide logistical and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels and to speed up the implementation of the Government's resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian capacity grows, and calls upon the Mission to proceed swiftly with activities in this regard as recommended by the Secretary-General (para. 3) | Additional element |
|---|---|--------------------|

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
|  | Requests the Mission to continue to pursue its expanded community violence reduction approach, adapting the programme to the changing requirements of the post-earthquake Haitian context with a particular focus on the displaced and those living in violence-affected neighbourhoods (para. 18)  | Additional element         |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: promotion and protection   | Reaffirms the human rights mandate of the Mission, calls upon the Haitian authorities to continue their efforts to promote and protect human rights, and calls upon the Mission to continue to provide human rights training to the Haitian National Police and other relevant institutions, including the correctional services (para. 16)   | Reiteration                |
| Human rights: capacity-building  | See para. 16 of the resolution, above   | Reiteration                |
| Women and peace and security   | Encourages the Mission to continue assisting the Government of Haiti in providing adequate protection to the civilian population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through joint community policing in the camps, along with strengthened mechanisms to address sexual and gender-based violence (para. 12)   | Reiteration                |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                      | See para. 3 of the resolution, under “Humanitarian issues” above  | Reiteration                |
| <b>Military, police and security sector reform</b>                             |   |                            |
| Protection of civilians, including refugees and internally displaced persons   | See para. 12 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Police: operational support to national police                                 | See para. 12 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Police: reform/restructuring   | Calls upon the Government of Haiti, with the support of the Mission, to develop the next iteration of the Haitian National Police reform plan to ensure continuity upon the expiration of the current plan and the strategic plan of the National Prison Administration and encourages their implementation, and requests the Mission to continue to support vetting, mentoring and training of the police and corrections personnel and strengthening the institutional and operational capacities of the correctional services (para. 10) | Additional element         |

## Repertoire of the Practice of the Security Council, 2010-2011

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| <i>Category and mandated task</i>   | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | Welcomes the important work done by the Mission in support of urgent needs in Haiti, encourages the Mission, within its mandate, to continue to make full use of existing means and capabilities, including its engineers, with a view to further enhancing stability in the country, and requests the Mission to develop its longer-term planning with a view to encouraging a Haitian-led effort to further enhance stability in the country (para. 17) | Additional element         |
| <b>Political processes</b>  |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | See para. 4 of the resolution, under “Coordination” above   | Reiteration                |
| <b>Rule of law</b>  |   |                            |
| Promotion of the rule of law  | See para. 3 of the resolution, under “Humanitarian issues” above  | Reiteration                |
| Prisons   | See para. 10 of the resolution, under “Military, police and security sector reform” above   | Additional element         |
| Organized crime/human and drug trafficking  | Also encourages the Mission to assist the Government of Haiti in tackling the risk of a resurgence in gang violence, organized crime, drug trafficking and trafficking in children (para. 13)   | Reiteration                |
| <b>Other</b>  |   |                            |
| Development/reconstruction  | Requests the Mission to continue to implement quick-impact projects that further enhance the trust of the Haitian population towards the Mission (para. 8)  | Reiteration                |
|   | See para. 17 of the resolution, under “Military, police and security reform” above  | Additional element         |

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### Resolution 2012 (2011) (adopted in part under Chapter VII)

#### Coordination

|  |   |             |
|--|---|-------------|
| Coordination of international engagement | Recognizes that, following the holding of presidential and legislative elections, a stable political and institutional environment is crucial for stability and the progress of recovery and reconstruction efforts, reaffirms its call upon the Mission to support the political process under way in Haiti, including through the offices of the Special Representative of the Secretary-General for Haiti, and encourages the Mission to continue its support for the upcoming partial legislative and local elections and to coordinate international electoral assistance to Haiti in cooperation with other international stakeholders, including the Organization of American States and the Caribbean Community (para. 6) | Reiteration |
|--|---|-------------|

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Demilitarization and arms control</b>                                       |   |                            |
| Small arms and light weapons   | Also requests the Mission to continue to support the Haitian authorities in their efforts to control the flow of small arms, including labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, reform of the weapons permit system and the development and implementation of a national community policing doctrine (para. 21)  | Reiteration                |
| <b>Electoral assistance and certification</b>                                  |   |                            |
| Electoral assistance   | See para. 6 of the resolution, under “Coordination” above   | Reiteration                |
| <b>Humanitarian issues</b>   |   |                            |
| Refugees/internally displaced persons: facilitation of return                  | Recognizes the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country’s stabilization, welcomes the steps taken by the Mission to provide logistical and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels and to speed up the implementation of the Government’s resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian capacity grows, and calls upon the Mission to proceed swiftly with activities in this regard as recommended by the Secretary-General (para. 4) | Reiteration                |
|  | Requests the Mission to continue to pursue its expanded community violence reduction approach, adapting the programme to the changing requirements of the post-earthquake Haitian context with a particular focus on the displaced and those living in violence-affected neighbourhoods (para. 20)  | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: promotion and protection   | Reaffirms the human rights mandate of the Mission, recognizes that respect for human rights, in particular attention to individual accountability for grave violations under past governments, is essential to the stability of Haiti, urges the Government of Haiti to ensure the respect and protection of human rights by the Haitian National Police and the judiciary, and calls upon the Mission to provide monitoring and support in this regard (para. 18)  | Additional element         |
| Human rights: monitoring   | See para. 18 of the resolution, above   | Additional element         |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Women and peace and security   | Encourages the Mission to continue assisting the Government of Haiti in providing adequate protection to the civilian population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through joint community policing in the camps, along with strengthened mechanisms to address sexual and gender-based violence, and recalls Security Council resolution <a href="#">1894 (2009)</a> and requests the Secretary-General to develop, in close consultation with the Government of Haiti, troop- and police-contributing countries and other relevant actors, a comprehensive plan for the protection of civilians (para. 15)  | Reiteration                |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building/strengthening/<br>promotion of autonomy                       | See para. 4 of the resolution, under “Humanitarian issues” above  | Reiteration                |
| Territorial control/consolidation<br>of State authority                            | Welcomes the efforts of the Government of Haiti to build institutional capacity in security and the rule of law at all levels, including through decentralization efforts, and calls upon the Mission, consistent with its mandate, and other relevant actors to continue to provide support to strengthen self-sustaining security sector State institutions, especially outside Port-au-Prince, with a view to further enhancing the ability of the Government to extend State authority throughout Haiti, ensure greater countrywide presence of the State, and promote good governance at local levels (para. 5)  | Additional<br>element      |
| <b>Military, police and security sector reform</b>                                 |   |                            |
| Protection of civilians, including<br>refugees and internally displaced<br>persons | See para. 15 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Police: capacity-building  | Calls upon the Government of Haiti, with the support of the Mission, to prioritize the development and implementation of the next five-year Haitian National Police development plan, which will succeed the current reform plan upon its expiration in December 2011, and requests the Mission, with additional support, as appropriate and within existing resources, from locally employed interpreters to continue to support vetting, mentoring and training of the police and corrections personnel and strengthening the institutional and operational capacities of the correctional services, as well as to continue to provide technical guidance to donor-funded projects, as requested, for the rehabilitation and construction of police and correctional facilities (para. 9) | Additional<br>element      |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>   | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| Police: operational support to national police  | See para. 15 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Police: reform/restructuring  | See para. 9 of the resolution, above  | Additional element         |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | Welcomes the important work done by the Mission in support of urgent needs in Haiti, encourages the Mission, within its mandate, to continue to make full use of existing means and capabilities, including its engineers, with a view to further enhancing stability in the country, requests the Mission to develop its longer-term planning, and further requests the Secretary-General to include in his next report an indication of the Mission’s plans to encourage greater Haitian ownership of reconstruction activity in Haiti (para. 19) | Reiteration                |
| <b>Political processes</b>  |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | See para. 6 of the resolution, under “Coordination” above   | Reiteration                |
| <b>Rule of law</b>  |   |                            |
| Promotion of the rule of law  | See para. 4 of the resolution, under “Humanitarian issues” above  | Reiteration                |
| Prisons   | See para. 9 of the resolution, under “Military, police and security sector reform” above  | Additional element         |
| Anti-corruption/good governance   | See para. 5 of the resolution, under “Institutions and governance” above  | Additional element         |
| Organized crime/human and drug trafficking  | Encourages the Mission, in cooperation with the appropriate international actors, to assist the Government of Haiti in tackling the risk of a resurgence in gang violence, organized crime, drug trafficking and trafficking in children (para. 11)   | Reiteration                |
| <b>Other</b>  |   |                            |
| Development/reconstruction  | Requests the Mission to continue to implement quick-impact projects that further enhance the trust of the Haitian population towards the Mission (para. 14)   | Reiteration                |
|   | See para. 19 of the resolution, under “Military, police and security sector reform” above   | Reiteration                |

## Asia

### United Nations Military Observer Group in India and Pakistan

#### Background

The United Nations Military Observer Group in India and Pakistan (UNMOGIP) was established by the Security Council on 21 April 1948 by resolution 47 (1948). The first team of military observers, who eventually formed the nucleus of the Group, arrived in the mission area in January 1949 to supervise the ceasefire between India and Pakistan in the State of Jammu and Kashmir, and to assist the Military Adviser to the United Nations Commission for India and Pakistan, established by resolutions 39 (1948) and 47 (1948). Following the termination of the Commission,

the Council decided by resolution 91 (1951) that UNMOGIP should continue to supervise the ceasefire in Jammu and Kashmir. The task of UNMOGIP has been to observe developments pertaining to the strict observance of the ceasefire of 17 December 1971 that followed renewed hostilities in 1971. The mandate of UNMOGIP is open-ended and its authorized strength was set at 44 by resolution 47 (1948). Table 34 provides an overview of the mandate of UNMOGIP.

#### Developments during 2010 and 2011

During the period under review, the Council did not formally discuss UNMOGIP and there were no changes to the mandate or the composition of the mission.

Table 34  
UNMOGIP: overview of mandate by category

| Category and mandated task                         | Resolution     |                |
|--|----------------|----------------|
|  | 47 (1948)      | 91 (1951)      |
| <b>Military, police and security sector reform</b> |                |                |
| Ceasefire monitoring                               | X <sup>a</sup> | X <sup>b</sup> |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

### United Nations Integrated Mission in Timor-Leste

#### Background

The United Nations Integrated Mission in Timor-Leste (UNMIT) was established by the Security Council on 25 August 2006 by resolution 1704 (2006), as a follow-on mission to the United Nations Office in Timor-Leste,<sup>55</sup> in the wake of a political, humanitarian and security crisis that erupted in Timor-Leste in April-May 2006. The mandate of UNMIT was to provide electoral assistance; to assist in further strengthening the national capacity for the monitoring, promotion and protection of human rights; to provide support to the national police and assist in conducting a

comprehensive review of the security sector; and to coordinate with United Nations agencies, funds and programmes and all relevant partners. Prior to the reporting period, the mandate was last extended until 26 February 2010 and the authorized strength was 34 military liaison and staff officers and 1,748 police personnel, as shown in table 35, which also shows all decisions authorizing the military and police strength and the extensions of the mandate during the reporting period. Table 36 gives an overview of the mandate of UNMIT since its establishment.

#### Developments during 2010 and 2011

During the period under the review, the Council extended the mandate of UNMIT twice for periods of one year each, the last of which was until 26 February 2012.<sup>56</sup> The Council also some adjustments to the

<sup>55</sup> For information relating to the mandate of the United Nations Office in Timor-Leste, a special political mission established in May 2005, see *Repertoire, Supplement 2004-2007*, chap. V, part I. F.

<sup>56</sup> Resolutions 1912 (2010), para. 1; and 1969 (2011), para. 1.

Mission's mandated tasks. By resolutions 1912 (2010) and 1969 (2011), the Council modified the mandate of UNMIT in the areas of electoral assistance to support municipal, parliamentary and presidential elections planned for 2012.<sup>57</sup> The full text of all paragraphs in Council decisions that relate to changes to the mandate adopted during the period under review is provided in table 37.

With regard to the composition of the Mission during the period under review, the Council endorsed

<sup>57</sup> Resolutions 1912 (2010), para. 3; and 1969 (2011), para. 3.

the intention of the Secretary-General<sup>58</sup> to reconfigure its police component, including the drawdown, in accordance with the phased resumption of policing responsibilities by the National Police of Timor-Leste.<sup>59</sup> The number of UNMIT police in the districts and units was decreased from 1,608 to 1,280 personnel by mid-2011.<sup>60</sup>

<sup>58</sup> S/2010/85, paras. 67-69; and S/2010/522, para. 60.

<sup>59</sup> Resolutions 1912 (2010), para. 6; and 1969 (2011), para. 7.

<sup>60</sup> S/2010/85, para. 69.

Table 35  
UNMIT: extension of mandate and change in composition

|                               | Resolution     |                  |                          |                          |                          |
|-------------------------------|----------------|------------------|--------------------------|--------------------------|--------------------------|
|                               | 1704 (2006)    | 1745 (2007)      | 1867 (2009)              | 1912 (2010)              | 1969 (2011)              |
| Date of adoption              | 25 August 2006 | 22 February 2007 | 26 February 2009         | 26 February 2010         | 24 February 2011         |
| Duration of mandate           | Establishment  |                  | Extension<br>(12 months) | Extension<br>(12 months) | Extension<br>(12 months) |
| <b>Authorized strength</b>    |                |                  |                          |                          |                          |
| <b>Military (total)</b>       | <b>34</b>      |                  |                          |                          |                          |
| <b>Police (total)</b>         | <b>1 608</b>   | <b>1 748</b>     |                          |                          | <b>1 280</b>             |
| Individual police officers    |                |                  |                          |                          | 790                      |
| Police in formed police units |                |                  |                          |                          | 490                      |

Table 36  
UNMIT: overview of mandate by category

| Category and mandated task                               | Resolution     |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1704 (2006)    | 1745 (2007)    | 1802 (2008)    | 1867 (2009)    | 1912(2010)     | 1969 (2011)    |
| <b>General</b>   |                |                |                |                |                |                |
| Cross-cutting: children and armed conflict               | X <sup>a</sup> |                |                |                |                |                |
| Cross-cutting: women and peace and security              | X <sup>a</sup> | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| Benchmarks   |                |                | X <sup>a</sup> | X <sup>b</sup> |                | X <sup>c</sup> |
| <b>Coordination</b>                                      |                |                |                |                |                |                |
| Coordination of donors                                   | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| Coordination with United Nations agencies in the country | X <sup>a</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| Coordination of international engagement                 |                | X <sup>a</sup> |                |                |                |                |
| <b>Electoral assistance and certification</b>            |                |                |                |                |                |                |
| Electoral assistance                                     | X <sup>a</sup> |                |                | X <sup>b</sup> | X <sup>b</sup> | X <sup>b</sup> |
| <b>Humanitarian issues</b>                               |                |                |                |                |                |                |
| Humanitarian support/coordination                        | X <sup>a</sup> |                |                |                |                |                |



## Repertoire of the Practice of the Security Council, 2010-2011

| Category and mandated task  | Resolution     |                |                |                |                |                |
|---|----------------|----------------|----------------|----------------|----------------|----------------|
|   | 1704 (2006)    | 1745 (2007)    | 1802 (2008)    | 1867 (2009)    | 1912(2010)     | 1969 (2011)    |
| <b>Human rights; women and peace and security; children and armed conflict</b>            |                |                |                |                |                |                |
| Human rights: promotion and protection  | X <sup>a</sup> |                |                |                |                |                |
| Human rights: capacity-building   | X <sup>a</sup> |                |                |                |                |                |
| Human rights: monitoring  | X <sup>a</sup> |                |                |                |                |                |
| Human rights: investigation and prosecution   | X <sup>a</sup> |                |                |                |                |                |
| <b>Institutions and governance</b>  |                |                |                |                |                |                |
| Institution-building: strengthening/promotion of autonomy                                 | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| <b>Military, police and security sector reform</b>  |                |                |                |                |                |                |
| Border monitoring   | X <sup>a</sup> |                |                |                |                |                |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | X <sup>a</sup> |                |                |                |                |                |
| Protection of United Nations personnel and facilities                                     | X <sup>a</sup> |                |                |                |                |                |
| Police: capacity-building   | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>c</sup> | X <sup>b</sup> | X <sup>b</sup> |
| Police: operational support to national police  | X <sup>a</sup> |                | X <sup>c</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>b</sup> |
| Police: executive policing  | X <sup>a</sup> |                | X <sup>c</sup> | X <sup>b</sup> | X <sup>b</sup> | X <sup>c</sup> |
| Police: reform/restructuring  | X <sup>a</sup> |                | X <sup>c</sup> |                |                | X <sup>c</sup> |
| Security sector reform  | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| <b>Political processes</b>  |                |                |                |                |                |                |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | X <sup>a</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |                |                |
| National reconciliation   | X <sup>a</sup> | X <sup>c</sup> |                |                |                |                |
| <b>Rule of law</b>  |                |                |                |                |                |                |
| Judicial and legal reform   |                |                | X <sup>a</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| Transitional justice  | X <sup>a</sup> |                | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| <b>Other</b>  |                |                |                |                |                |                |
| Development/reconstruction  | X <sup>a</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |
| Media capacity-building/independence  | X <sup>a</sup> |                |                |                |                |                |
| Public information  | X <sup>a</sup> |                |                |                |                |                |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 37  
UNMIT: changes to mandate, 2010-2011

| <i>Category and mandated task</i>                         | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Resolution 1912 (2010)</b>                             |   |                            |
| <b>General</b>  |   |                            |
| Cross-cutting: women and peace and security               | Requests the Mission to fully take into account gender considerations as set out in resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) as a cross-cutting issue throughout its mandate, stressing the importance of strengthening the responsiveness of the security sector to the specific needs of women, and requests the Secretary-General to include in his reporting to the Council progress on gender mainstreaming throughout the Mission and all other aspects relating to the situation of women and girls, especially on the need to protect them from gender-based violence, detailing special measures to protect women and girls from such violence (para. 15) | Reiteration                |
| <b>Coordination</b>                                       |   |                            |
| Coordination of donors                                    | Calls upon the Mission to continue to support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building (para. 12)   | Reiteration                |
| Coordination with United Nations agencies in the country  | Recognizes the importance of the Timor-Leste National Recovery Strategy, especially the attention paid to infrastructure, rural development and human resources capacity development, and in this regard calls upon the Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government of Timor-Leste and relevant institutions in designing poverty reduction, education improvement, promotion of sustainable livelihood and economic growth policies (para. 13)   | Reiteration                |
| <b>Electoral assistance and certification</b>             |   |                            |
| Electoral assistance                                      | Requests the Mission to extend the necessary support, within its current mandate, for municipal elections if requested by the Government of Timor-Leste, and encourages the international community to assist in this process (para. 3)   | Additional element         |
| <b>Institutions and governance</b>                        |   |                            |
| Institution-building: strengthening/promotion of autonomy | See para. 12 of the resolution, under “Coordination” above  | Reiteration                |

| <i>Category and mandated task</i>                  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Military, police and security sector reform</b> |   |                            |
| Police: capacity-building                          | Requests the Mission to continue to ensure, through the presence of the Mission police component and the provision of support to the National Police of Timor-Leste, the maintenance of public security in Timor-Leste, which includes interim law enforcement and public security until the National Police is fully reconstituted, and, working with partners, to intensify its efforts to assist with further training, mentoring, institutional development and strengthening of the National Police with a view to enhancing its effectiveness, including with respect to community policing, and to address the special needs of women, and recognizes the importance of ensuring that Mission personnel have the appropriate profile and specialized skill sets for these tasks, and the potential need for civilian experts for the above purpose (para. 7) | Additional element         |
| Police: operational support to national police     | Supports the ongoing work on the resumption of policing responsibilities by the National Police of Timor-Leste through a phased approach to ensure that the National Police meet the criteria mutually agreed between the Government of Timor-Leste and the Mission as set out in paragraph 21 of the report of the Secretary-General of 4 February 2009, and requests the Government and the Mission to continue their cooperation to implement expeditiously the resumption process in accordance with the mutually agreed criteria (para. 5)   | Additional element         |
|  | See para. 7 of the resolution, above  | Reiteration                |
| Police: executive policing                         | See para. 5 of the resolution, above  | Additional element         |
|  | See para. 7 of the resolution, above  | Reiteration                |
| Police: reform/restructuring                       | See para. 5 of the resolution, above  | Reiteration                |
|  | See para. 7 of the resolution, above  | Reiteration                |
| Security sector reform                             | Reaffirms the continued importance of the review and reform of the security sector in Timor-Leste, in particular the need to delineate roles and responsibilities between the Falintil-Forças de Defesa de Timor-Leste and the National Police of Timor-Leste, to strengthen legal frameworks and to enhance civilian oversight and accountability mechanisms of both security institutions, and requests the Mission to continue to support the Government of Timor-Leste in these efforts (para. 4)   | Reiteration                |

| <i>Category and mandated task</i>                        | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Rule of law</b>                                       |   |                            |
| Judicial and legal reform                                | Requests the Mission to continue its efforts, adjusting them as necessary to enhance the effectiveness of the judiciary, in assisting the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry (para. 11)   | Reiteration                |
| Transitional justice                                     | See para. 11 of the resolution, above   | Reiteration                |
| <b>Other</b>   |   |                            |
| Development/reconstruction                               | See para. 13 of the resolution, under “Coordination” above  | Reiteration                |
| <b>Resolution 1969 (2011)</b>                            |   |                            |
| <b>General</b>   |   |                            |
| Cross-cutting: women and peace and security              | Requests the Mission to fully take into account gender considerations as set out in Security Council resolutions <a href="#">1325 (2000)</a> , <a href="#">1820 (2008)</a> , <a href="#">1888 (2009)</a> and <a href="#">1889 (2009)</a> as a cross-cutting issue throughout its mandate, stressing the importance of strengthening the responsiveness of the security sector to the specific needs of women, and reaffirms Council resolutions <a href="#">1674 (2006)</a> and <a href="#">1894 (2009)</a> on the protection of civilians and resolution <a href="#">1502 (2003)</a> on the protection of humanitarian and United Nations personnel (para. 17) | Reiteration                |
| Benchmarks   | Reaffirms the importance of the medium-term strategy and benchmarks for measuring and tracking progress in Timor-Leste and assessing the level and form of United Nations support and cooperation with the Government of Timor-Leste while keeping the benchmarks under active review, and underlines the importance of ownership of the strategy by the leaders and people of Timor-Leste in this process (para. 20)   | Reiteration                |
| <b>Coordination</b>                                      |   |                            |
| Coordination of donors                                   | Calls upon the Mission to continue to support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building (para. 14)   | Reiteration                |
| Coordination with United Nations agencies in the country | Recognizes the importance of the development plans devised by the Government of Timor-Leste, especially the attention paid to infrastructure, rural development and human resources capacity development, and in this regard calls upon the Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government and relevant institutions in designing poverty reduction, education improvement, promotion of sustainable livelihood and economic growth policies (para. 15)  | Reiteration                |

| <i>Category and mandated task</i>                         | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>Electoral assistance and certification</b>             |   |                            |
| Electoral assistance                                      | Requests the Mission to extend the necessary support, within its current mandate, for the preparation of the parliamentary and presidential elections of 2012, as requested by the Government of Timor-Leste and in accordance with the recommendations of the planned electoral assessment mission, and encourages the international community to assist in this process (para. 3)   | Additional element         |
| <b>Institutions and governance</b>                        |   |                            |
| Institution-building: strengthening/promotion of autonomy | See para. 14 of the resolution, under “Coordination” above  | Reiteration                |
| <b>Military, police and security sector reform</b>        |   |                            |
| Police: capacity-building                                 | Encourages further efforts to complete the resumption of primary policing responsibilities by the National Police of Timor-Leste in all districts and units, on the basis of the criteria mutually agreed upon by the Government of Timor-Leste and the Mission, including through jointly agreed measures to enhance the institutional capacity of the National Police in the remaining districts and units (para. 6)  | Additional element         |
|   | Also requests the Mission to support the further institutional development and capacity-building of the National Police of Timor-Leste following its resumption of primary policing responsibilities in all districts and units, including through the prompt deployment of the 19 additional civilian experts within its police component as referred to in the report of the Secretary-General, expresses its support for the work of the joint working group of the National Police and the Mission police in developing a plan for further capacity-building support for the National Police focusing on the five major areas for its further development identified in the Strategic Development Plan for the National Police for 2011-2012, and emphasizes the significant role to be played in this by other bilateral and multilateral partners and the importance of promoting Timorese leadership (para. 9) | Additional element         |
| Police: operational support to national police            | Requests the Mission to continue to provide interim law enforcement and to ensure the maintenance of public security in those districts and units in which the National Police of Timor-Leste has yet to resume primary policing responsibilities and, following the resumption of primary policing responsibilities by the National Police, to provide operational support to the National Police, within its current mandate, as mutually agreed between the Government of Timor-Leste and the Mission (para. 8)  | Additional element         |

| <i>Category and mandated task</i> | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|-----------------------------------|--|----------------------------|
| Police: executive policing        | See para. 8 of the resolution, above   | Reiteration                |
| Security sector reform            | Reaffirms the importance that the Government of Timor-Leste continues the review and reform of the security sector in Timor-Leste, in particular the need to delineate roles and responsibilities between the Falintil-Forças de Defesa de Timor-Leste and the National Police of Timor-Leste, to strengthen legal frameworks and to enhance civilian oversight and accountability mechanisms of both security institutions, and requests the Mission to continue to support the Government, as requested, in its efforts in the country (para. 4) | Reiteration                |
| <b>Rule of law</b>                |  |                            |
| Judicial and legal reform         | Requests the Mission to continue its efforts, adjusting them as necessary to enhance the effectiveness of the judiciary, in assisting the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry (para. 13)  | Reiteration                |
| Transitional justice              | See para. 13 of the resolution, above  | Reiteration                |
| <b>Other</b>                      |  |                            |
| Development/reconstruction        | See para. 15 of the resolution, under “Coordination” above   | Reiteration                |

## Europe

### United Nations Peacekeeping Force in Cyprus

#### Background

The United Nations Peacekeeping Force in Cyprus (UNFICYP) was established by the Security Council on 4 March 1964 by resolution 186 (1964), to prevent further fighting between the Greek Cypriot and Turkish Cypriot communities. After the hostilities of 1974, the Council mandated UNFICYP to perform certain functions relating in particular to the maintenance of the ceasefire. In the absence of a political settlement to the problem, UNFICYP has continued to supervise ceasefire lines, maintain a buffer zone, undertake humanitarian activities and support the good offices mission of the Secretary-General. Prior to the reporting period, the mandate was last extended until 15 June 2010 and the

authorized strength was 69 civilian police and 900 military observers and liaison officers, as shown in table 38, which also shows all decisions authorizing extensions of the mandate during the reporting period. Table 39 provides an overview of the changes to the mandate of UNFICYP.

#### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNFICYP three times for periods of six months each, and once for a period of seven months, the last extension until 19 July 2012.<sup>61</sup> There were no changes to the mandate and authorized strength of UNFICYP.

<sup>61</sup> Resolutions 1930 (2010), para. 6; 1953 (2010), para. 5; 1986 (2011), para. 7; and 2026 (2011), para. 7.

Table 38  
**UNFICYP: extension of mandate and change in composition**

|                            | <i>Resolution</i>       |                         |                         |                         |                         |                         |
|----------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
|                            | <i>1568 (2004)</i>      | <i>1898 (2009)</i>      | <i>1930 (2010)</i>      | <i>1953 (2010)</i>      | <i>1986 (2011)</i>      | <i>2026 (2011)</i>      |
| Date of adoption           | 22 October 2004         | 14 December 2009        | 15 June 2010            | 14 December 2010        | 13 June 2011            | 14 December 2011        |
| Duration of mandate        | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(7 months) |
| <b>Authorized strength</b> |                         |                         |                         |                         |                         |                         |
| <b>Military (total)</b>    | <b>900</b>              |                         |                         |                         |                         |                         |
| <b>Police (total)</b>      | <b>69</b>               |                         |                         |                         |                         |                         |

 Table 39  
**UNFICYP: overview of mandate by category**

| <i>Category and mandated task</i>  | <i>Resolution</i> |                   |                    |                    |                    |                    |
|--|-------------------|-------------------|--------------------|--------------------|--------------------|--------------------|
|  | <i>186 (1964)</i> | <i>355 (1974)</i> | <i>1930 (2010)</i> | <i>1953 (2010)</i> | <i>1986 (2011)</i> | <i>2026 (2011)</i> |
| Humanitarian issues  |                   |                   |                    |                    |                    |                    |
| Humanitarian support/coordination  |                   | X <sup>a</sup>    |                    |                    |                    |                    |
| Military, police and security sector reform  |                   |                   |                    |                    |                    |                    |
| Police: executive policing   |                   | X <sup>a</sup>    |                    |                    |                    |                    |
| Ceasefire monitoring   |                   | X <sup>a</sup>    | X <sup>b</sup>     |                    |                    |                    |
| Political processes  |                   |                   |                    |                    |                    |                    |
| Facilitation of political process/dialogue/<br>preventive diplomacy/mediation/good offices |                   | X <sup>a</sup>    |                    |                    |                    |                    |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

## United Nations Interim Administration Mission in Kosovo

### Background

The United Nations Interim Administration Mission in Kosovo (UNMIK) was established by the Security Council on 10 June 1999 by resolution [1244 \(1999\)](#). UNMIK has been mandated to carry out a range of tasks, including promoting the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo; performing basic civilian administrative functions; and organizing and overseeing the development of provisional institutions for

democratic and autonomous self-government. The mandate of UNMIK is open-ended and its authorized strength remains 4,718 civilian police officers, as set out in the letter dated 5 November 1999 from the President of the Security Council,<sup>62</sup> and 38 military liaison officers. Table 40 provides an overview of the mandate of UNMIK since its establishment.

### Developments during 2010 and 2011

During the period under review, the Council took no decisions relating to UNMIK.

<sup>62</sup> [S/1999/1119](#).

Table 40  
UNMIK: overview of mandate by category

| <i>Category and mandated task</i>  | <i>Resolution</i>  |
|--|--------------------|
|  | <i>1244 (1999)</i> |
| <b>Coordination</b>  |                    |
| Coordination of international engagement   | X <sup>a</sup>     |
| <b>Humanitarian issues</b>   |                    |
| Humanitarian support/coordination  | X <sup>a</sup>     |
| Refugees/internally displaced persons: facilitation of return                          | X <sup>a</sup>     |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |                    |
| Human rights: promotion and protection   | X <sup>a</sup>     |
| <b>Institutions and governance</b>   |                    |
| Establish administration   | X <sup>a</sup>     |
| Institution-building: strengthening/promotion of autonomy                              | X <sup>a</sup>     |
| <b>Military, police and security sector reform</b>                                     |                    |
| Police: executive policing   | X <sup>a</sup>     |
| Civilian-military coordination   | X <sup>a</sup>     |
| <b>Political processes</b>   |                    |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>     |
| <b>Other</b>   |                    |
| Development/reconstruction   | X <sup>a</sup>     |

<sup>a</sup> Newly mandated task.

## Middle East

### United Nations Truce Supervision Organization

#### Background

The United Nations Truce Supervision Organization (UNTSO) was established by the Security Council on 29 May 1948 by resolution 50 (1948), to assist the United Nations Mediator and the Truce Commission in supervising the observance of the truce in Palestine, following the end of the 1948 Arab-Israeli conflict. UNTSO military observers have since remained in the Middle East and have continued to assist and cooperate with the United Nations

Disengagement Observer Force and the United Nations Interim Force in Lebanon in monitoring ceasefires and supervising armistice agreements. The mandate of UNTSO is open-ended and its authorized strength at the time of establishment was 151 military personnel. Table 41 provides an overview of the mandate of UNTSO.

#### Developments during 2010 and 2011

During the period under review, the Council adopted no decisions concerning the mandate of UNTSO. There were no changes to the mandate and composition of UNTSO.



Table 41  
**UNTSO: overview of mandate by category**

| <i>Category and mandated task</i>                  | <i>Resolution</i> |                  |
|--|-------------------|------------------|
|  | <i>50 (1948)</i>  | <i>73 (1949)</i> |
| <b>Military, police and security sector reform</b> |                   |                  |
| Ceasefire monitoring                               | X <sup>a</sup>    | X <sup>b</sup>   |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

## United Nations Disengagement Observer Force

### Background

The United Nations Disengagement Observer Force (UNDOF) was established by the Security Council on 31 May 1974, by resolution [350 \(1974\)](#), following the 1967 Arab-Israeli conflict and the subsequent agreed disengagement of the Israeli and Syrian forces in the Golan Heights. Since then, UNDOF has remained in the area to maintain the ceasefire between Israel and the Syrian Arab Republic, to supervise the implementation of the Disengagement Agreement of May 1974 and to supervise the areas of separation and limitation, as provided for in that Agreement. Prior to the reporting period, the last mandate extension was until 30 June 2010 and the

authorized strength at the establishment was about 1,250 military observers and liaison officers as, shown in table 42, which also shows the extensions of the mandate during the reporting period. Table 43 provides an overview of the mandate of UNDOF since its establishment.

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNDOF several times for periods of six months, the last until 30 June 2012, without making changes to the mandate or composition.<sup>63</sup>

<sup>63</sup> Resolutions [1934 \(2010\)](#), para. 3; [1965 \(2010\)](#), para. 3; [1994 \(2011\)](#), para. 5; and [2028 \(2011\)](#), para. 6.

 Table 42  
**UNDOF: extension of mandate and change in composition**

|                            | <i>Resolution</i>           |                         |                         |                         |                         |                         |
|----------------------------|-----------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
|                            | <i>350 (1974)</i>           | <i>1899 (2009)</i>      | <i>1934 (2010)</i>      | <i>1965 (2010)</i>      | <i>1994 (2011)</i>      | <i>2028 (2011)</i>      |
| Date of adoption           | 31 May 1974                 | 16 December 2009        | 30 June 2010            | 22 December 2010        | 30 June 2011            | 21 December 2011        |
| Duration of mandate        | Establishment<br>(6 months) | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(6 months) | Extension<br>(6 months) |
| <b>Authorized strength</b> |                             |                         |                         |                         |                         |                         |
| <b>Military (total)</b>    | <b>about 1 250</b>          |                         |                         |                         |                         |                         |

Table 43  
UNDOF: overview of mandate by category

| Category and mandated task                         | Resolution     |             |             |             |             |             |
|--|----------------|-------------|-------------|-------------|-------------|-------------|
|  | 350 (1974)     | 1899 (2009) | 1934 (2010) | 1965 (2010) | 1994 (2011) | 2028 (2011) |
| <b>Military, police and security sector reform</b> |                |             |             |             |             |             |
| Ceasefire monitoring                               | X <sup>a</sup> |             |             |             |             |             |

<sup>a</sup> Newly mandated task.

## United Nations Interim Force in Lebanon

### Background

The United Nations Interim Force in Lebanon (UNIFIL) was established by the Security Council on 19 March 1978, by resolution 425 (1978), to confirm the withdrawal of Israeli forces from southern Lebanon, restore international peace and security and assist the Government of Lebanon in restoring its effective authority in the area. In August 2006, to address the continuing hostilities in Lebanon, the Council expanded the mandate of UNIFIL to include (a) monitoring the cessation of hostilities; (b) accompanying and supporting the Lebanese armed forces; (c) extending its assistance to help to ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons; and (d) assisting the Government of Lebanon in securing its borders and other entry points to prevent the entry

into Lebanon without its consent of arms or related materiel. Prior to the reporting period, the mandate was last extended until 31 August 2010 and the authorized military strength remained at 15,000 troops, as shown in table 44, which also shows the extensions of the mandate during the reporting period. Table 45 provides an overview of changes to the mandate of UNIFIL since its establishment.

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNIFIL twice, for periods of one year each time, the last being until 31 August 2012.<sup>64</sup> There were no changes to the mandate and composition of UNIFIL. The full text of all paragraphs in Council decisions that relate to the mandate adopted during the period under review is provided in table 46.

<sup>64</sup> Resolutions 1937 (2010), para. 1; and 2004 (2011), para. 1.

Table 44  
UNIFIL: extension of mandate and change in composition

|                            | Resolution            |                       |                       |
|----------------------------|-----------------------|-----------------------|-----------------------|
|                            | 1701 (2006)           | 1937 (2010)           | 2004 (2011)           |
| Date of adoption           | 11 August 2006        | 30 August 2010        | 30 August 2011        |
| Duration of mandate        | Extension (12 months) | Extension (12 months) | Extension (12 months) |
| <b>Authorized strength</b> |                       |                       |                       |
| <b>Military (total)</b>    | <b>15 000</b>         |                       |                       |

Table 45  
UNIFIL: overview of mandate by category

| Category and mandated task   | Resolution     |                |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 425 (1978)     | 426 (1978)     | 1701 (2006)    | 1832 (2008)    | 1884 (2009)    | 1937 (2010)    | 2004 (2011)    |
| <b>General</b>   |                |                |                |                |                |                |                |
| Authorization of the use of force  |                |                | X <sup>a</sup> |                |                |                |                |
| <b>Coordination</b>  |                |                |                |                |                |                |                |
| Coordination with other United Nations entities in the region                |                | X <sup>a</sup> |                |                |                |                |                |
| <b>Demilitarization and arms control</b>                                     |                |                |                |                |                |                |                |
| Demilitarization or arms monitoring  |                |                | X <sup>a</sup> |                |                |                |                |
| <b>Humanitarian issues</b>   |                |                |                |                |                |                |                |
| Humanitarian support/coordination  |                |                | X <sup>a</sup> |                |                |                |                |
| Refugees/internally displaced persons: facilitation of return                |                |                | X <sup>a</sup> |                |                |                |                |
| <b>Institutions and governance</b>   |                |                |                |                |                |                |                |
| Consolidation of State authority   | X <sup>a</sup> | X <sup>c</sup> | X <sup>b</sup> |                |                |                |                |
| <b>Military, police and security sector reform</b>                           |                |                |                |                |                |                |                |
| Protection of civilians, including refugees and internally displaced persons |                |                | X <sup>a</sup> |                |                |                |                |
| Protection of United Nations personnel and facilities                        |                |                | X <sup>a</sup> |                |                |                |                |
| Protection of humanitarian personnel/ facilitation of humanitarian access    |                |                | X <sup>a</sup> |                |                |                |                |
| Territorial security, including in key areas, patrolling and deterrence      | X <sup>a</sup> | X <sup>c</sup> | X <sup>b</sup> |                |                |                |                |
| Border monitoring  |                |                | X <sup>a</sup> |                |                |                |                |
| Ceasefire monitoring   | X <sup>a</sup> | X <sup>b</sup> | X <sup>b</sup> |                |                |                |                |
| Support to national military   |                |                | X <sup>a</sup> | X <sup>b</sup> | X <sup>c</sup> | X <sup>c</sup> | X <sup>c</sup> |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 46  
UNIFIL: changes to mandate, 2010-2011

| <i>Category and mandated task</i>                  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Resolution 1937 (2010)</b>                      |  |                            |
| <b>Military, police and security sector reform</b> |  |                            |
| Support to national military                       | Commends the positive role of UNIFIL, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, welcomes the expansion of coordinated activities between the Force and the Lebanese Armed Forces, and calls for further enhancement of this cooperation (para. 2)    | Reiteration                |
| <b>Resolution 2004 (2011)</b>                      |  |                            |
| <b>Military, police and security sector reform</b> |  |                            |
| Support to national military                       | Commends the positive role of the Force, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, welcomes the expansion of coordinated activities between the Force and the Lebanese Armed Forces, and calls for further enhancement of this cooperation (para. 2) | Reiteration                |

## II. Political and peacebuilding missions

### Note

Section II focuses on the decisions of the Security Council concerning the establishment of political and peacebuilding missions and the implementation of, changes to and termination of their mandates during the period under review.<sup>65</sup>

The political and peacebuilding missions are organized by region and listed in the order in which they were established, except that related missions are grouped together. An overview of the mandate of the mission at the start of the period is provided, followed

by a summary of developments relating to the mandate during the period under review. The tables provide (a) an overview of the mandated tasks, by 11 mandate categories, of each mission since its establishment, unless otherwise indicated; and (b) the full texts of all paragraphs in the decisions adopted by the Council during the period under review that are relevant to the mandate. Other documents relating to the mandate or composition of the political and peacebuilding missions are listed in the annex to the present part.

### Overview of political and peacebuilding missions during 2010 and 2011

During the period under review, the Council continued to oversee political and peacebuilding missions intended to support it in fulfilling its primary responsibility for the maintenance of international peace and security. The Council managed 14 political

<sup>65</sup> For information on the envoys, advisers and representatives of the Secretary-General who were appointed at the request of the Secretary-General on the matters relating to the Council's responsibility for the maintenance of international peace and security, other than those appointed as heads of peacekeeping, political or peacebuilding missions, see part IX, sect. VI.

and peacebuilding missions<sup>66</sup> during the two-year period, the total number of missions under its authority being 11 or 12 at any given time; two missions were terminated<sup>67</sup> and three new missions were established.<sup>68</sup>

*Newly established and terminated political and peacebuilding missions*

A third regional office (after those for West Africa and Central Asia) was established in 2010, namely, the United Nations Regional Office for Central Africa, to assist Member States and subregional organizations in consolidating peace and preventing potential conflicts in the region.<sup>69</sup> In 2011, a new political mission, the United Nations Support Mission in Libya, was established to provide support to the new transitional authorities of Libya in their post-conflict efforts.<sup>70</sup> One political mission, the United Nations Mission in Nepal, was terminated,<sup>71</sup> as was the United Nations Integrated Office in Burundi, which was succeeded by the United Nations Office in Burundi, with a scaled-down mandate.<sup>72</sup>

<sup>66</sup> United Nations Political Office for Somalia (UNPOS), United Nations Office for West Africa (UNOWA), United Nations Integrated Office in Burundi (BINUB), United Nations Office in Burundi (BNUB), United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA), United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), United Nations Regional Office for Central Africa (UNOCA), United Nations Support Mission in Libya (UNSMIL), United Nations Assistance Mission in Afghanistan (UNAMA), United Nations Mission in Nepal (UNMIN), United Nations Regional Centre for Preventive Diplomacy for Central Asia, United Nations Assistance Mission for Iraq (UNAMI), Office of the United Nations Special Coordinator for Lebanon.

<sup>67</sup> United Nations Integrated Office in Burundi, United Nations Mission in Nepal.

<sup>68</sup> United Nations Office in Burundi, United Nations Regional Office for Central Africa, United Nations Support Mission in Libya.

<sup>69</sup> Through an exchange of letters between the Secretary-General and the President of the Security Council (S/2009/697 and S/2010/457).

<sup>70</sup> By resolution 1939 (2010).

<sup>71</sup> By resolution 1959 (2010).

<sup>72</sup> By resolution 1959 (2010).

*Mandates of political and peacebuilding missions*

During the period under review, the Council left the mandates of three existing political and peacebuilding missions largely unchanged<sup>73</sup> and expanded the mandates of five missions.<sup>74</sup> In the case of the United Nations Political Office for Somalia, for example, the Council strengthened the child protection and women's protection components of the mandate in the areas of the rule of law and police.

All three peacebuilding offices, the United Nations Integrated Peacebuilding Office in Sierra Leone, the United Nations Integrated Peacebuilding Office in the Central African Republic and the United Nations Integrated Peacebuilding Office in Guinea-Bissau, were mandated to work with the respective Governments in recognizing the important role of women in the prevention and resolution of conflicts and in peacebuilding and to continue efforts in addressing sexual and gender-based violence, among other tasks.

Across all political and peacebuilding missions, the most common mandated tasks related to political processes, electoral assistance and coordination. Political and peacebuilding missions in Africa generally had a wider range of mandates than those in other regions. There was also a regional variation in the nature of the mandates. For example, three out of nine political and peacebuilding missions in Africa had mandates to provide support for the Peacebuilding Commission, reflecting the focus of the Commission. Eight political and peacebuilding missions in Africa had a human rights mandate, but only two did in other regions. Tables 47 and 48 provide an overview of the mandates, grouped in 11 categories, of political and peacebuilding missions during the period under review.

<sup>73</sup> The United Nations Regional Centre for Preventive Diplomacy for Central Asia, the United Nations Assistance Mission for Iraq and the Office of the United Nations Special Coordinator for Lebanon.

<sup>74</sup> United Nations Political Office for Somalia, United Nations Office for West Africa, United Nations Integrated Peacebuilding Office in Sierra Leone, United Nations Integrated Peacebuilding Office in the Central African Republic, United Nations Integrated Peacebuilding Office in Guinea-Bissau.

Table 47  
Specific mandates of political and peacebuilding missions: Africa

| Mandate                                     | UNPOS | UNOWA | BINUB | BNUB | UNIPSIL | BINUCA | UNIOGBIS | UNOCA | UNSMIL |
|---|-------|-------|-------|------|---------|--------|----------|-------|--------|
| Coordination                                | X     | X     | X     |      | X       | X      | X        | X     | X      |
| Demilitarization and arms control           | X     |       | X     |      |         | X      | X        |       | X      |
| Electoral assistance                        | X     | X     | X     |      | X       | X      |          |       | X      |
| Humanitarian issues                         | X     | X     |       |      |         |        |          |       |        |
| Human rights                                | X     | X     | X     | X    | X       | X      | X        |       | X      |
| Institutions and governance                 | X     | X     | X     | X    | X       | X      | X        |       | X      |
| Military, police and security sector reform | X     | X     | X     |      | X       | X      | X        |       | X      |
| Political processes                         | X     | X     | X     | X    | X       | X      | X        | X     | X      |
| Rule of law                                 | X     | X     | X     | X    | X       | X      | X        |       | X      |
| Development/reconstruction                  | X     |       |       | X    | X       |        | X        |       | X      |
| Peacebuilding Commission support            |       |       |       |      | X       | X      | X        |       |        |
| Cross-cutting: women and peace and security | X     | X     | X     |      | X       |        | X        |       |        |
| Cross-cutting: children and armed conflict  | X     |       |       |      |         |        |          |       |        |

*Abbreviations:* BINUB, United Nations Integrated Office in Burundi; BINUCA, United Nations Integrated Peacebuilding Office in the Central African Republic; BNUB, United Nations Office in Burundi; UNIOGBIS, United Nations Integrated Peacebuilding Office in Guinea-Bissau; UNIPSIL, United Nations Integrated Peacebuilding Office in Sierra Leone; UNOCA, United Nations Regional Office for Central Africa; UNOWA, United Nations Office for West Africa; UNPOS, United Nations Political Office for Somalia; UNSMIL, United Nations Support Mission in Libya.

Table 48  
Specific mandates of political and peacebuilding missions: Asia and Middle East

| Mandate                                     | UNAMA | UNMIN | UNRCCA | UNAMI | UNSCOL |
|---|-------|-------|--------|-------|--------|
| Coordination                                | X     |       | X      | X     | X      |
| Demilitarization and arms control           | X     | X     |        | X     |        |
| Electoral assistance                        | X     | X     |        | X     |        |
| Humanitarian issues                         | X     |       |        | X     |        |
| Human rights                                | X     |       |        | X     |        |
| Institutions and governance                 | X     |       |        | X     |        |
| Military, police and security sector reform | X     | X     |        |       |        |
| Political processes                         | X     | X     | X      | X     | X      |
| Rule of law                                 | X     |       |        | X     |        |
| Development/reconstruction                  | X     |       |        | X     |        |
| Peacebuilding Commission support            |       |       |        |       |        |
| Cross-cutting: women and peace and security | X     |       |        |       |        |

*Abbreviations:* UNAMA, United Nations Assistance Mission in Afghanistan; UNAMI, United Nations Assistance Mission for Iraq; UNMIN, United Nations Mission in Nepal; UNRCCA, United Nations Regional Centre for Preventive Diplomacy for Central Asia; UNSCOL, Office of the United Nations Special Coordinator for Lebanon.

## Africa

### United Nations Political Office for Somalia

#### Background

The United Nations Political Office for Somalia (UNPOS) was established by means of a presidential statement of 15 April 1995<sup>75</sup> to assist the Secretary-General in advancing the cause of peace and reconciliation in Somalia through contacts with Somali leaders, civil organizations and all other States and organizations concerned. UNPOS was subsequently mandated, inter alia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia through the implementation of the Djibouti Peace Agreement of 9 June 2008 and to mobilize resources and support from the international community for the economic development of Somalia. In December 2009, UNPOS was requested to coordinate the efforts of the United Nations and the international community on the ground in the fight against piracy. Table 49 provides an overview of the mandated tasks of UNPOS since its establishment.<sup>76</sup>

#### Developments during 2010 and 2011

Through an exchange of letters between the Secretary-General and the President of the Security Council dated 29 and 30 December 2011, the mandate of UNPOS, which was to expire on 31 December 2011, was extended until 31 December 2013.<sup>77</sup> During the period under review, the Council expanded the existing mandated tasks of UNPOS relating to human rights,

the rule of law, institutions and governance and the coordination of the fight against piracy. The Council also added mandated tasks relating to children and armed conflict and to women and peace and security. The full text of all paragraphs in Council decisions that relate to the mandate of UNPOS adopted during the period under review is provided in table 50.

By resolution 1910 (2010), the Council, inter alia, requested the Secretary-General to continue to assist the Transitional Federal Government in developing a national security strategy which reflected respect for the rule of law and the protection of human rights as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms.<sup>78</sup> By resolutions 1964 (2010) and 2010 (2011), the Council requested the Secretary-General to strengthen the child protection and the women's protection components of UNPOS, respectively.<sup>79</sup> With regard to the fight against piracy, by resolution 1976 (2011) the Council requested UNPOS to assist the Transitional Federal Government and regional authorities in Somalia in establishing a system of governance, rule of law and police control in lawless areas where land-based activities related to piracy were taking place, and requested the Secretary-General to strengthen UNPOS as the United Nations focal point for counter-piracy.<sup>80</sup>

Throughout the period under review, the Council continued to encourage further deployment and the establishment of a more permanent and increased presence by the United Nations, including deployment of elements of UNPOS to Somalia, particularly to Mogadishu, consistent with the security conditions.<sup>81</sup>

<sup>75</sup> S/PRST/1995/15.

<sup>76</sup> For information relating to the mandate of the United Nations Political Office for Somalia prior to the period under review, see *Repertoire, Supplement 1996-1999*, chap. V, part I.E; *Supplement 2000-2003*, chap. V, part I.E; *Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>77</sup> S/2011/802 and S/2011/803.

<sup>78</sup> Resolution 1910 (2010), para. 12.

<sup>79</sup> Resolutions 1964 (2010), para. 16; and 2010 (2011), para. 25.

<sup>80</sup> Resolution 1976 (2011), paras. 4 and 24.

<sup>81</sup> Resolutions 1910 (2010), para. 19; 1964 (2010), para. 19; and 2010 (2011), para. 4.

Table 49  
**UNPOS: overview of mandate by category**

|  | <i>S/PRST/1995/15</i>   | <i>S/2005/729 and S/2005/730</i> | <i>S/2007/762 and S/2007/763</i> | <i>Resolution 1814 (2008)</i> | <i>Resolution 1863 (2009)</i> | <i>Resolution 1872 (2009)</i> | <i>S/2009/664 and S/2009/665</i> | <i>Resolution 1910 (2010)</i> | <i>Resolution 1964 (2010)</i> | <i>Resolution 1976 (2011)</i> | <i>Resolution 2010 (2011)</i> | <i>S/2011/802 and S/2011/803</i> |
|--|-------------------------|----------------------------------|----------------------------------|-------------------------------|-------------------------------|-------------------------------|----------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|----------------------------------|
| Date of adoption   | 6 April 1995            | 16 and 21 November 2005          | 24 and 27 December 2007          | 15 May 2008                   | 16 January 2009               | 26 May 2009                   | 15 and 21 December 2009          | 28 January 2010               | 22 December 2010              | 11 April 2011                 | 30 September 2011             | 29 and 30 December 2011          |
| Duration of mandate                                      | Establishment (2 years) |                                  | Extension (2 years)              |                               |                               |                               | Extension (2 years)              |                               |                               |                               |                               | Extension (2 years)              |
| <i>Category and mandated task</i>                        |                         |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               |                               |                                  |
| <b>General</b>   |                         |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               |                               |                                  |
| Cross-cutting: women and peace and security              |                         |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               | X <sup>a</sup>                |                                  |
| Cross-cutting: children and armed conflict               |                         |                                  |                                  |                               |                               |                               |                                  |                               | X <sup>a</sup>                |                               | X <sup>c</sup>                |                                  |
| <b>Coordination</b>                                      |                         |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               |                               |                                  |
| Coordination of international engagement                 |                         | X <sup>a</sup>                   | X <sup>a</sup>                   | X <sup>b</sup>                | X <sup>c</sup>                |                               | X <sup>b</sup>                   |                               |                               |                               |                               |                                  |
| Coordination with United Nations entities in the country |                         |                                  | X <sup>a</sup>                   | X <sup>b</sup>                | X <sup>b</sup>                | X <sup>c</sup>                | X <sup>b</sup>                   | X <sup>c</sup>                | X <sup>c</sup>                |                               | X <sup>c</sup>                | X <sup>c</sup>                   |
| <b>Demilitarization and arms control</b>                 |                         |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               |                               |                                  |
| Disarmament, demobilization and reintegration            |                         |                                  |                                  |                               |                               |                               | X <sup>a</sup>                   | X <sup>c</sup>                | X <sup>c</sup>                |                               |                               |                                  |
| Small arms and light weapons                             |                         |                                  |                                  |                               |                               |                               | X <sup>a</sup>                   |                               |                               |                               |                               |                                  |
| <b>Electoral assistance and certification</b>            |                         |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               |                               |                                  |
| Electoral assistance                                     |                         |                                  | X <sup>a</sup>                   | X <sup>b</sup>                |                               |                               | X <sup>c</sup>                   |                               |                               |                               |                               | X <sup>c</sup>                   |



|  | <i>S/PRST/<br/>1995/15</i> | <i>S/2005/729 and<br/>S/2005/730</i> | <i>S/2007/762 and<br/>S/2007/763</i> | <i>Resolution<br/>1814 (2008)</i> | <i>Resolution<br/>1863 (2009)</i> | <i>Resolution<br/>1872 (2009)</i> | <i>S/2009/664<br/>and<br/>S/2009/665</i> | <i>Resolution<br/>1910 (2010)</i> | <i>Resolution<br/>1964 (2010)</i> | <i>Resolution<br/>1976 (2011)</i> | <i>Resolution<br/>2010 (2011)</i> | <i>S/2011/802 and<br/>S/2011/803</i> |
|--|----------------------------|--------------------------------------|--------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|--|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|--------------------------------------|
| <b>Humanitarian issues</b>   |                            |                                      |                                      |                                   |                                   |                                   |  |                                   |                                   |                                   |                                   |                                      |
| Humanitarian support/coordination  |                            | X <sup>a</sup>                       | X <sup>b</sup>                       |                                   |                                   |                                   | X <sup>c</sup>                           |                                   |                                   |                                   |                                   | X <sup>c</sup>                       |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |                            |                                      |                                      |                                   |                                   |                                   |  |                                   |                                   |                                   |                                   |                                      |
| Human rights: promotion and protection   |                            |                                      | X <sup>a</sup>                       |                                   |                                   |                                   |  | X <sup>b</sup>                    | X <sup>c</sup>                    |                                   |                                   | X <sup>b</sup>                       |
| Human rights: capacity-building  |                            |                                      |                                      |                                   |                                   | X <sup>b</sup>                    |  |                                   |                                   |                                   |                                   |                                      |
| Human rights: monitoring   |                            |                                      | X <sup>a</sup>                       |                                   |                                   |                                   |  |                                   |                                   |                                   |                                   |                                      |
| <b>Institutions and governance</b>   |                            |                                      |                                      |                                   |                                   |                                   |  |                                   |                                   |                                   |                                   |                                      |
| Institution-building: strengthening/promotion of autonomy                              |                            | X <sup>a</sup>                       | X <sup>a</sup>                       | X <sup>b</sup>                    |                                   | X <sup>b</sup>                    | X <sup>b</sup>                           | X <sup>b</sup>                    | X <sup>c</sup>                    |                                   |                                   | X <sup>c</sup>                       |
| Territorial control/consolidation of State authority                                   |                            |                                      |                                      |                                   |                                   |                                   | X <sup>a</sup>                           |                                   |                                   | X <sup>b</sup>                    |                                   | X <sup>c</sup>                       |
| <b>Military, police and security sector reform</b>                                     |                            |                                      |                                      |                                   |                                   |                                   |  |                                   |                                   |                                   |                                   |                                      |
| Police: capacity-building  |                            |                                      |                                      |                                   |                                   | X <sup>a</sup>                    |  | X <sup>c</sup>                    | X <sup>c</sup>                    | X <sup>b</sup>                    |                                   |                                      |
| Security sector reform   |                            |                                      | X <sup>a</sup>                       |                                   |                                   |                                   | X <sup>b</sup>                           | X <sup>c</sup>                    | X <sup>c</sup>                    |                                   | X <sup>c</sup>                    | X <sup>c</sup>                       |
| <b>Political processes</b>   |                            |                                      |                                      |                                   |                                   |                                   |  |                                   |                                   |                                   |                                   |                                      |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>             | X <sup>c</sup>                       | X <sup>a</sup>                       | X <sup>b</sup>                    | X <sup>b</sup>                    | X <sup>b</sup>                    | X <sup>c</sup>                           | X <sup>c</sup>                    | X <sup>c</sup>                    |                                   | X <sup>c</sup>                    | X <sup>c</sup>                       |

|  | <i>S/PRST/1995/15</i> | <i>S/2005/729 and S/2005/730</i> | <i>S/2007/762 and S/2007/763</i> | <i>Resolution 1814 (2008)</i> | <i>Resolution 1863 (2009)</i> | <i>Resolution 1872 (2009)</i> | <i>S/2009/664 and S/2009/665</i> | <i>Resolution 1910 (2010)</i> | <i>Resolution 1964 (2010)</i> | <i>Resolution 1976 (2011)</i> | <i>Resolution 2010 (2011)</i> | <i>S/2011/802 and S/2011/803</i> |
|--|-----------------------|----------------------------------|----------------------------------|-------------------------------|-------------------------------|-------------------------------|----------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|----------------------------------|
| Peace agreement monitoring/ implementation |                       |                                  |                                  |                               | X <sup>a</sup>                |                               |                                  |                               |                               |                               |                               |                                  |
| National reconciliation                    | X <sup>a</sup>        | X <sup>c</sup>                   |                                  |                               |                               | X <sup>b</sup>                |                                  | X <sup>c</sup>                | X <sup>c</sup>                |                               | X <sup>c</sup>                |                                  |
| <b>Rule of law</b>                         |                       |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               |                               |                                  |
| Promotion of the rule of law               |                       |                                  |                                  |                               |                               | X <sup>a</sup>                |                                  | X <sup>b</sup>                | X <sup>c</sup>                |                               | X <sup>b</sup>                |                                  |
| Transitional justice                       |                       |                                  |                                  |                               |                               | Xa                            |                                  |                               |                               |                               |                               |                                  |
| Anti-corruption/ good governance           |                       |                                  |                                  |                               |                               |                               |                                  | X <sup>a</sup>                | X <sup>c</sup>                |                               | X <sup>b</sup>                |                                  |
| Prisons                                    |                       |                                  |                                  |                               |                               | X <sup>a</sup>                |                                  | X <sup>c</sup>                | X <sup>c</sup>                |                               |                               |                                  |
| Constitutional support                     |                       |                                  |                                  | X <sup>a</sup>                |                               |                               |                                  |                               |                               |                               |                               |                                  |
| <b>Other</b>                               |                       |                                  |                                  |                               |                               |                               |                                  |                               |                               |                               |                               |                                  |
| Contingency planning                       |                       |                                  | X <sup>a</sup>                   | X <sup>c</sup>                | X <sup>c</sup>                |                               | X <sup>c</sup>                   |                               |                               |                               |                               |                                  |
| Development/ reconstruction                |                       |                                  | X <sup>a</sup>                   |                               | X <sup>b</sup>                | X <sup>c</sup>                | X <sup>c</sup>                   | X <sup>c</sup>                | X <sup>c</sup>                |                               | X <sup>c</sup>                | X <sup>c</sup>                   |
| Coordination of the fight against piracy   |                       |                                  |                                  |                               |                               |                               | X <sup>a</sup>                   |                               |                               |                               | X <sup>b</sup>                | X <sup>c</sup>                   |
| Resource mobilization                      |                       |                                  |                                  |                               | X <sup>a</sup>                | X <sup>c</sup>                |                                  | X <sup>c</sup>                | X <sup>c</sup>                |                               | X <sup>c</sup>                |                                  |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 50  
UNPOS: changes to mandate, 2010-2011

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Resolution 1910 (2010) (adopted under Chapter VII)</b>                              |   |                            |
| Coordination with other United Nations agencies in the country                         | Requests the Secretary-General, through his Special Representative and UNPOS, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia, taking into account the recommendations contained in his report of 31 December 2009 (para. 18)   | Reiteration                |
| <b>Demilitarization and arms control</b>   |   |                            |
| Disarmament, demobilization and reintegration  | Requests the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force and the National Security Force, and to continue to support the Transitional Federal Government in developing a national security strategy which reflects respect for the rule of law and the protection of human rights, including plans for disarmament, demobilization and reintegration, justice and corrections capacities, as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms (para. 12) | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |   |                            |
| Human rights: promotion and protection   | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Additional element         |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                              | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Additional element         |
| <b>Military, police and security sector reform</b>                                     |   |                            |
| Police: capacity-building  | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| Security sector reform   | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | See para. 18 of the resolution, under “Coordination” above  | Reiteration                |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>                              | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| National reconciliation  | Welcomes the efforts of the Transitional Federal Government on reconciliation, urges the Transitional Federal Government to continue and strengthen these efforts within the framework of the Djibouti Agreement with all groups willing to cooperate and ready to renounce violence, and requests the Secretary-General, through his Special Representative for Somalia, to continue to work with the international community to facilitate reconciliation (para. 15)  | Reiteration                |
| <b>Rule of law</b>   |   |                            |
| Promotion of the rule of law                                   | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Additional element         |
| Anti-corruption/good governance                                | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Newly mandated task        |
| Prisons  | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| <b>Other</b>   |   |                            |
| Development/reconstruction                                     | See para. 18 of the resolution, under “Coordination” above  | Reiteration                |
| Resource mobilization  | See para. 18 of the resolution, under “Coordination” above  | Reiteration                |
| <b>Resolution 1964 (2010) (adopted under Chapter VII)</b>      |   |                            |
| <b>General</b>   |   |                            |
| Cross-cutting: children and armed conflict                     | Calls upon all parties to end grave violations committed against children in Somalia, welcomes the commitment by the Transitional Federal Government to appoint a focal point to address the issue of the recruitment of child soldiers, and requests the Secretary-General to ensure continued monitoring and reporting of the situation of children in Somalia, to continue a dialogue with the Transitional Federal Government towards the preparation of a time-limited action plan to end the recruitment and use of child soldiers and to strengthen the child protection component of the United Nations Political Office for Somalia (para. 16) | Newly mandated task        |
| <b>Coordination</b>  |   |                            |
| Coordination with other United Nations entities in the country | Requests the Secretary-General, through his Special Representative for Somalia and UNPOS, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia, taking into account the recommendations contained in his report of 31 December 2009 (para. 18)                                       | Reiteration                |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Demilitarization and arms control</b>   |   |                            |
| Disarmament, demobilization and reintegration  | Requests the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force and the National Security Force, and to continue to support the Transitional Federal Government in developing a national security strategy which reflects respect for the rule of law and the protection of human rights, including plans for disarmament, demobilization and reintegration, justice and corrections capacities, as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms (para. 12) | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b>           |   |                            |
| Human rights: promotion and protection   | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                                | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| <b>Military, police and security sector reform</b>                                       |   |                            |
| Police: capacity-building  | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| Security sector reform   | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/ preventive diplomacy/ mediation/good offices | See para. 18 of the resolution, under “Coordination” above  | Reiteration                |
| National reconciliation  | Requests the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community (para. 4)   | Reiteration                |
| <b>Rule of law</b>   |   |                            |
| Promotion of the rule of law   | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| Anti-corruption/ good governance   | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |
| Prisons  | See para. 12 of the resolution, under “Demilitarization and arms control” above   | Reiteration                |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>                           | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Other</b>  |  |                            |
| Development/<br>reconstruction                              | See para. 18 of the resolution, under “Coordination” above   | Reiteration                |
| Resource mobilization                                       | See para. 18 of the resolution, under “Coordination” above   | Reiteration                |
| <b>Resolution 1976 (2011)</b>                               |  |                            |
| <b>Institutions and governance</b>                          |  |                            |
| Territorial control/<br>consolidation of State<br>authority | Requests States, the United Nations Office on Drugs and Crime, the United Nations Development Programme, UNPOS and regional organizations to assist the Transitional Federal Government and regional authorities in Somalia in establishing a system of governance, rule of law and police control in lawless areas where land-based activities related to piracy are taking place, and also requests the Transitional Federal Government and regional authorities in Somalia to increase their own efforts in this regard (para. 4) | Additional<br>element      |
| <b>Military, police and security sector reform</b>          |  |                            |
| Police: capacity-building                                   | See para. 4 of the resolution, under “Institutions and governance” above   | Additional<br>element      |
| <b>Rule of law</b>  |  |                            |
| Promotion of the rule<br>of law                             | See para. 4 of the resolution, under “Institutions and governance” above   | Additional<br>element      |
| Anti-corruption/<br>good governance                         | See para. 4 of the resolution, under “Institutions and governance” above   | Additional<br>element      |
| <b>Other</b>  |  |                            |
| Coordination of fight<br>against piracy                     | See para. 4 of the resolution, under “Institutions and governance” above   | Additional<br>element      |
|   | Emphasizes the need to ensure effective coordination of anti-piracy efforts, and in that regard requests the Secretary-General to strengthen the United Nations Political Office for Somalia as the United Nations focal point for counter-piracy, including the Kampala process (para. 24)  | Additional<br>element      |
| <b>Resolution 2010 (2011) (adopted under Chapter VII)</b>   |  |                            |
| <b>General</b>  |  |                            |
| Cross-cutting: women<br>and peace and security              | Expresses serious concern about increasing reports of conflict-related sexual violence in Somalia, calls upon all parties to cease such violations and abuses, and requests the Secretary-General to implement the relevant provisions of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010), including the strengthening of the women’s protection component of UNPOS (para. 25)  | Newly<br>mandated task     |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Cross-cutting: children and armed conflict   | Recalls the conclusions on children and armed conflict in Somalia endorsed by the Security Council Working Group on Children and Armed Conflict, calls upon all parties to end grave violations and abuses committed against children in Somalia, urges the Transitional Federal Government to develop and implement a concrete time-bound action plan to halt the recruitment and use of children, requests the Secretary-General to continue his dialogue with the Transitional Federal Government in this regard, and reiterates its request to the Secretary-General to strengthen the child protection component of UNPOS and to ensure continued monitoring and reporting of the situation of children in Somalia (para. 24)  | Reiteration                |
| <b>Coordination</b>  |   |                            |
| Coordination with other United Nations entities in the country                                 | Requests the Secretary-General, through his Special Representative for Somalia and UNPOS, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia taking into account the recommendations contained in his report of 31 December 2009, and stresses the importance that UNPOS and other United Nations offices and agencies work transparently and coordinate with the international community (para. 27) | Reiteration                |
| <b>Military, police and security sector reform</b>   |   |                            |
| Security sector reform   | Requests the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force and the National Security Force, and to continue to support the Transitional Federal Government in developing a Somali-owned national security strategy which reflects respect for the rule of law and the protection of human rights, as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms (para. 16)   | Reiteration                |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/<br>preventive diplomacy/<br>mediation/good offices | Requests the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community, including, as appropriate, support to reconciliation and peace efforts at the local level (para. 19)   | Reiteration                |
|  | See para. 27 of the resolution, under “Coordination” above  | Reiteration                |
| National reconciliation  | See para. 19 of the resolution, above   | Reiteration                |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Other</b>   |   |                            |
| Development/<br>reconstruction   | See para. 27 of the resolution, under “Coordination” above  | Reiteration                |
| Resource mobilization  | See para. 27 of the resolution, under “Coordination” above  | Reiteration                |
| <b>S/2011/802 and S/2011/803</b>   |   |                            |
| <b>Coordination</b>  |   |                            |
| Coordination with<br>United Nations agencies<br>in the country                 | <p>During the biennium 2012-2013 UNPOS will continue inter alia to carry out the following tasks:</p> <p>(a) Assist efforts to strengthen the transitional federal institutions of Somalia</p> <p>(b) Guide the international community’s efforts to assist the Transitional Federal Government to re-establish the security institutions of Somalia</p> <p>(c) Coordinate United Nations political, security, electoral, human rights, humanitarian, recovery and development support to the Somali people</p> <p>(d) Coordinate on the ground the efforts of the United Nations and the international community in the fight against piracy</p> <p>(e) Support the regional authorities of “Puntland” and “Somaliland” in their efforts to maintain the relative stability that prevails in the two regions (S/2011/802, fifth paragraph)</p> | Reiteration                |
| <b>Electoral assistance and certification</b>                                  |   |                            |
| Electoral assistance   | See under “Coordination” above  | Reiteration                |
| Humanitarian issues  |   |                            |
| Humanitarian support/<br>coordination  | See under “Coordination” above  | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: promotion<br>and protection                                      | See under “Coordination” above  | Additional<br>element      |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building:<br>strengthening/promotion<br>of autonomy                | See under “Coordination” above  | Reiteration                |
| Territorial control/<br>consolidation of State<br>authority                    | See under “Coordination” above  | Reiteration                |



| <i>Category and mandated task</i>  | <i>Text of mandate</i>         | <i>Mandated task level</i> |
|--|--------------------------------|----------------------------|
| <b>Military, police and security sector reform</b>   |                                |                            |
| Security sector reform   | See under “Coordination” above | Reiteration                |
| <b>Political processes</b>   |                                |                            |
| Facilitation of political process/dialogue/<br>preventive diplomacy/<br>mediation/good offices | See under “Coordination” above | Reiteration                |
| <b>Other</b>   |                                |                            |
| Development/<br>reconstruction   | See under “Coordination” above | Reiteration                |
| Coordination of the fight<br>against piracy  | See under “Coordination” above | Reiteration                |

## United Nations Office for West Africa

### Background

The United Nations Office for West Africa (UNOWA) was established through an exchange of letters between the Secretary-General and the President of the Security Council dated 26 and 29 November 2001.<sup>82</sup> UNOWA was entrusted with the overall mandate of enhancing the contribution of the United Nations towards the achievement of peace and security priorities in West Africa. In a presidential statement dated 16 July 2010,<sup>83</sup> the Council recognized the important role of regional United Nations offices such as UNOWA and acknowledged the need for closer and more operational cooperation between the United Nations and regional and subregional organizations in Africa to build national and regional capacities. Table 51 provides an overview of the mandate of UNOWA since its establishment.<sup>84</sup>

### Developments during 2010 and 2011

During the period under review, the Council, through an exchange of letters between the Secretary-

General and the President of the Security Council dated 14 and 20 December 2010, extended the mandate of UNOWA for a period of three years, until 31 December 2013.<sup>85</sup> Its core functions, which were to be implemented in close collaboration with the Economic Community of West African States, the Mano River Union and other regional and subregional partners, were (a) to monitor political developments in West Africa, carry out good offices roles and special assignments on behalf of the Secretary-General, and enhance subregional capacities for conflict prevention and mediation in countries of the subregion; (b) to enhance subregional capacities to address cross-border and cross-cutting threats to peace and security, in particular election-related instability and challenges related to security sector reform, transnational organized crime, illicit trafficking and terrorism; and (c) to promote good governance and respect for the rule of law, human rights and the mainstreaming of gender in conflict prevention and conflict management initiatives in West Africa. The full text of all paragraphs in Council decisions that relate to the mandate adopted during the period under review is provided in table 52.

<sup>82</sup> S/2001/1128 and S/2001/1129.

<sup>83</sup> S/PRST/2010/14, ninth paragraph.

<sup>84</sup> For information relating to the mandate of the United Nations Office for West Africa prior to the period under review, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>85</sup> S/2010/660 and S/2010/661.

Table 51  
UNOWA: overview of mandate by category

|   | <i>S/2001/1128 and<br/>S/2001/1129</i> | <i>S/2005/16 and<br/>S/2005/17</i>    | <i>S/2007/753 and<br/>S/2007/754</i>      | <i>S/PRST/2009/6</i> | <i>S/PRST/2009/20</i> | <i>S/2010/660 and<br/>S/2010/661</i> |
|---|--|---------------------------------------|---|----------------------|-----------------------|--------------------------------------|
| Date of adoption  | 26 and<br>29 November<br>2001          | 14 December<br>and 11 January<br>2005 | 28 November<br>and<br>21 December<br>2007 | 9 April 2009         | 10 July 2009          | 14 and<br>20 December<br>2010        |
| Duration of mandate   | Establishment<br>(3 year)              | Extension<br>(3 years)                | Extension<br>(3 years)                    |                      |                       | Extension<br>(3 years)               |
| <i>Category and mandated task</i>   |  |                                       |   |                      |                       |                                      |
| <b>General</b>  |  |                                       |   |                      |                       |                                      |
| Cross-cutting: women and<br>peace and security  |  |                                       | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |
| <b>Coordination</b>   |  |                                       |   |                      |                       |                                      |
| Coordination of<br>international engagement   | X <sup>a</sup>                         | X <sup>c</sup>                        |   |                      |                       |                                      |
| Coordination with<br>other United Nations<br>entities in the region                               | X <sup>a</sup>                         | X <sup>c</sup>                        | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |
| <b>Electoral assistance and certification</b>   |  |                                       |   |                      |                       |                                      |
| Electoral assistance  |  |                                       | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |
| <b>Humanitarian issues</b>  |  |                                       |   |                      |                       |                                      |
| Humanitarian support/<br>coordination   |  |                                       | X <sup>a</sup>                            |                      |                       |                                      |
| <b>Human rights; women and peace and security; children and armed conflict</b>                    |  |                                       |   |                      |                       |                                      |
| Human rights: promotion<br>and protection   |  |                                       |   |                      |                       | X <sup>a</sup>                       |
| Institutions and<br>governance  |  |                                       |   |                      |                       |                                      |
| Border issues   |  |                                       | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |
| <b>Military, police and security sector reform</b>  |  |                                       |   |                      |                       |                                      |
| Security sector reform  |  |                                       | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |
| <b>Political processes</b>  |  |                                       |   |                      |                       |                                      |
| Facilitation of political<br>process/dialogue/<br>preventive diplomacy/<br>mediation/good offices | X <sup>a</sup>                         | X <sup>c</sup>                        | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |
| Cooperation with/<br>support to regional<br>and subregional<br>organizations                      | X <sup>a</sup>                         | X <sup>c</sup>                        | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |
| <b>Rule of law</b>  |  |                                       |   |                      |                       |                                      |
| Promotion of the rule<br>of law   |  |                                       |   |                      |                       | X <sup>a</sup>                       |
| Anti-corruption/<br>good governance   |  |                                       | X <sup>a</sup>                            |                      |                       | X <sup>a</sup>                       |

## Repertoire of the Practice of the Security Council, 2010-2011

|  | <i>S/2001/1128 and<br/>S/2001/1129</i> | <i>S/2005/16 and<br/>S/2005/17</i> | <i>S/2007/753 and<br/>S/2007/754</i> | <i>S/PRST/2009/6</i> | <i>S/PRST/2009/20</i> | <i>S/2010/660 and<br/>S/2010/661</i> |
|--|--|------------------------------------|--------------------------------------|----------------------|-----------------------|--------------------------------------|
| Organized crime/human and drug trafficking                                 |  |                                    | X <sup>a</sup>                       | X <sup>b</sup>       | X <sup>c</sup>        | X <sup>a</sup>                       |
| Transitional justice   |  |                                    | X <sup>a</sup>                       |                      |                       |                                      |
| <b>Other</b>   |  |                                    |                                      |                      |                       |                                      |
| Public information   |  |                                    | X <sup>a</sup>                       |                      |                       | X <sup>a</sup>                       |
| Facilitation of implementation of ruling of International Court of Justice |  | X <sup>a</sup>                     | X <sup>a</sup>                       |                      |                       | X <sup>a</sup>                       |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 52  
UNOWA: changes to mandate, 2010 -2011

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>S/2010/660 and S/2010/661</b>                              |   |                            |
| <b>General</b>  |   |                            |
| Cross-cutting: women and peace and security                   | Promote good governance and respect for the rule of law, human rights and the mainstreaming of gender in conflict prevention and conflict management initiatives in West Africa (S/2010/660, objective 3)   | Newly mandated task        |
|   | Provide support for the enactment of resolutions and frameworks of action pertaining to the respect for human rights, and the mainstreaming of gender in conflict prevention and conflict management initiatives in West Africa (S/2010/660, function 3.2)  | Newly mandated task        |
| <b>Coordination</b>   |   |                            |
| Coordination with other United Nations entities in the region | Facilitate systematic and regular linkages in the work of the United Nations within the subregion to promote a coherent and synergetic United Nations approach to addressing the causes of instability and conflict in West Africa (S/2010/660, function 2.3)   | Newly mandated task        |
| <b>Electoral assistance and certification</b>                 |   |                            |
| Electoral assistance  | Facilitate the exchange of information and the sharing of best practices among national Governments, regional organizations, civil society and other entities for the promotion of good governance, respect for the rule of law and the improvement of electoral processes (S/2010/660, function 3.1) | Newly mandated task        |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Human rights; women and peace and security; children and armed conflict</b>         |   |                            |
| Human rights: promotion and protection   | See objective 3, under "General" above  | Newly mandated task        |
|  | See function 3.2, under "General" above   | Newly mandated task        |
| <b>Institutions and governance</b>   |   |                            |
| Border issues  | Enhance subregional capacities to address cross-border and cross-cutting threats to peace and security, in particular election-related instability and challenges related to security sector reform, transnational organized crime, illicit trafficking and terrorism (S/2010/660, objective 2)   | Newly mandated task        |
|  | Raise awareness and promote integrated subregional and cross-border responses to potential problems and emerging threats to peace, human security and stability in the subregion (S/2010/660, function 2.1)   | Newly mandated task        |
| <b>Military, police and security sector reform</b>                                     |   |                            |
| Security sector reform   | See objective 2, under "Institutions and governance" above  | Newly mandated task        |
|  | Support the development of networks of practitioners and subregional frameworks and mechanisms to address challenges related to security sector reform, transnational organized crime, illicit trafficking and terrorism (S/2010/660, function 2.2)   | Newly mandated task        |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Monitor political developments in West Africa, carry out good offices roles and special assignments on behalf of the Secretary-General and enhance subregional capacities for conflict prevention and mediation in countries of the subregion (S/2010/660, objective 1)   | Newly mandated task        |
|  | Monitor and analyse the situation in West Africa, in particular emerging threats to peace, and provide the Secretary-General, the Security Council, regional and subregional organizations and national Governments with early warning and recommendations for preventive action (S/2010/660, function 1.1)   | Newly mandated task        |
|  | Perform good offices roles in countries of the subregion to prevent conflict and to consolidate peacebuilding efforts and political stability (S/2010/660, function 1.2)  | Newly mandated task        |
|  | Enhance subregional capacities for conflict prevention, conflict management, mediation, and good offices, including providing support to existing subregional mechanisms, in particular the Conflict Prevention Framework, of the Economic Community of West African States and the Community's Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (S/2010/660, function 1.3) | Newly mandated task        |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| Cooperation with/support to regional and subregional organizations         | See objective 1, above  | Newly mandated task        |
|  | See function 1.1, above   | Newly mandated task        |
|  | See function 1.3, above   | Newly mandated task        |
| <b>Rule of law</b>   |   |                            |
| Promotion of the rule of law   | See objective 3, under "General" above  | Newly mandated task        |
|  | See function 3.1, under "Electoral assistance and certification" above  | Newly mandated task        |
| Anti-corruption/good governance  | See objective 3, under "General" above  | Newly mandated task        |
|  | See function 3.1, under "Electoral assistance and certification" above  | Newly mandated task        |
| Organized crime/human and drug trafficking                                 | See objective 2, under "Institutions and governance" above  | Newly mandated task        |
|  | See function 2.2, under "Military, police and security sector reform" above   | Newly mandated task        |
| <b>Other</b>   |   |                            |
| Public information   | See function 2.1, under "Institutions and governance" above   | Newly mandated task        |
| Facilitation of implementation of ruling of International Court of Justice | Facilitate the implementation of the International Court of Justice ruling of 10 October 2002 on the land and maritime boundary dispute between Cameroon and Nigeria ( <a href="#">S/2010/660</a> , function 1.4) | Newly mandated task        |

## United Nations Integrated Office in Burundi

### Background

The United Nations Integrated Office in Burundi (BINUB) was established by the Security Council on 25 October 2006, by resolution [1719 \(2006\)](#), to succeed the United Nations Operation in Burundi.<sup>86</sup>

<sup>86</sup> For information relating to the mandate of the United Nations Operation in Burundi, see *Repertoire, Supplement 1996-1999*, chap. V, part I.E; *Supplement 2000-2003*, chap. V, part I.E; and *Supplement 2004-2007*, chap. V, part I.F.

BINUB was mandated to support the Government of Burundi in its efforts towards long-term peace and stability throughout the peace consolidation phase in the country. Table 53 provides an overview of the mandate of BINUB since its establishment.<sup>87</sup>

<sup>87</sup> For information relating to the mandate of the United Nations Integrated Office in Burundi prior to the period under review, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

## Developments during 2010 and 2011

### Termination

On 30 November 2010, considering that the situation in Burundi had sufficiently progressed, and encouraging the international community to gradually shift its engagement in the country from support for the peace process to assistance in recovery, development and democratic consolidation, the Secretary-General recommended that BINUB, the mandate of which would expire on 31 December 2010, be succeeded by a significantly scaled-down United Nations presence to

support Government efforts in consolidating democracy and paving the way for sustainable development.<sup>88</sup> By resolution 1959 (2010), the Council requested the Secretary-General to establish the United Nations Office in Burundi as from 1 January 2011, as recommended in his report;<sup>89</sup> the Council commended the work of BINUB and underlined the need for a smooth transition from BINUB to the United Nations Office in Burundi.<sup>90</sup>

<sup>88</sup> S/2010/608, paras. 75-76.

<sup>89</sup> Ibid., para. 59.

<sup>90</sup> Resolution 1959 (2010), paras. 1 and 4.

Table 53  
BINUB: overview of mandate by category

|  | Resolution                |                       |                       |                       |                  |
|--|---------------------------|-----------------------|-----------------------|-----------------------|------------------|
|  | 1719 (2006)               | 1791 (2007)           | 1858 (2008)           | 1902 (2009)           | 1959 (2010)      |
| Date of adoption   | 25 October 2006           | 19 December 2007      | 22 December 2008      | 17 December 2009      | 16 December 2010 |
| Duration of mandate  | Establishment (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) | Termination      |
| <i>Category and mandated task</i>  |                           |                       |                       |                       |                  |
| <b>General</b>   |                           |                       |                       |                       |                  |
| Benchmarks   | X <sup>a</sup>            |                       |                       | X <sup>b</sup>        |                  |
| Cross-cutting: women and peace and security                                    | X <sup>a</sup>            |                       |                       | X <sup>b</sup>        |                  |
| <b>Coordination</b>  |                           |                       |                       |                       |                  |
| Coordination of donors   | X <sup>a</sup>            |                       |                       |                       |                  |
| Coordination with other United Nations entities in the region                  | X <sup>a</sup>            |                       | X <sup>b</sup>        | X <sup>c</sup>        |                  |
| Coordination with United Nations agencies in the country                       | X <sup>a</sup>            |                       | X <sup>b</sup>        |                       |                  |
| Coordination of international engagement                                       |                           | X <sup>a</sup>        |                       |                       |                  |
| <b>Demilitarization and arms control</b>                                       |                           |                       |                       |                       |                  |
| Disarmament, demobilization and reintegration                                  | X <sup>a</sup>            |                       | X <sup>b</sup>        |                       |                  |
| Small arms and light weapons   | X <sup>a</sup>            |                       |                       |                       |                  |
| <b>Electoral assistance and certification</b>                                  |                           |                       |                       |                       |                  |
| Electoral assistance   |                           |                       |                       | X <sup>a</sup>        |                  |
| <b>Human rights; women and peace and security; children and armed conflict</b> |                           |                       |                       |                       |                  |
| Human rights: capacity-building  | X <sup>a</sup>            |                       |                       |                       |                  |
| Human rights: promotion and protection   | X <sup>a</sup>            |                       |                       |                       |                  |

|  | <i>Resolution</i>  |                    |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|
|  | <i>1719 (2006)</i> | <i>1791 (2007)</i> | <i>1858 (2008)</i> | <i>1902 (2009)</i> | <i>1959 (2010)</i> |
| <b>Institutions and governance</b>   |                    |                    |                    |                    |                    |
| Institution-building: strengthening/<br>promotion of autonomy                                  | X <sup>a</sup>     |                    |                    |                    |                    |
| <b>Military, police and security sector reform</b>   |                    |                    |                    |                    |                    |
| Policing: capacity-building  | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     |                    |
| Security sector reform   | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     |                    |
| <b>Political processes</b>   |                    |                    |                    |                    |                    |
| Facilitation of political process/<br>dialogue/preventive diplomacy/<br>mediation/good offices |                    | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>c</sup>     |                    |
| Cooperation with/support to regional<br>and subregional organizations                          |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     |                    |
| <b>Rule of law</b>   |                    |                    |                    |                    |                    |
| Promotion of the rule of law   | X <sup>a</sup>     |                    |                    |                    |                    |
| Judicial and legal reform  | X <sup>a</sup>     |                    |                    |                    |                    |
| Anti-corruption/good governance  | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     |                    |
| Transitional justice   | X <sup>a</sup>     |                    |                    |                    |                    |
| <b>Other</b>   |                    |                    |                    |                    |                    |
| Media capacity-building/<br>independence   | X <sup>a</sup>     |                    |                    |                    |                    |
| Resource mobilization  | X <sup>a</sup>     |                    |                    |                    |                    |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

## United Nations Office in Burundi

### Establishment

On 16 December 2010, welcoming the progress that Burundi had made towards peace, stability and development and emphasizing the need for the United Nations system and the international community to maintain their support for peace consolidation and long-term development in Burundi, the Council, by resolution [1959 \(2010\)](#), requested the Secretary-General to establish the United Nations Office in Burundi (BNUB) as a “significantly scaled-down” United Nations presence and the successor office to the United Nations Integrated Office in Burundi, for an initial period of 12 months beginning on 1 January 2011, and headed by a Special Representative of the Secretary-General. Among other tasks, BNUB was mandated to focus on supporting the Government of

Burundi in strengthening the independence, capacities and legal frameworks of key national institutions; promoting and facilitating dialogue between national actors; supporting efforts to fight impunity through the establishment of transitional justice mechanisms; promoting and protecting human rights; and ensuring that all strategies and policies with respect to public finance and the economic sector had a focus on peacebuilding and equitable growth.<sup>91</sup>

### Developments during 2010 and 2011

On 20 December 2011, the Council extended the mandate of BNUB for another two years and requested it, in addition to carrying out its existing mandate as set out in resolution [1959 \(2010\)](#), to support the efforts of the Government in the areas of the socioeconomic

<sup>91</sup> Resolution [1959 \(2010\)](#), paras. 1-3.

development of women and youth and the socioeconomic reintegration of conflict-affected populations and to support the country's deepening regional integration.<sup>92</sup> Tables 54 and 55 provide an

overview of the mandate of BNUB since its establishment and the full text of all paragraphs in Council decisions that relate to the mandate adopted during the period under review.

<sup>92</sup> Resolution 2027 (2011), paras. 1 and 2.

Table 54  
BNUB: overview of mandate of by category

|  | Resolution                   |                          |
|--|------------------------------|--------------------------|
|  | 1959 (2010)                  | 2027 (2011)              |
| Date of adoption   | 16 December 2010             | 20 December 2011         |
| Duration of mandate  | Establishment<br>(12 months) | Extension<br>(13 months) |
| <i>Category and mandated task</i>  |                              |                          |
| <b>General</b>   |                              |                          |
| Benchmarks   | X <sup>a</sup>               | X <sup>b</sup>           |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |                              |                          |
| Human rights: promotion and protection   | X <sup>a</sup>               |                          |
| Human rights: capacity-building  | X <sup>a</sup>               |                          |
| Children and armed conflict  |                              | X <sup>a</sup>           |
| Women and peace and security   |                              | X <sup>a</sup>           |
| <b>Institutions and governance</b>   |                              |                          |
| Institution-building: strengthening/promotion of autonomy                              | X <sup>a</sup>               |                          |
| <b>Military, police and security sector reform</b>                                     |                              |                          |
| Police: capacity-building  | X <sup>a</sup>               |                          |
| Security sector reform   | X <sup>a</sup>               |                          |
| <b>Political processes</b>   |                              |                          |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>               |                          |
| National reconciliation  | X <sup>a</sup>               |                          |
| Regional cooperation   | X <sup>a</sup>               | X <sup>b</sup>           |
| <b>Rule of law</b>   |                              |                          |
| Promotion of the rule of law   | X <sup>a</sup>               |                          |
| Judicial and legal reform  | X <sup>a</sup>               |                          |
| Transitional justice   | X <sup>a</sup>               |                          |
| Anti-corruption/good governance  | X <sup>a</sup>               |                          |
| <b>Other</b>   |                              |                          |
| Development/reconstruction   | X <sup>a</sup>               | X <sup>b</sup>           |
| Resource mobilization  | X <sup>a</sup>               | X <sup>b</sup>           |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.



Table 55

**BNUB: changes to mandate, 2010-2011**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Resolution 1959 (2010)</b>  |   |                            |
| <b>General</b>   |   |                            |
| Benchmarks   | Requests the Secretary-General to keep the Council informed every six months on the implementation of the mandate of BNUB and the present resolution, with a briefing by 31 May 2011 and a report by 30 November 2011, and calls upon the Secretary-General to develop a set of benchmarks for the future evolution of the Office into a United Nations country team presence and to report regularly on their progress to the Council (para. 15) | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: promotion and protection   | Promoting and protecting human rights, including strengthening national capacities in that area, as well as national civil society (para. 3 (d))  | Newly mandated task        |
| Human rights: capacity-building  | See para. 3 (d) of the resolution, above  | Newly mandated task        |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                      | Strengthening the independence, capacities and legal frameworks of key national institutions, in particular judicial and parliamentary institutions, in line with international standards and principles (para. 3 (a))  | Newly mandated task        |
|  | Providing support to Burundi as Chair of the East African Community in 2011 as well as providing advice, as requested, on regional integration issues (para. 3 (f))   | Newly mandated task        |
| <b>Military, police and security sector reform</b>                             |   |                            |
| Police: capacity-building  | Underscores the importance of security sector reform, and urges all international partners, together with BNUB, to continue supporting the efforts of the Government of Burundi to professionalize and enhance the capacity of the national security services and the police, in particular in the fields of training on human rights and sexual and gender-based violence, and with a view to consolidating security sector governance (para. 8) | Newly mandated task        |
| Security sector reform   | See para. 8 of the resolution, above  | Newly mandated task        |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Promoting and facilitating dialogue between national actors and supporting mechanisms for broad-based participation in political life, including for the implementation of development strategies and programmes in Burundi (para. 3 (b))   | Newly mandated task        |
| National reconciliation  | Supporting efforts to fight impunity, particularly through the establishment of transitional justice mechanisms to strengthen national unity and promote justice and reconciliation within Burundi's society, and providing operational support to the functioning of these bodies (para. 3 (c))  | Newly mandated task        |
| Regional cooperation   | See para. 3 (f) of the resolution, under "Institutions and governance" above  | Newly mandated task        |
| <b>Rule of law</b>   |   |                            |
| Promotion of the rule of law   | See para. 3 (c) of the resolution, under "Political processes" above  | Newly mandated task        |
| Judicial and legal reform  | See para. 3 (a) of the resolution, above under "Institutions and governance"  | Newly mandated task        |
| Transitional justice   | See para. 3 (c) of the resolution, under "Political processes"  | Newly mandated task        |
| Anti-corruption/good governance  | Encourages the Government of Burundi, with the support of BNUB and other international partners, to redouble its efforts to pursue structural reforms aimed at improving political, economic and administrative governance and tackling corruption, with a view to setting up strong drivers for sustained and equitable social and economic growth (para. 7) | Newly mandated task        |
| <b>Other</b>   |   |                            |
| Development/reconstruction   | See para. 3 (b) of the resolution, under "Political processes" above  | Newly mandated task        |
|  | Ensuring that all strategies and policies with respect to public finance and the economic sector, in particular the next poverty reduction strategy paper, have a focus on peacebuilding and equitable growth, addressing specifically the needs of the most vulnerable populations, and advocating for resource mobilization for Burundi (para. 3 (e))       | Newly mandated task        |
| Resource mobilization  | See para. 3 (e) of the resolution, above  | Newly mandated task        |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Resolution 2027 (2011)</b>  |  |                            |
| <b>General</b>   |  |                            |
| Benchmarks   | Takes note of the progress reported by the Secretary-General in the development of benchmarks for the future evolution of the United Nations Office in Burundi into a United Nations country team presence, and requests to be updated on these by 31 May 2012 (para. 13)                    | Additional element         |
| <b>Human rights; women and peace and security; children and armed conflict</b> |  |                            |
| Women and peace and security   | Supporting the efforts of the Government and the international community to focus on the socioeconomic development of women and youth and the socioeconomic reintegration of conflict-affected populations in particular, and advocating for resource mobilization for Burundi (para. 2 (a)) | Newly mandated task        |
| Children and armed conflict  | See para. 2 (a) of the resolution, above   | Newly mandated task        |
| <b>Political processes</b>   |  |                            |
| Regional cooperation   | Providing support to Burundi's deepening regional integration, as requested (para. 2 (b))  | Additional element         |
| <b>Other</b>   |  |                            |
| Development/ Reconstruction  | See para. 2 (a) of the resolution, under "Human rights; women and peace and security; children and armed conflict" above   | Additional element         |
| Resource mobilization  | See para. 2 (a) of the resolution, under "Human rights; women and peace and security; children and armed conflict" above   | Additional element         |

## United Nations Integrated Peacebuilding Office in Sierra Leone

### Background

The United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) was established by the Security Council on 4 August 2008, by resolution [1829 \(2008\)](#), to succeed the United Nations Integrated Office in Sierra Leone (UNIOSIL)<sup>93</sup> and began functioning on 1 October 2008 following the termination of UNIOSIL. UNIPSIL was mandated to

support the Government of Sierra Leone in carrying out a range of tasks, including: providing political support to national and local efforts for identifying and resolving tensions and threats of potential conflict; monitoring and promoting human rights, democratic institutions and the rule of law, including efforts to counter transnational organized crime and drug trafficking; and consolidating good governance reforms. Table 56 provides an overview of the mandate of UNIPSIL since its establishment.<sup>94</sup>

<sup>93</sup> For information relating to the mandate of the United Nations Integrated Office in Sierra Leone, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>94</sup> For information relating to the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone) prior to the period under review, see *Repertoire, Supplement 2008-2009*, part X, sect. II.

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNIPSIL twice for a period of one year each time, the last until 15 September 2012 and, while modifying a few existing mandated tasks such as electoral assistance, political processes and development and reconstruction, added new mandated tasks relating to human rights, institutions and governance, the rule of law and women and peace and security.<sup>95</sup>

By resolution 1941 (2010), the Council emphasized the importance of UNIPSIL achieving the objectives outlined in the United Nations Joint Vision for Sierra Leone, including focusing on providing assistance to conflict prevention and mitigation efforts and promoting dialogue among political parties, the Government and all relevant stakeholders; providing assistance to the Government in promoting good

governance, the rule of law and human rights; and assisting in strengthening national capacity-building in the areas of law enforcement, forensics, border management, money-laundering and the strengthening of criminal justice institutions, among others.<sup>96</sup> By resolution 2005 (2011), the Council emphasized that UNIPSIL should focus, inter alia, on providing support to the Government and its electoral and democratic institutions in preparation for the 2012 elections as requested, and providing technical assistance to all relevant stakeholders to play a meaningful role in achieving peaceful, credible and democratic elections; and assisting the Government and national institutions in the implementation of the Sierra Leone national action plan on women and peace and security.<sup>97</sup> The full text of all paragraphs in Council decisions that relate to the mandate of UNIPSIL adopted during the period under review is provided in table 57.

<sup>95</sup> Resolutions 1941 (2010), para. 1; and 2005 (2011), para. 1.

<sup>96</sup> Resolution 1941 (2010), para. 2 (ii) and (iv).

<sup>97</sup> Resolution 2005 (2011), para. 2 (i) and (iv).

Table 56  
UNIPSIL: overview of mandate by category

|  | Resolution                |                       |                       |                       |
|--|---------------------------|-----------------------|-----------------------|-----------------------|
|  | 1829 (2008)               | 1886 (2009)           | 1941 (2010)           | 2005 (2011)           |
| Date of adoption   | 4 August 2008             | 15 September 2009     | 29 September 2010     | 14 September 2011     |
| Duration of mandate  | Establishment (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) |
| Category and mandated task   |                           |                       |                       |                       |
| <b>General</b>   |                           |                       |                       |                       |
| Benchmarks   |                           | X <sup>a</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| Cross-cutting: women and peace and security                                    | X <sup>a</sup>            | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| <b>Coordination</b>  |                           |                       |                       |                       |
| Coordination with United Nations agencies in the country                       |                           | X <sup>a</sup>        |                       |                       |
| Coordination with other United Nations entities in the region                  | X <sup>a</sup>            |                       |                       |                       |
| <b>Electoral assistance and certification</b>                                  |                           |                       |                       |                       |
| Electoral assistance   |                           | X <sup>a</sup>        | X <sup>c</sup>        | X <sup>b</sup>        |
| <b>Human rights; women and peace and security; children and armed conflict</b> |                           |                       |                       |                       |
| Human rights: promotion and protection   | X <sup>a</sup>            | X <sup>b</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| Human rights: monitoring   | X <sup>a</sup>            |                       |                       |                       |
| Human rights: capacity-building  |                           |                       | X <sup>a</sup>        | X <sup>c</sup>        |
| Woman and peace and security   |                           |                       |                       | X <sup>a</sup>        |
| <b>Military, police and security sector reform</b>                             |                           |                       |                       |                       |
| Police: capacity-building  |                           | X <sup>a</sup>        |                       |                       |

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|  | <i>Resolution</i>  |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|
|  | <i>1829 (2008)</i> | <i>1886 (2009)</i> | <i>1941 (2010)</i> | <i>2005 (2011)</i> |
| <b>Institutions and governance</b>   |                    |                    |                    |                    |
| Decentralization   | X <sup>a</sup>     |                    |                    |                    |
| Institution-building: strengthening/promotion of autonomy                              | X <sup>a</sup>     |                    | X <sup>b</sup>     | X <sup>c</sup>     |
| Border issues  |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     |
| <b>Political processes</b>   |                    |                    |                    |                    |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>     |                    | X <sup>b</sup>     | X <sup>c</sup>     |
| <b>Rule of law</b>   |                    |                    |                    |                    |
| Promotion of the rule of law   | X <sup>a</sup>     |                    | X <sup>b</sup>     | X <sup>c</sup>     |
| Judicial and legal reform  |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     |
| Organized crime/human and drug trafficking   | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |
| Anti-corruption/good governance  | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |
| Transitional justice   |                    | X <sup>a</sup>     |                    |                    |
| <b>Other</b>   |                    |                    |                    |                    |
| Peacebuilding Commission support   | X <sup>a</sup>     | X <sup>c</sup>     |                    |                    |
| Development/reconstruction   |                    | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>c</sup>     |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 57

**UNIPSIL: changes to mandate, 2010-2011**

| <i>Category and mandated task</i>           | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Resolution 1941 (2010)</b>               |  |                            |
| <b>General</b>                              |  |                            |
| Benchmarks                                  | Calls upon the Secretary-General to continue to report on progress achieved towards meeting the benchmarks, including in supporting the capacity of key national institutions to be able to adequately address the causes of conflict and manage political disputes by themselves, for the transition of the UNIPSIL into a United Nations country team as agreed upon by the Government of Sierra Leone and the United Nations in the Joint Vision for Sierra Leone, and the particular challenges involved in preparing for the 2012 elections (para. 6) | Reiteration                |
| Cross-cutting: women and peace and security | Commends the Government of Sierra Leone for recognizing the important role of women in the prevention and resolution of conflicts and in peacebuilding, as referred to in resolutions 1325 (2000) and 1820 (2008), by establishing national strategies, underscores the importance that the Government continue its efforts in addressing sexual and gender-based violence, and encourages UNIPSIL to work with the Government in this area (para. 10)   | Reiteration                |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Electoral assistance and certification</b>  |   |                            |
| Electoral assistance   | Providing support to the Government of Sierra Leone for the preparation of the 2012 elections as requested (para. 2 (i))  | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |   |                            |
| Human rights: promotion and protection   | Providing assistance to the Government in promoting good governance, the rule of law and human rights, including institutional reform; combating illicit drug trafficking and organized crime; combating corruption; providing support to the National Human Rights Commission; and assisting in strengthening national capacity-building in the areas of law enforcement, forensics, border management, money-laundering and the strengthening of criminal justice institutions (para. 2 (iv)) | Reiteration                |
| Human rights: capacity-building  | See para. 2 (iv) of the resolution, above   | Newly mandated task        |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                              | See para. 2 (iv) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Additional element         |
| Border issues  | See para. 2 (iv) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Newly mandated task        |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Providing assistance to conflict prevention and mitigation efforts, and promoting dialogue among political parties, the Government and all relevant stakeholders (para. 2 (ii))   | Additional element         |
| <b>Rule of law</b>   |   |                            |
| Promotion of the rule of law   | See para. 2 (iv) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Additional element         |
| Judicial and legal reform  | See para. 2 (iv) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Newly mandated task        |
| Organized crime/human and drug trafficking   | See para. 2 (iv) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Anti-corruption/good governance  | See para. 2 (iv) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Other</b>   |  |                            |
| Development/<br>reconstruction   | Assisting the Government and national institutions in tackling youth unemployment, including by supporting training, education and skills provision (para. 2 (iii))  | Additional<br>element      |
| <b>Resolution 2005 (2011)</b>  |  |                            |
| <b>General</b>   |  |                            |
| Benchmarks   | Calls upon the Secretary-General to continue to report on progress achieved towards meeting the benchmarks, including in supporting the capacity of key national institutions to be able to adequately address the causes of conflict and manage political disputes by themselves, as agreed upon by the Government of Sierra Leone and the United Nations in the Joint Vision for the transition of UNIPSIL into a United Nations country team (para. 7)  | Reiteration                |
| Cross-cutting: women and<br>peace and security                                 | Commends the Government of Sierra Leone for recognizing the important role of women in the prevention and resolution of conflicts and in peacebuilding, reaffirms the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions 1325 (2000) and 1889 (2009), underscores that the Government should continue its effort in addressing sexual and gender-based violence, in accordance with resolutions 1820 (2008), 1888 (2009) and 1960 (2010), and encourages UNIPSIL to continue to work with the Government in this area (para. 11) | Reiteration                |
| <b>Electoral assistance and certification</b>                                  |  |                            |
| Electoral assistance   | Providing support to the Government of Sierra Leone and its electoral and democratic institutions in the preparations for the 2012 elections as requested, and providing technical assistance to all relevant stakeholders to play a meaningful role, in accordance with relevant national legislation, in achieving peaceful, credible and democratic elections (para. 2 (i))   | Additional<br>element      |
| <b>Human rights; women and peace and security; children and armed conflict</b> |  |                            |
| Human rights: promotion<br>and protection                                      | Providing assistance to the Government in promoting good governance, the rule of law and human rights, including institutional reform; combating illicit drug trafficking and organized crime; combating corruption; providing support to the National Human Rights Commission; and assisting in strengthening national capacity-building in the areas of law enforcement, forensics, border management, money-laundering and the strengthening of criminal justice institutions (para. 2 (v))   | Reiteration                |
| Human rights: capacity-<br>building  | See para. 2 (v) of the resolution, above   | Reiteration                |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| Women and peace and security   | Assisting the Government and national institutions in implementing the Sierra Leone national action plan on women and peace and security; including by advancing the four-pronged approach to addressing gender matters adopted by the Office and the United Nations country team (para. 2 (iv)) | Newly mandated task        |
| <b>Institutions and governance</b>   |  |                            |
| Institution-building: strengthening/promotion of autonomy                              | See para. 2 (v) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Border issues  | See para. 2 (v) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| <b>Political processes</b>   |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Providing assistance to conflict prevention and mitigation efforts, and promoting dialogue among political parties, the Government and all relevant stakeholders (para. 2 (ii))  | Reiteration                |
| <b>Rule of law</b>   |  |                            |
| Promotion of the rule of law   | See para. 2 (v) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Judicial and legal reform  | See para. 2 (v) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Organized crime/human and drug trafficking   | See para. 2 (v) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| Anti-corruption/good governance  | See para. 2 (v) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| <b>Other</b>   |  |                            |
| Development/reconstruction   | Assisting the Government and national institutions in tackling youth unemployment, including through supporting training, education and skills provision (para. 2 (iii))   | Reiteration                |



## United Nations Integrated Peacebuilding Office in the Central African Republic

### Background

The United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) was established by a presidential statement of 7 April 2009<sup>98</sup> to succeed the United Nations Peacebuilding Support Office in the Central African Republic.<sup>99</sup> BINUCA was mandated to carry out a range of tasks, including: assisting national and local efforts in implementing the outcome of dialogue; assisting in the successful completion of the disarmament, demobilization and reintegration process and the reform of security sector institutions; supporting activities to promote respect for human rights and the rule of law; and supporting the work of the Peacebuilding Commission. Table 58 provides an overview of the mandate of BINUCA since its establishment.<sup>100</sup>

<sup>98</sup> S/PRST/2009/5.

<sup>99</sup> For information relating to the mandate of the United Nations Peacebuilding Support Office in the Central African Republic, see *Repertoire, Supplement 2000-2003*, chap. V, part I.E; *Supplement 2004-2007*, chap. V, part. I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>100</sup> For information relating to the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic prior to the period under review, see *Repertoire, Supplement 2008-2009*, part X, sect. II.

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of BINUCA twice for periods of 12 and 13 months, the last until 31 January 2013.<sup>101</sup> While maintaining the overall mandate of BINUCA, the Council, in two decisions, reinforced the mandate of BINUCA in the area of disarmament, demobilization and reintegration, encouraging the mission to provide timely and adequate support to that process, and called upon BINUCA to assist the Government in developing a strategy and supporting activities to address the disarmament and demobilization of Lord's Resistance Army escapees and defectors and their resettlement or repatriation to their countries of origin.<sup>102</sup>

By resolution 2031 (2011), the Council reinforced the mandate of BINUCA in the areas of coordination, to enhance information-sharing on the Lord's Resistance Army, and the rule of law, among others; expressing concern at persistent incidents of sexual and gender-based violence, the Council encouraged BINUCA to continue engaging with the Government and other stakeholders to address those issues.<sup>103</sup> The full text of all paragraphs in Council decisions that relate to the mandate adopted during the period under review is provided in table 59.

<sup>101</sup> S/PRST/2010/26, ninth paragraph; and resolution 2031 (2011), para. 1.

<sup>102</sup> S/PRST/2010/26, third paragraph; and resolution 2031 (2011), para. 16.

<sup>103</sup> Resolution 2031 (2011), paras. 16 and 19.

Table 58  
BINUCA: overview of mandate by category

|  | <i>S/PRST/2009/5</i>      | <i>S/PRST/2009/35</i> | <i>S/PRST/2010/26</i> | <i>Resolution 2031 (2011)</i> |
|--|---------------------------|-----------------------|-----------------------|-------------------------------|
| Date of adoption   | 7 April 2009              | 21 December 2009      | 14 December 2010      | 21 December 2011              |
| Duration of mandate  | Establishment (12 months) |                       | Extension (12 months) | Extension (12 months)         |
| <i>Category and mandated task</i>                              |                           |                       |                       |                               |
| <b>General</b>   |                           |                       |                       |                               |
| Benchmarks   |                           | X <sup>a</sup>        |                       |                               |
| Coordination   |                           |                       |                       |                               |
| Coordination with other United Nations entities in the region  | X <sup>a</sup>            |                       |                       | X <sup>b</sup>                |
| Coordination with other United Nations agencies in the country |                           |                       |                       | X <sup>a</sup>                |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

|  | <i>S/PRST/2009/5</i> | <i>S/PRST/2009/35</i> | <i>S/PRST/2010/26</i> | <i>Resolution 2031 (2011)</i> |
|--|----------------------|-----------------------|-----------------------|-------------------------------|
| <b>Demilitarization and arms control</b>   |                      |                       |                       |                               |
| Disarmament, demobilization and reintegration  | X <sup>a</sup>       |                       | X <sup>b</sup>        | X <sup>b</sup>                |
| <b>Electoral assistance and certification</b>  |                      |                       |                       |                               |
| Electoral assistance   | X <sup>a</sup>       |                       |                       |                               |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |                      |                       |                       |                               |
| Human rights: capacity-building  | X <sup>a</sup>       |                       |                       |                               |
| Human rights: promotion and protection   | X <sup>a</sup>       |                       |                       |                               |
| Human rights: monitoring   |                      |                       |                       |                               |
| Children and armed conflict  | X <sup>a</sup>       |                       |                       |                               |
| Women and peace and security   |                      |                       |                       | X <sup>a</sup>                |
| <b>Institutions and governance</b>   |                      |                       |                       |                               |
| Territorial control/consolidation of State authority                                   | X <sup>a</sup>       |                       |                       |                               |
| <b>Military, police and security sector reform</b>                                     |                      |                       |                       |                               |
| Security sector reform   | X <sup>a</sup>       |                       |                       |                               |
| <b>Political processes</b>   |                      |                       |                       |                               |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>       |                       |                       |                               |
| <b>Rule of law</b>   |                      |                       |                       |                               |
| Anti-corruption/good governance  | X <sup>a</sup>       |                       |                       |                               |
| Promotion of the rule of law   | X <sup>a</sup>       |                       |                       | X <sup>b</sup>                |
| <b>Other</b>   |                      |                       |                       |                               |
| Peacebuilding Commission support   | X <sup>a</sup>       |                       |                       | X <sup>b</sup>                |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

Table 59  
**BINUCA: changes to mandate, 2010-2011**

| <i>Category and mandated task</i>             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| <b>S/PRST/2010/26</b>                         |   |                            |
| <b>Demilitarization and arms control</b>      |   |                            |
| Disarmament, demobilization and reintegration | The Council acknowledges the progress made so far in the disarmament, demobilization and reintegration process. It calls upon all politico-military groups to take the measures necessary for a transparent and accountable completion of disarmament and demobilization without delay. It also calls upon the Government of the Central African Republic to expedite the elaboration and implementation of a national reintegration strategy of former combatants and notes that transparent funding and coordination of reintegration programmes are critical to the long-term success of the programme. It encourages the international community, including BINUCA, to provide timely and adequate support to the process (third paragraph) | Additional element         |

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| <i>Category and mandated task</i> | <i>Text of mandate</i> | <i>Mandated task level</i> |
|-----------------------------------|------------------------|----------------------------|
|-----------------------------------|------------------------|----------------------------|

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## **Resolution 2031 (2011)**

### **Coordination**

|   |  |                            |
|---|--|----------------------------|
| <p>Coordination with other United Nations entities in the region</p>  | <p>Also welcomes the designation by BINUCA of a focal point for Lord's Resistance Army-related activities and the establishment of a working group that includes national and international stakeholders, including the African Union, the European Union, the United States of America, France and the United Nations Regional Office for Central Africa, and calls upon BINUCA to reinforce information-sharing on the Lord's Resistance Army, in particular with the United Nations Regional Office for Central Africa, the United Nations Office to the African Union, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, the United Nations Mission in South Sudan and the newly appointed African Union Special Envoy on the Lord's Resistance Army, and to assist the Government of the Central African Republic in developing a strategy and supporting activities to encourage defections from the Lord's Resistance Army, and address the disarmament and demobilization of Lord's Resistance Army escapees and defectors, and their resettlement or repatriation to their countries of origin, within existing resources (para. 16)</p> | <p>Additional element</p>  |
| <p>Coordination with other United Nations agencies in the country</p> | <p>Underlines the importance of a fully integrated office ensuring effective coordination of strategy and programmes among the United Nations agencies, funds and programmes in the Central African Republic, and emphasizes the role of the Special Representative of the Secretary-General for the Central African Republic in coordinating the country team (para. 2)</p>   | <p>Newly mandated task</p> |

### **Demilitarization and arms control**

|  |   |                           |
|--|---|---------------------------|
| <p>Disarmament, demobilization and reintegration</p> | <p>See para. 16 of the resolution, under "Coordination" above</p> | <p>Additional element</p> |
|--|---|---------------------------|

### **Human rights; women and peace and security; children and armed conflict**

|                                     |   |                            |
|-------------------------------------|---|----------------------------|
| <p>Women and peace and security</p> | <p>Expresses concern at persistent incidents of sexual and gender-based violence, and encourages BINUCA to continue engaging with the Government of the Central African Republic and other stakeholders, including the Special Representative of the Secretary-General for the Central African Republic, to address these issues (para. 19)</p> | <p>Newly mandated task</p> |
|-------------------------------------|---|----------------------------|

| Category and mandated task       | Text of mandate  | Mandated task level |
|----------------------------------|--|---------------------|
| <b>Rule of law</b>               |  |                     |
| Promotion of the rule of law     | Encourages the Government of the Central African Republic, the Peacebuilding Commission and the country's national and international partners to honour the commitments made under the Strategic Framework for Peacebuilding in the Central African Republic, requests the Commission, with the support of BINUCA, to continue to assist the Government in laying the foundations for sustainable peace and development in the Central African Republic, including by ensuring that progress is made in the enforcement of the rule of law and that peacebuilding objectives are fully taken into account in the future strategic planning processes, and requests the Commission to provide advice to the Security Council on these issues (para. 22) | Additional element  |
| <b>Other</b>                     |  |                     |
| Peacebuilding Commission support | See para. 22 of the resolution, under "Rule of law" above  | Additional element  |

## United Nations Integrated Peacebuilding Office in Guinea-Bissau

### Background

The United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) was established by the Security Council on 26 June 2009, by resolution [1876 \(2009\)](#), to succeed the United Nations Peacebuilding Support Office in Guinea-Bissau<sup>104</sup> effective 1 January 2010. UNIOGBIS was mandated to have a particular focus on an inclusive national dialogue and reconciliation process, security sector reform, promotion of the rule of law and human rights, and the fight against drug trafficking and organized crime, which should be implemented in close cooperation with the national authorities and international partners of Guinea-Bissau. Table 60 provides an overview of the mandate of UNIOGBIS since its establishment.<sup>105</sup>

<sup>104</sup> For information on the United Nations Peacebuilding Support Office in Guinea-Bissau, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>105</sup> For information relating to the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau prior to the period under review, see *Repertoire, Supplement 2008-2009*, part X, sect. II.

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNIOGBIS twice, for periods of 12 and 14 months respectively, the last of which was until 28 February 2013.<sup>106</sup> The full text of all paragraphs in Council decisions that relate to the mandate adopted during the period under review is provided in table 61.

The Council modified the mandate of UNIOGBIS, as set out in resolution [1876 \(2009\)](#), by elaborating the details relating to coordination, security sector reform and political processes. Following the development of the road map on security sector reform by the Economic Community of West African States (ECOWAS) and the Community of Portuguese-speaking Countries, the Council, by resolution [1949 \(2010\)](#), requested the Secretary-General, through his Special Representative, to extend political support and to engage with ECOWAS and the Community of Portuguese-speaking Countries to support the rapid implementation of the road map.<sup>107</sup> Concerning the political process, the Council requested the Secretary-General to support the efforts by the Government and all political stakeholders in Guinea-

<sup>106</sup> Resolutions [1949 \(2010\)](#), para. 1; and [2030 \(2011\)](#), para. 1.

<sup>107</sup> Resolution [1949 \(2010\)](#), paras. 12 and 13.

Bissau for a genuine and inclusive political dialogue and national reconciliation.<sup>108</sup>

<sup>108</sup> Resolution 2030 (2011), para. 4.

Table 60  
**UNIOGBIS: overview of mandate by category**

|  | <i>Resolution 1876 (2009)</i> | <i>S/PRST/2009/29</i> | <i>Resolution 1949 (2010)</i> | <i>Resolution 2030 (2011)</i> |
|--|-------------------------------|-----------------------|-------------------------------|-------------------------------|
| Date of adoption   | 26 June 2009                  | 5 November 2009       | 23 November 2010              | 21 December 2011              |
| Duration of mandate  | Establishment<br>(12 months)  |                       | Extension<br>(12 months)      | Extension<br>(14 months)      |
| <i>Category and mandated task</i>  |                               |                       |                               |                               |
| <b>General</b>   |                               |                       |                               |                               |
| Benchmarks   | X <sup>a</sup>                | X <sup>c</sup>        | X <sup>c</sup>                | X <sup>b</sup>                |
| Cross-cutting: women and peace and security  | X <sup>a</sup>                |                       | X <sup>b</sup>                | X <sup>c</sup>                |
| <b>Coordination</b>  |                               |                       |                               |                               |
| Coordination of donors   | X <sup>a</sup>                |                       |                               |                               |
| Coordination of international engagement   | X <sup>a</sup>                | X <sup>c</sup>        | X <sup>b</sup>                | X <sup>c</sup>                |
| Coordination with United Nations agencies in the country                               | X <sup>a</sup>                |                       | X <sup>c</sup>                | X <sup>c</sup>                |
| Coordination with other United Nations entities in the region                          | X <sup>a</sup>                |                       |                               |                               |
| <b>Demilitarization and arms control</b>   |                               |                       |                               |                               |
| Small arms and light weapons   | X <sup>a</sup>                |                       |                               |                               |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |                               |                       |                               |                               |
| Human rights: investigation and prosecution  | X <sup>a</sup>                |                       | X <sup>b</sup>                | X <sup>c</sup>                |
| Human rights: promotion and protection   | X <sup>a</sup>                |                       |                               |                               |
| <b>Institutions and governance</b>   |                               |                       |                               |                               |
| Institution-building: strengthening/promotion of autonomy                              | X <sup>a</sup>                |                       |                               | X <sup>b</sup>                |
| <b>Military, police and security sector reform</b>                                     |                               |                       |                               |                               |
| Police: capacity-building  | X <sup>a</sup>                |                       |                               |                               |
| Security sector reform   | X <sup>a</sup>                | X <sup>c</sup>        | X <sup>b</sup>                | X <sup>c</sup>                |
| <b>Political processes</b>   |                               |                       |                               |                               |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>                |                       | X <sup>b</sup>                | X <sup>b</sup>                |
| National reconciliation  | X <sup>a</sup>                |                       |                               | X <sup>b</sup>                |
| Cooperation with/support to regional and subregional organizations                     | X <sup>a</sup>                |                       |                               |                               |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

|  | <i>Resolution 1876 (2009)</i> | <i>S/PRST/2009/29</i> | <i>Resolution 1949 (2010)</i> | <i>Resolution 2030 (2011)</i> |
|--|-------------------------------|-----------------------|-------------------------------|-------------------------------|
| <b>Rule of law</b>                         |                               |                       |                               |                               |
| Promotion of the rule of law               | X <sup>a</sup>                |                       | X <sup>c</sup>                | X <sup>c</sup>                |
| Organized crime/human and drug trafficking | X <sup>a</sup>                |                       |                               |                               |
| <b>Other</b>                               |                               |                       |                               |                               |
| Peacebuilding Commission support           | X <sup>a</sup>                |                       |                               |                               |
| Resource mobilization                      | X <sup>a</sup>                |                       | X <sup>b</sup>                |                               |
| Development/reconstruction                 |                               |                       | X <sup>a</sup>                | X <sup>c</sup>                |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 61  
**UNIOGBIS: changes to mandate, 2010-2011**

| <i>Category and mandated task</i>           | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Resolution 1949 (2010)</b>               |  |                            |
| <b>General</b>                              |  |                            |
| Benchmarks                                  | Requests the Secretary-General to develop a strategic workplan with appropriate benchmarks to measure and track progress on the implementation of the mandate of UNIOGBIS (para. 3)  | Reiteration                |
| Cross-cutting: women and peace and security | Emphasizes the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolutions <a href="#">1325 (2000)</a> , <a href="#">1820 (2008)</a> , <a href="#">1888 (2009)</a> and <a href="#">1889 (2009)</a> , underlines that a gender perspective should be taken into account in implementing all aspects of the mandate of UNIOGBIS, and encourages the Office to work with national authorities in this regard, and relevant stakeholders to improve women's participation in peacebuilding (para. 19) | Additional element         |
| <b>Coordination</b>                         |  |                            |
| Coordination of international engagement    | Requests the Secretary-General, through his Special Representative, to continue to support national efforts to effectively coordinate international assistance for credible security sector reform under the principle of full civilian control of the military and on the basis of a comprehensive threat assessment, taking into account the work already undertaken by the European Union and other international actors in this area (para. 16)  | Additional element         |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
|  | Requests the Secretary-General to engage with the Economic Community of West African States and the Community of Portuguese-speaking Countries with a view to undertaking a joint assessment of the requirements to support the rapid implementation of the road map once endorsed by the Economic Community of West African States, including how the necessary resources can best be mobilized, in coordination with relevant partners, including the States members of the African Union, the European Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries (para. 12) | Additional element         |
| Coordination with United Nations agencies in the country                               | Encourages the Special Representative to continue to pursue efforts to enhance the integration and effectiveness of the United Nations on the ground in support of the stabilization, peace and development priorities of the Government and people of Guinea-Bissau (para. 18)  | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b>         |  |                            |
| Human rights: investigation and prosecution  | Requests the Secretary-General to assist in the conclusion of these investigations and overall efforts to end impunity and promote the rule of law and constitutional order in Guinea-Bissau (para. 8)   | Additional element         |
| <b>Military, police and security sector reform</b>                                     |  |                            |
| Security sector reform   | See para. 12 of the resolution, under “Coordination” above   | Additional element         |
|  | Also requests the Secretary-General, through his Special Representative, to extend political support for the implementation of the road map (para. 13)   | Additional element         |
|  | See para. 16 of the resolution, under “Coordination” above   | Additional element         |
| <b>Political processes</b>   |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Urges the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)   | Additional element         |
| <b>Rule of law</b>   |  |                            |
| Promotion of the rule of law   | See para. 8 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above   | Reiteration                |
| <b>Other</b>   |  |                            |
| Resource mobilization  | See para. 12 of the resolution, under “Coordination” above   | Additional element         |

| <i>Category and mandated task</i>                        | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| Development/<br>reconstruction                           | See para. 18 of the resolution, under “Coordination” above   | Newly mandated task        |
| <b>Resolution 2030 (2011)</b>                            |  |                            |
| <b>General</b>   |  |                            |
| Benchmarks   | Takes note also of the strategic workplan developed pursuant to resolution 1949 (2010), emphasizes that the reform of the defence and security sectors, the fight against impunity and the fight against illicit drug trafficking remain priority sectors for peace consolidation in Guinea-Bissau, and further requests the Secretary-General to measure and track progress, in the next reports, on the work of UNIOGBIS in support of efforts by the relevant authorities of Guinea-Bissau in those sectors through the appropriate benchmarks, including recommendations to address gaps if there are any, without prejudice to the remaining tasks of the mandate of the Office (para. 3) | Additional element         |
| Cross-cutting: women and peace and security              | Emphasizes the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010), underlines that a gender perspective should continue to be taken into account in implementing all aspects of the mandate of UNIOGBIS, and encourages the Office to continue to work with national authorities in this regard, and relevant stakeholders to improve women’s participation in peacebuilding (para. 16)   | Reiteration                |
| <b>Coordination</b>                                      |  |                            |
| Coordination of international engagement                 | Requests the Secretary-General, through his Special Representative, to continue to assist the Government of Guinea-Bissau to enhance its coordination of international assistance for credible security sector reform under the principle of national ownership and full civilian control of the military (para. 6)  | Reiteration                |
| Coordination with United Nations agencies in the country | Encourages the Special Representative to continue to pursue efforts to enhance the integration and effectiveness of the United Nations presence on the ground in support of the stabilization, peace and development priorities of the Government and people of Guinea-Bissau and, further, to give special attention to increased interaction with the authorities of Guinea-Bissau in order to strengthen their institutional capacities (para. 15)  | Reiteration                |



| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Human rights; women and peace and security; children and armed conflict</b>         |   |                            |
| Human rights: investigation and prosecution  | Calls for the conclusion of the investigations into the political assassinations of March and June 2009 as soon as possible, calls upon the Government of Guinea-Bissau to create the enabling environment to ensure that the work of the national commission of inquiry is credible, transparent and consistent with internationally agreed standards, and requests the Secretary-General to assist in the conclusion of these investigations, and further calls upon the African Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries, the European Union and other partners to support, as appropriate, these and other efforts by the authorities to end impunity (para. 8) | Reiteration                |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                              | See para. 15 of the resolution, under “Coordination” above  | Additional element         |
| <b>Military, police and security sector reform</b>                                     |   |                            |
| Security sector reform   | See para. 6 of the resolution, under “Coordination” above   | Reiteration                |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Calls upon the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country, to use legal and peaceful means to resolve differences and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, including the national conference on reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)  | Additional element         |
| National reconciliation  | See para. 4 of the resolution, above  | Additional element         |
| <b>Rule of law</b>   |   |                            |
| Promotion of the rule of law   | See para. 8 of the resolution, under “Human rights; women and peace and security; children and armed conflict” above  | Reiteration                |
| <b>Other</b>   |   |                            |
| Development/reconstruction   | See para. 15 of the resolution, under “Coordination” above  | Reiteration                |

## United Nations Regional Office for Central Africa

### Establishment

On 30 August 2010, the Security Council welcomed the intention of the Secretary-General expressed in December 2009 to establish a United Nations Regional Office for Central Africa (UNOCA) for an initial period of two years, with a review of its mandate after 18 months.<sup>109</sup> The establishment of UNOCA, to be modelled on the United Nations Office for West Africa, had been requested by the Economic Community of Central African States (ECCAS). The core functions of UNOCA were, inter alia, to cooperate with ECCAS and other regional and subregional organizations and other key partners and assist them in

their promotion of peace and stability in the broader Central African subregion, and to carry out good offices roles and special assignments in countries of the subregion on behalf of the Secretary-General, including in the areas of conflict prevention and peacebuilding efforts. UNOCA was also mandated to strengthen the capacity of the Department of Political Affairs to advise the Secretary-General on matters relating to peace and security in the region and to report to Headquarters on developments of subregional significance.<sup>110</sup>

Tables 62 and 63 provide an overview of the mandate of UNOCA since its establishment and the full text of all paragraphs in Council decisions that relate to the mandate adopted during the period under review.

<sup>109</sup> S/2010/457.

<sup>110</sup> S/2009/697.

Table 62  
UNOCA: overview of mandate by category

|  | <i>S/2009/697 and S/2010/457</i>       | <i>S/PRST/2011/21</i> |
|--|--|-----------------------|
| Date of adoption   | 11 December 2009 and<br>30 August 2010 |                       |
| Duration of mandate  | Establishment (2 years)                | 14 November 2011      |
| Category and mandated task   |  |                       |
| <b>Coordination</b>  |  |                       |
| Coordination of international engagement   | X <sup>a</sup>                         |                       |
| Coordination with other United Nations entities in the region                              | X <sup>a</sup>                         | X <sup>b</sup>        |
| <b>Political processes</b>   |  |                       |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/<br>good offices | X <sup>a</sup>                         |                       |
| Cooperation with support to regional and subregional organizations                         | X <sup>a</sup>                         | X <sup>b</sup>        |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

Table 63  
UNOCA: establishment and initial mandate, 2010-2011

| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>S/2009/697 and S/2010/457</b>   |   |                            |
| <b>Coordination</b>  |   |                            |
| Coordination of international engagement   | Enhancing linkages in the work of the United Nations and other partners in the subregion, with a view to promoting an integrated subregional approach and facilitating coordination and information exchange, with due regard to specific mandates of United Nations organizations as well as peacekeeping operations and peacebuilding support offices (S/2009/697, second paragraph, subpara. (d))  | Newly mandated task        |
| Coordination with other United Nations entities in the region                          | See above   | Newly mandated task        |
| <b>Political processes</b>   |   |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Carrying out good offices roles and special assignments in countries of the subregion, on behalf of the Secretary-General, including in the areas of conflict prevention and peacebuilding efforts (S/2009/697, second paragraph, subpara. (b))   | Newly mandated task        |
| Cooperation with/support to regional and subregional organizations                     | Cooperating with the Economic Community of Central African States, the Central African Economic and Monetary Community, the International Conference on the Great Lakes Region, the Economic Community of the Great Lakes Countries and other key partners and assisting them, as appropriate, in their promotion of peace and stability in the broader Central African subregion (S/2009/697, second paragraph, subpara. (a))  | Newly mandated task        |
| <b>S/PRST/2011/21</b>  |   |                            |
| <b>Coordination</b>  |   |                            |
| Coordination with other United Nations entities in the region                          | The Council welcomes the report of the Secretary-General on the Lord's Resistance Army, and commends the efforts made by UNOCA, in coordination with the United Nations Office to the African Union, to engage with the United Nations missions in the Lord's Resistance Army-affected region, the African Union and affected Central African States to facilitate cooperation on issues related to countering the threat posed by the Lord's Resistance Army. The Council encourages the Regional Office to work with the United Nations missions and the African Union to develop a regional strategy for international humanitarian, development and peacebuilding assistance in the Lord's Resistance Army-affected area, enhancing cross-border mechanisms to improve civilian protection, early warning capacity, humanitarian access and response, and appropriate reintegration support for those returning from displacement, abductees and ex-combatants, as well as strengthening the overall capacity of affected States to extend their authority throughout their respective territories (S/PRST/2011/21, eighth paragraph) | Additional element         |

| <i>Category and mandated task</i>                                  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Political processes</b>   |  |                            |
| Cooperation with/support to regional and subregional organizations | See eighth paragraph of the presidential statement, under “Coordination” above | Additional element         |

## United Nations Support Mission in Libya

### Establishment

In a letter dated 7 September 2011, the Secretary-General proposed the establishment of the United Nations Support Mission in Libya (UNSMIL), on the basis of the integrated pre-assessment process for Libya post-conflict planning led by his Special Adviser. The initial three-month deployment was intended to allow for in-country engagement in further defining the needs for United Nations support.<sup>111</sup> By a letter dated 15 September 2011 addressed to the Secretary-General, the Prime Minister of the National Transitional Council of Libya welcomed the Secretary-General’s intention to establish a United Nations support mission in Libya.<sup>112</sup> Taking note of the letter from the representative of Libya, the Council, by resolution 2009 (2011) of 16 September 2011, acting under Chapter VII of the Charter and taking measures under Article 41, established the United Nations Support Mission in Libya, under the leadership of a Special Representative of the Secretary-General, for an initial period of three months.<sup>113</sup> The Council authorized UNSMIL to assist and support Libyan national efforts (a) to restore public security and order

and promote the rule of law; (b) to undertake inclusive political dialogue, promote national reconciliation, and embark upon the constitution-making and electoral process; (c) to extend State authority, including through strengthening emerging accountable institutions and the restoration of public services; (d) to promote and protect human rights, particularly for those belonging to vulnerable groups, and support transitional justice; (e) to take the immediate steps required to initiate economic recovery; and (f) to coordinate support that might be requested from other multilateral and bilateral actors, as appropriate.<sup>114</sup>

### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNSMIL for another three months, until 16 March 2012. The Council also decided that the mandate of UNSMIL would include assisting and supporting Libyan national efforts to address the threat of proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles.<sup>115</sup> Tables 64 and 65 provide an overview of the mandate of UNSMIL since its establishment and the full text of all paragraphs in Council decisions that relate to the mandate adopted during the period under review.

<sup>111</sup> S/2011/542.

<sup>112</sup> S/2011/578, annex.

<sup>113</sup> Resolution 2009 (2011), para. 12.

<sup>114</sup> Ibid.

<sup>115</sup> Resolution 2022 (2011), para. 2.

Table 64  
**UNSMIL: overview of mandate by category**

|   | <i>Resolution</i>        |                      |
|---|--------------------------|----------------------|
|   | <i>2009 (2011)</i>       | <i>2022 (2011)</i>   |
| Date of adoption  | 16 September 2011        | 2 December 2011      |
| Duration of mandate   | Establishment (3 months) | Extension (3 months) |
| <i>Category and mandated task</i>   |                          |                      |
| <b>Coordination</b>   |                          |                      |
| Coordination of international engagement  | X <sup>a</sup>           |                      |
| <b>Demilitarization and arms control</b>  |                          |                      |
| Arms management   |                          | X <sup>a</sup>       |
| <b>Electoral assistance and certification</b>   |                          |                      |
| Electoral assistance  | X <sup>a</sup>           |                      |
| <b>Human rights; women and peace and security; children and armed conflict</b>            |                          |                      |
| Human rights: promotion and protection  | X <sup>a</sup>           |                      |
| <b>Institutions and governance</b>  |                          |                      |
| Institution-building: strengthening/promotion of autonomy                                 | X <sup>a</sup>           |                      |
| Territorial control/consolidation of State authority                                      | X <sup>a</sup>           |                      |
| <b>Military, police and security sector reform</b>  |                          |                      |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | X <sup>a</sup>           |                      |
| <b>Political processes</b>  |                          |                      |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | X <sup>a</sup>           |                      |
| National reconciliation   | X <sup>a</sup>           |                      |
| <b>Rule of law</b>  |                          |                      |
| Promotion of the rule of law  | X <sup>a</sup>           |                      |
| Transitional justice  | X <sup>a</sup>           |                      |
| Constitutional support  | X <sup>a</sup>           |                      |
| <b>Other</b>  |                          |                      |
| Development/reconstruction  | X <sup>a</sup>           |                      |

<sup>a</sup> Newly mandated task.

Table 65  
UNSMIL: changes to mandate, 2011

| <i>Category and mandated task</i>   | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Resolution 2009 (2011) (adopted under Chapter VII)</b>                                 |  |                            |
| <b>Coordination</b>   |  |                            |
| Coordination of international engagement  | To coordinate support that may be requested from other multilateral and bilateral actors, as appropriate (para. 12 (f))                                  | Newly mandated task        |
| <b>Electoral assistance and certification</b>   |  |                            |
| Electoral assistance  | To undertake inclusive political dialogue, promote national reconciliation, and embark upon the constitution-making and electoral process (para. 12 (b)) | Newly mandated task        |
| <b>Human rights; women and peace and security; children and armed conflict</b>            |  |                            |
| Human rights: promotion and protection  | To promote and protect human rights, particularly for those belonging to vulnerable groups, and support transitional justice (para. 12 (d))              | Newly mandated task        |
| <b>Institutions and governance</b>  |  |                            |
| Institution-building: strengthening/promotion of autonomy                                 | To extend state authority, including through strengthening emerging accountable institutions and the restoration of public services (para. 12 (c))       | Newly mandated task        |
| Territorial control/consolidation of State authority                                      | See para. 12 (c) of the resolution, above  | Newly mandated task        |
| <b>Military, police and security sector reform</b>  |  |                            |
| Territorial security, including ensuring presence in key areas, patrolling and deterrence | To restore public security and order and promote the rule of law (para. 12 (a))  | Newly mandated task        |
| <b>Political processes</b>  |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices    | See para. 12 (b) of the resolution, under “Electoral assistance and certification” above   | Newly mandated task        |
| National reconciliation   | See para. 12 (b) of the resolution, under “Electoral assistance and certification” above   | Newly mandated task        |
| <b>Rule of law</b>  |  |                            |
| Promotion of the rule of law  | See para. 12 (a) of the resolution, under “Military, police and security sector reform” above  | Newly mandated task        |
| Transitional justice  | See para. 12 (d) of the resolution, under “Human rights; women and peace and security; children and armed conflict” above                                | Newly mandated task        |

| <i>Category and mandated task</i>        | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| Constitutional support                   | See para. 12 (b) of the resolution, under “Electoral assistance and certification” above   | Newly mandated task        |
| <b>Other</b>                             |  |                            |
| Development/reconstruction               | To take the immediate steps required to initiate economic recovery (para. 12 (e))  | Newly mandated task        |
| <b>Resolution 2022 (2011)</b>            |  |                            |
| <b>Demilitarization and arms control</b> |  |                            |
| Arms management                          | Decides also that the mandate of the Mission shall, in addition, include, in coordination and consultation with the transitional Government of Libya, assisting and supporting Libyan national efforts to address the threats of proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, taking into account, among other things, the report referred to in paragraph 5 of resolution 2017 (2011) (para. 2) | Newly mandated task        |

## Asia

### United Nations Assistance Mission in Afghanistan

#### Background

The United Nations Assistance Mission in Afghanistan (UNAMA) was established by the Security Council on 28 March 2002 by resolution 1401 (2002). Its mandate was to fulfil the tasks and responsibilities entrusted to the United Nations under the Bonn Agreement of 5 December 2001,<sup>116</sup> including those related to human rights, the rule of law and gender issues, to promote national reconciliation and rapprochement throughout the country through the good offices role of the Special Representative of the Secretary-General, and to manage all United Nations humanitarian relief, recovery and reconstruction activities in Afghanistan.<sup>117</sup> Table 66 provides an overview of the mandate of UNAMA since its establishment.<sup>118</sup>

<sup>116</sup> See S/2001/1154.

<sup>117</sup> S/2002/278, paras. 94-97.

<sup>118</sup> For information relating to the mandate of the United Nations Assistance Mission in Afghanistan prior to the period under review, see *Repertoire, Supplement 2000-2003*, chap. V, part I.E; *Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

#### Developments during 2010 and 2011

During the period under review, the Council extended the mandate of UNAMA twice for periods of one year, the last until 23 March 2012.<sup>119</sup> The Council generally maintained the mandate of UNAMA as defined in its resolutions 1662 (2006), 1746 (2007), 1806 (2008) and 1868 (2009), while adding some tasks in the areas of coordination, electoral assistance, institution-building, civilian-military coordination, political processes and the rule of law. The full text of all paragraphs in Council decisions that relate to the mandate of UNAMA adopted during the period under review is provided in table 67.

By resolution 1917 (2010), the Council requested that UNAMA assist the Government of Afghanistan in the transition towards Afghan leadership, including by supporting the preparation of the Kabul conference to be held later in 2010, and spelled out the priorities of the mandate of UNAMA which were, inter alia, (a) promotion of more coherent international support to the development and governance priorities of the Government, and supporting efforts to increase the proportion of development aid delivered through the Government; (b) strengthening cooperation with the

<sup>119</sup> Resolutions 1917 (2010), para. 3; and 1974 (2011), para. 3.

International Security Assistance Force; (c) provision of political outreach and good offices to support the implementation of Afghan-led reconciliation and reintegration programmes; and (d) supporting preparations for the upcoming national legislative elections.<sup>120</sup> The Council also authorized UNAMA to support and strengthen efforts to improve the rule of law, including transitional justice, and to provide technical assistance to the National Assembly and civil

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<sup>120</sup> Resolution 1917 (2010), paras. 4 and 5.

society to support constructive electoral reforms.<sup>121</sup> By resolution 1974 (2011), the Council modified the mandate of UNAMA, as defined in earlier resolutions including resolution 1917 (2010), in the areas of electoral assistance, institution-building, civilian-military coordination, facilitation of the political process and the rule of law.<sup>122</sup>

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<sup>121</sup> *Ibid.*, paras. 6 (b) and 11.

<sup>122</sup> Resolution 1974 (2011), paras. 5 and 6.



Table 66  
UNAMA: overview of mandate by category

|  | <i>Resolution</i>         |                       |                       |                       |                       |                       |                       |                       |                       |
|--|---------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
|  | <i>1401 (2002)</i>        | <i>1471 (2003)</i>    | <i>1589 (2005)</i>    | <i>1662 (2006)</i>    | <i>1746 (2007)</i>    | <i>1806 (2008)</i>    | <i>1868 (2009)</i>    | <i>1917 (2010)</i>    | <i>1974 (2011)</i>    |
| Date of adoption   | 28 March 2002             | 28 March 2003         | 24 March 2005         | 23 March 2006         | 23 March 2007         | 20 March 2008         | 23 March 2009         | 22 March 2010         | 22 March 2011         |
| Duration of mandate  | Establishment (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) | Extension (12 months) |
| <i>Category and mandated task</i>  |                           |                       |                       |                       |                       |                       |                       |                       |                       |
| <b>General</b>   |                           |                       |                       |                       |                       |                       |                       |                       |                       |
| Benchmarks   |                           |                       |                       |                       |                       |                       | X <sup>a</sup>        | X <sup>b</sup>        | X <sup>c</sup>        |
| Cross-cutting: women and peace and security                                    | X <sup>a</sup>            |                       |                       |                       |                       |                       |                       |                       |                       |
| <b>Coordination</b>  |                           |                       |                       |                       |                       |                       |                       |                       |                       |
| Coordination of donors   |                           |                       |                       |                       |                       | X <sup>a</sup>        | X <sup>c</sup>        | X <sup>b</sup>        | X <sup>c</sup>        |
| Coordination of international engagement                                       |                           |                       |                       | X <sup>a</sup>        |                       | X <sup>b</sup>        | X <sup>c</sup>        | X <sup>b</sup>        | X <sup>c</sup>        |
| Coordination with United Nations agencies in the country                       |                           |                       |                       |                       |                       | X <sup>a</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| <b>Demilitarization and arms control</b>                                       |                           |                       |                       |                       |                       |                       |                       |                       |                       |
| Disarmament, demobilization and reintegration                                  |                           |                       |                       | X <sup>a</sup>        |                       |                       |                       |                       |                       |
| <b>Electoral assistance and certification</b>                                  |                           |                       |                       |                       |                       |                       |                       |                       |                       |
| Electoral assistance   |                           | X <sup>a</sup>        | X <sup>b</sup>        | X <sup>a</sup>        |                       | X <sup>b</sup>        | X <sup>b</sup>        | X <sup>b</sup>        | X <sup>b</sup>        |
| <b>Humanitarian issues</b>   |                           |                       |                       |                       |                       |                       |                       |                       |                       |
| Humanitarian support/coordination  | X <sup>a</sup>            |                       |                       | X <sup>a</sup>        |                       | X <sup>b</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| Refugees/internally displaced persons: facilitation of return                  |                           |                       |                       |                       |                       | X <sup>a</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| <b>Human rights; women and peace and security; children and armed conflict</b> |                           |                       |                       |                       |                       |                       |                       |                       |                       |
| Human rights: promotion and protection   | X <sup>a</sup>            | X <sup>b</sup>        |                       | X <sup>a</sup>        |                       | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| Human rights: capacity-building  | X <sup>a</sup>            |                       |                       | X <sup>a</sup>        |                       | X <sup>c</sup>        |                       |                       |                       |
| Human rights: monitoring   |                           |                       |                       | X <sup>a</sup>        |                       | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |
| Human rights: legal and constitutional support                                 |                           | X <sup>a</sup>        | X <sup>b</sup>        | X <sup>a</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        | X <sup>c</sup>        |

|  | <i>Resolution</i>  |                    |                    |                    |                    |                    |                    |                    |                    |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|  | <i>1401 (2002)</i> | <i>1471 (2003)</i> | <i>1589 (2005)</i> | <i>1662 (2006)</i> | <i>1746 (2007)</i> | <i>1806 (2008)</i> | <i>1868 (2009)</i> | <i>1917 (2010)</i> | <i>1974 (2011)</i> |
| Children and armed conflict  |                    |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |
| Women and peace and security   |                    |                    | X <sup>a</sup>     |                    | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |                    |                    |
| <b>Institutions and governance</b>   |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Institution-building: strengthening/<br>promotion of autonomy                                  | X <sup>a</sup>     |                    | X <sup>a</sup>     |                    |                    |                    |                    | X <sup>b</sup>     | X <sup>b</sup>     |
| <b>Military, police and security sector reform</b>   |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Civilian-military coordination   |                    |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>b</sup>     | X <sup>b</sup>     |
| <b>Political processes</b>   |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Facilitation of political process/<br>dialogue/preventive diplomacy/<br>mediation/good offices | X <sup>a</sup>     |                    | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     | X <sup>c</sup>     | X <sup>b</sup>     | X <sup>b</sup>     |
| Peace agreement monitoring/<br>implementation  | X <sup>a</sup>     |                    | X <sup>a</sup>     |                    |                    |                    |                    |                    |                    |
| National reconciliation  | X <sup>a</sup>     |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>b</sup>     | X <sup>c</sup>     |
| Regional cooperation   |                    |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |
| <b>Rule of law</b>   |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Promotion of the rule of law   | X <sup>a</sup>     | X <sup>b</sup>     |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>b</sup>     |
| Judicial and legal reform  |                    | X <sup>a</sup>     |                    |                    |                    |                    |                    |                    |                    |
| Prisons  |                    | X <sup>a</sup>     |                    |                    |                    |                    |                    |                    |                    |
| Anti-corruption/good governance  |                    |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>b</sup>     |
| Organized crime/human and<br>drug trafficking  |                    |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |                    |
| Transitional justice   |                    |                    |                    |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     |
| <b>Other</b>   |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Sanctions enforcement/ monitoring  |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>b</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |
| Development/ reconstruction  | X <sup>a</sup>     |                    | X <sup>a</sup>     |                    |                    | X <sup>b</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |
| Resource mobilization  |                    |                    |                    |                    |                    | X <sup>a</sup>     | X <sup>c</sup>     | X <sup>c</sup>     | X <sup>c</sup>     |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Additional element.

<sup>c</sup> Reiteration.

Table 67

**UNAMA: changes to mandate, 2010-2011**

| <i>Category and mandated task</i>                        | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Resolution 1917 (2010)</b>                            |   |                            |
| <b>General</b>   |   |                            |
| Benchmarks   | Requests the Secretary-General to report to the Council every three months on developments in Afghanistan and to include in his next report an evaluation of progress made against the benchmarks for measuring and tracking progress in the implementation of the mandate of the Mission and priorities as set out in the present resolution, and calls upon all actors concerned to cooperate with the Mission in this process (para. 40)   | Additional element         |
| <b>Coordination</b>                                      |   |                            |
| Coordination of donors                                   | Promote, as co-chair of the Joint Coordination and Monitoring Board, more coherent support by the international community to the development and governance priorities of the Government of Afghanistan, including through mobilization of resources, coordination of international donors and organizations, and direction of the contributions of United Nations agencies, funds and programmes, in particular for counter-narcotics, reconstruction and development activities; at the same time, support efforts to increase the proportion of development aid delivered through the Government, and support efforts to increase the transparency and effectiveness of the Government's use of such resources (para. 5 (a)) | Additional element         |
|  | Support, at the request of the Afghan authorities, and taking into account progress on commitments on electoral reform agreed at the London Conference, preparations for the upcoming national legislative elections, by providing technical assistance, coordinating other international donors, agencies and organizations providing assistance and channelling existing and additional funds earmarked to support the process; and support, through civil society, the robust participation of the Afghan people in the elections and the electoral reform process (para. 5 (d))   | Additional element         |
| Coordination of international engagement                 | See para. 5 (a) of the resolution, above  | Additional element         |
|  | See para. 5 (d) of the resolution, above  | Additional element         |
| Coordination with United Nations agencies in the country | See para. 5 (a) of the resolution , above   | Reiteration                |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Electoral assistance and certification</b>                                  |  |                            |
| Electoral assistance   | See para. 5 (d) of the resolution, under “Coordination” above  | Additional element         |
|  | Welcomes the commitment of the Government of Afghanistan to work closely with the United Nations to build on the lessons learned from the 2009 elections to deliver improvements to the electoral process in 2010 and beyond, and, taking into account the commitments on electoral reform made at the London Conference, reaffirms the leading role of the Mission in supporting the realization of these commitments at the request of the Government, and requests that the Mission provide technical assistance to the National Assembly and civil society to support constructive electoral reforms; and further calls upon members of the international community to provide assistance, as appropriate (para. 11) | Additional element         |
| <b>Humanitarian issues</b>   |  |                            |
| Humanitarian support/coordination  | Play a central coordinating role to facilitate the delivery of humanitarian assistance in accordance with humanitarian principles and with a view to building the capacity of the Government of Afghanistan, including by providing effective support to national and local authorities in assisting and protecting internally displaced persons and to creating conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons (para. 6 (c))  | Reiteration                |
| Refugees/internally displaced persons: facilitation of return                  | See para. 6 (c) of the resolution, above   | Reiteration                |
| <b>Human rights; women and peace and security; children and armed conflict</b> |  |                            |
| Human rights: promotion and protection   | Continue, with the support of the Office of the United Nations High Commissioner for Human Rights, to cooperate with the Afghan Independent Human Rights Commission, to cooperate also with relevant international and local non-governmental organizations and the Government of Afghanistan, to monitor the situation of civilians, to coordinate efforts to ensure their protection, to promote accountability, and to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights (para. 6 (d))           | Reiteration                |
| Human rights: monitoring   | See para. 6 (d) of the resolution, above   | Reiteration                |
| Human rights: legal and constitutional support                                 | See para. 6 (d) of the resolution, above   | Reiteration                |

| <i>Category and mandated task</i>                         | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| Children and armed conflict                               | Expresses its strong concern about the recruitment and use of children by Taliban forces in Afghanistan as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict, in particular attacks against schools and the use of children in suicide attacks, calls for those responsible to be brought to justice, stresses the importance of implementing resolutions <a href="#">1612 (2005)</a> and <a href="#">1882 (2009)</a> in this context, and requests the Secretary-General to continue to strengthen the child protection component of the Mission, in particular through the appointment of child protection advisers (para. 22) | Reiteration                |
| Women and peace and security                              | See para. 6 (d) of the resolution, above  | Reiteration                |
| <b>Institutions and governance</b>                        |   |                            |
| Institution-building: strengthening/promotion of autonomy | Calls upon the United Nations, with the support of the international community, to support the priorities of the Government of Afghanistan on the issues of security, governance and economic development, and regional cooperation, and to support the full implementation of mutual commitments made on these issues at the London Conference on Afghanistan, as well as on continuing implementation of the National Drug Control Strategy, and requests that the Mission assist the Government in the transition towards Afghan leadership, including by supporting the preparation of the conference to be held in Kabul later in the year (para. 4)   | Additional element         |
|   | See para. 5 (a) of the resolution, under “Coordination” above   | Additional element         |
|   | See para. 6 (c) of the resolution, under “Humanitarian issues” above  | Reiteration                |
|   | Support and strengthen efforts to improve governance and the rule of law, including transitional justice, and to combat corruption at the local and national levels, and to promote development initiatives at the local level with a view to helping to bring the benefits of peace and deliver services in a timely and sustainable manner (para. 6 (b))  | Reiteration                |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Military, police and security sector reform</b>                                     |  |                            |
| Civilian-military coordination   | Strengthen cooperation with the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization at all levels and throughout the country, in accordance with their existing mandates, in order to improve civil-military coordination, to facilitate the timely exchange of information and to ensure coherence between the activities of national and international security forces and of civilian actors in support of an Afghan-led development and stabilization process, including through engagement with provincial reconstruction teams and engagement with non-governmental organizations; and support the process of provincial transition to Afghan-led security responsibility, taking into account the respective mandates of the Mission and the Force (para. 5 (b)) | Additional element         |
| <b>Political processes</b>   |  |                            |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | Provide political outreach as well as good offices to support, if requested by the Government of Afghanistan, the implementation of Afghan-led reconciliation and reintegration programmes, including by proposing and supporting confidence-building measures within the framework of the Afghan Constitution and with full respect for the implementation of measures and application of the procedures introduced by the Security Council in its resolutions <a href="#">1267 (1999)</a> , <a href="#">1822 (2008)</a> and <a href="#">1904 (2009)</a> , as well as other relevant resolutions of the Council (para. 5 (c))   | Additional element         |
| National reconciliation  | See para. 5 (c) of the resolution, above   | Additional element         |
| Regional cooperation   | Support regional cooperation to work towards a stable and prosperous Afghanistan (para. 6 (e))   | Reiteration                |
| <b>Rule of law</b>   |  |                            |
| Promotion of the rule of law   | See para. 6 (b) of the resolution, under “Institutions and governance” above   | Reiteration                |
| Anti-corruption/good governance  | See para. 6 (b) of the resolution, under “Institutions and governance” above   | Reiteration                |
| Organized crime/human and drug trafficking   | Through a strengthened and expanded presence throughout the country, promote at the local level the implementation of the Afghanistan National Development Strategy and the National Drug Control Strategy, and facilitate inclusion in and understanding of the policies of the Government of Afghanistan (para. 6 (a))   | Reiteration                |
| Transitional justice   | See para. 6 (b) of the resolution, under “Institutions and governance” above   | Newly mandated task        |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Category and mandated task</i>             | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|---|--|----------------------------|
| <b>Other</b>                                  |  |                            |
| Sanctions enforcement/<br>monitoring          | Welcomes the cooperation of the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan with the Security Council Committee established pursuant to resolution <a href="#">1267 (1999)</a> in the implementation of resolution <a href="#">1904 (2009)</a> , including by providing relevant information for updating the Consolidated List and by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban using proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs and their precursors, and encourages the continuation of such cooperation (para. 36)  | Reiteration                |
| Development/<br>reconstruction                | See para. 6 (a) of the resolution, under “Rule of law” above   | Reiteration                |
|   | See para. 6 (b) of the resolution, under “Institutions and governance” above   | Reiteration                |
| Resource mobilization                         | See para. 5 (a) of the resolution, under “Coordination” above  | Reiteration                |
| <b>Resolution <a href="#">1974 (2011)</a></b> |  |                            |
| <b>General</b>                                |  |                            |
| Benchmarks                                    | Requests that the Secretary-General report to the Council every three months on developments in Afghanistan and include in his reports an evaluation of progress made against the benchmarks for measuring and tracking progress in the implementation of the mandate of the Mission and priorities as set out in the present resolution (para. 42)  | Reiteration                |
| <b>Coordination</b>                           |  |                            |
| Coordination of donors                        | Promote, as co-chair of the Joint Coordination and Monitoring Board, more coherent support by the international community to the development and governance priorities of the Government of Afghanistan, including through support for the ongoing development of the new national priority programmes, mobilization of resources, coordination of international donors and organizations, and direction of the contributions of United Nations agencies, funds and programmes, in particular for counter-narcotics, reconstruction and development activities; at the same time, support efforts to increase the proportion of development aid delivered through the Government, and support efforts to increase the transparency and effectiveness of the Government’s use of such resources (para. 5 (a)) | Reiteration                |
| Coordination of<br>international engagement   | See para. 5 (a) of the resolution, above   | Reiteration                |

| <i>Category and mandated task</i>                             | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|---|---|----------------------------|
| Coordination with United Nations agencies in the country      | See para. 5 (a) of the resolution, above  | Reiteration                |
| <b>Electoral assistance and certification</b>                 |   |                            |
| Electoral assistance  | Support, at the request of the Afghan authorities, the organization of future Afghan elections, as well as supporting work on the sustainability and integrity of the electoral process, as agreed at the London and Kabul Conferences, and provide capacity-building and technical assistance to the Afghan institutions involved in this process (para. 5 (d))  | Additional element         |
|   | Underscores the importance of a sustainable democratic development in Afghanistan, with all Afghan institutions acting within their clearly defined areas of competence, in accordance with the relevant laws and the Afghan Constitution, welcomes in this regard the commitment of the Government of Afghanistan to work closely with the United Nations to build on the lessons learned from the 2009 and 2010 elections to deliver further improvements to the electoral process, including addressing the sustainability of the electoral process, and, taking into account the commitments made at the London and Kabul Conferences, reaffirms the leading role of the Mission in supporting, at the request of the Government, the realization of these commitments, and requests that, upon the request of the Government, the Mission provide technical assistance to the relevant Afghan institutions to support constructive electoral reforms; and further calls upon members of the international community to provide assistance, as appropriate (para. 10) | Additional element         |
| <b>Humanitarian issues</b>                                    |   |                            |
| Humanitarian support/coordination                             | Coordinate and facilitate the delivery of humanitarian assistance, in support of the Government of Afghanistan and in accordance with humanitarian principles, with a view to building the capacity of the Government so it can assume the central and coordinating role in the future, including by providing effective support to national and local authorities in assisting and protecting internally displaced persons and to creating conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons (para. 6 (e))  | Reiteration                |
| Refugees/internally displaced persons: facilitation of return | See para. 6 (e) of the resolution, above  | Reiteration                |



| <i>Category and mandated task</i>  | <i>Text of mandate</i>  | <i>Mandated task level</i> |
|--|---|----------------------------|
| <b>Human rights; women and peace and security; children and armed conflict</b> |   |                            |
| Human rights: promotion and protection   | Continue, with the support of the Office of the United Nations High Commissioner for Human Rights, to cooperate with the Afghan Independent Human Rights Commission, to cooperate also with the Government of Afghanistan and relevant international and local non-governmental organizations to monitor the situation of civilians, to coordinate efforts to ensure their protection, to promote accountability and to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights (para. 6 (d))  | Reiteration                |
| Human rights: monitoring   | See para. 6 (d) of the resolution, above  | Reiteration                |
| Human rights: legal and constitutional support                                 | See para. 6 (d) of the resolution, above  | Reiteration                |
| Children and armed conflict  | Expresses its strong concern about the recruitment and use of children by Taliban forces in Afghanistan as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict, in particular attacks against schools and education and health-care facilities, and the use of children in suicide attacks, calls for those responsible to be brought to justice, stresses the importance of implementing resolutions <a href="#">1612 (2005)</a> and <a href="#">1882 (2009)</a> in this context, and requests the Secretary-General to continue to strengthen the child protection component of the Mission, in particular through the appointment of child protection advisers (para. 22) | Reiteration                |
| <b>Institutions and governance</b>   |   |                            |
| Institution-building: strengthening/promotion of autonomy                      | Calls upon the United Nations, with the support of the international community, to support the Government of Afghanistan's national priority programmes covering the issues of security, governance, justice and economic and social development and to support the full implementation of mutual commitments made on these issues at the Kabul and London Conferences, as well as on continuing implementation of the National Drug Control Strategy, and requests that the Mission assist the Government on its way towards Afghan leadership, as defined by the Kabul Process (para. 4)  | Additional element         |
|  | See para. 5 (a) of the resolution, under "Coordination" above   | Reiteration                |
|  | See para. 6 (e) of the resolution, under "Humanitarian issues" above  | Additional element         |

| <i>Category and mandated task</i>  | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--|--|----------------------------|
| <b>Military, police and security sector reform</b>   |  |                            |
| Civilian-military coordination   | Strengthen cooperation with the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization at all levels and throughout the country in support of the transition to Afghan leadership agreed to at the Kabul and London Conferences and the Lisbon summit, in a sustainable manner to ensure the protection and promotion of the rights of all Afghans, in accordance with their existing mandates, in order to improve civil-military coordination, to facilitate the timely exchange of information and to ensure coherence between the activities of national and international security forces and of civilian actors in support of an Afghan-led development and stabilization process, including through engagement with provincial reconstruction teams and engagement with non-governmental organizations, in particular through participation in the Joint Afghan-North Atlantic Treaty Organization Inteqal Board as an observer (para. 5 (b)) | Additional element         |
| <b>Political processes</b>   |  |                            |
| Facilitation of political process/dialogue/<br>preventive diplomacy/<br>mediation/good offices | Provide outreach as well as good offices to support, if requested by the Government of Afghanistan, the Afghan-led process of peace and reconciliation, including through the implementation of the Afghan Peace and Reintegration Programme and proposing and supporting confidence-building measures within the framework of the Afghan Constitution and with full respect for the implementation of measures and application of the procedures introduced by the Security Council in its resolutions <a href="#">1267 (1999)</a> , <a href="#">1822 (2008)</a> and <a href="#">1904 (2009)</a> as well as other relevant resolutions of the Council (para. 5 (c))   | Additional element         |
|  | Through a strengthened Mission presence, promote, in support of the efforts of the Government of Afghanistan, the implementation of the Kabul Process throughout the country, including through enhanced cooperation with the United Nations Office on Drugs and Crime, and facilitate inclusion in and understanding of the policies of the Government (para. 6 (b))  | Additional element         |
| National reconciliation  | See para. 5 (c) of the resolution, above   | Reiteration                |
| Regional cooperation   | Support regional cooperation to work towards a stable and prosperous Afghanistan, building on the achievements made (para. 6 (a))  | Reiteration                |

| <i>Category and mandated task</i>    | <i>Text of mandate</i>   | <i>Mandated task level</i> |
|--------------------------------------|--|----------------------------|
| <b>Rule of law</b>                   |  |                            |
| Promotion of the rule of law         | Support the efforts of the Government of Afghanistan to improve governance and the rule of law, including transitional justice, budget execution and the fight against corruption, throughout the country in accordance with the Kabul Process, with a view to helping to bring the benefits of peace and the delivery of services in a timely and sustainable manner (para. 6 (c))  | Additional element         |
| Anti-corruption/<br>good governance  | See para. 6 (c) of the resolution, above   | Additional element         |
| Transitional justice                 | See para. 6 (c) of the resolution, above   | Reiteration                |
| <b>Other</b>                         |  |                            |
| Sanctions enforcement/<br>monitoring | Also welcomes the cooperation of the Government of Afghanistan and the Mission with the Security Council Committee established pursuant to resolution 1267 (1999) in the implementation of resolution 1904 (2009), including by providing relevant information for updating the Consolidated List and by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban using proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs and their precursors, and encourages the continuation of such cooperation (para. 38) | Reiteration                |
| Development/<br>reconstruction       | See para. 5 (a) of the resolution, under “Coordination” above  | Reiteration                |
| Resource mobilization                | See para. 5 (a) of the resolution, under “Coordination” above  | Reiteration                |

## United Nations Mission in Nepal

### Background

The United Nations Mission in Nepal (UNMIN) was established by the Security Council on 23 January 2007 by resolution 1740 (2007) (a) to monitor the management of arms and armed personnel of the Government of Nepal and the Communist Party of Nepal-Maoist in line with the provisions of the Comprehensive Peace Agreement; (b) to assist the parties in implementing their agreement on the management of arms and armed personnel; (c) to assist in the monitoring of the ceasefire arrangements; (d) to provide technical support for the planning, preparation and conduct of the election of a Constituent Assembly in a free and fair atmosphere; and (e) to provide electoral monitors to review all technical aspects of the electoral process, and report on the conduct of the

election. Table 68 provides an overview of the mandate of UNMIN since its establishment.<sup>123</sup>

### Developments during 2010 and 2011

During the period under review, in line with the requests of the Government of Nepal<sup>124</sup> and the recommendations of the Secretary-General, the Council twice extended the mandate of UNMIN, without modifying it, for periods of four months each time, taking into account the completion of some of the elements of the mandate as set out in resolution 1740 (2007) and the ongoing work on the monitoring of the

<sup>123</sup> For information relating to the mandate of the United Nations Mission in Nepal prior to the period under review, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>124</sup> S/2010/25, annex; and S/2010/229, annex.

management of arms and armed personnel in line with the agreement of 25 June 2008 between the political parties.<sup>125</sup> The Council underlined the fact that the current arrangements had been conceived as temporary measures, rather than long-term solutions, and decided that UNMIN should work with the parties to make the necessary arrangements for its withdrawal, including handing over any residual responsibilities concerning its mandate of monitoring arms and armed personnel, by the end of its mandate.<sup>126</sup>

### Termination

By resolution 1939 (2010), taking note of the letters dated 14 September 2010 from the caretaker Government of Nepal and the Unified Communist Party of Nepal-Maoist to the Secretary-General, in which they requested a final extension of the mandate of UNMIN

until 15 January 2011,<sup>127</sup> the Council renewed the mandate until that date, and also decided, in line with the request of the Government of Nepal, to terminate the mandate of UNMIN on 15 January 2011.<sup>128</sup> In his final report on the request of Nepal for United Nations assistance in support of its peace process, dated 23 December 2010, the Secretary-General noted that the United Nations had provided considerable assistance to the national authorities in conducting the Constituent Assembly election as well as in the monitoring of the management of arms and armies, but the limited mandate of UNMIN had not enabled it to provide greater support in resolving political difficulties in the peace process as a whole. The Secretary-General stated that the United Nations would continue its long-standing support to the search for sustainable peace in Nepal.<sup>129</sup>

<sup>125</sup> Resolutions 1909 (2010), para. 1; and 1921 (2010), para. 1.

<sup>126</sup> Resolutions 1909 (2010), para. 3; and 1921 (2010), para. 3.

<sup>127</sup> S/2010/474, annex.

<sup>128</sup> Resolution 1939 (2010), paras. 1 and 2.

<sup>129</sup> S/2010/658, paras. 34, 39 and 40.

Table 68

### UNMIN: overview of mandate by category

|  | Resolution                |                      |                      |                      |                      |                      |
|--|---------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
|  | 1740 (2007)               | 1864 (2009)          | 1879 (2009)          | 1909 (2010)          | 1921 (2010)          | 1939 (2010)          |
| Date of adoption                                   | 23 January 2007           | 23 January 2009      | 23 July 2009         | 21 January 2010      | 12 May 2010          | 15 September 2010    |
| Duration of mandate                                | Establishment (12 months) | Extension (5 months) | Extension (6 months) | Extension (4 months) | Extension (4 months) | Extension (4 months) |
| <i>Category and mandated task</i>                  |                           |                      |                      |                      |                      |                      |
| <b>Demilitarization and arms control</b>           |                           |                      |                      |                      |                      |                      |
| Demilitarization or arms monitoring                | X <sup>a</sup>            |                      |                      |                      |                      |                      |
| <b>Electoral assistance and certification</b>      |                           |                      |                      |                      |                      |                      |
| Electoral assistance                               | X <sup>a</sup>            |                      |                      |                      |                      |                      |
| <b>Military, police and security sector reform</b> |                           |                      |                      |                      |                      |                      |
| Ceasefire monitoring                               | X <sup>a</sup>            |                      |                      |                      |                      |                      |
| <b>Political processes</b>                         |                           |                      |                      |                      |                      |                      |
| Peace agreement monitoring/implementation          | X <sup>a</sup>            |                      |                      |                      |                      |                      |

<sup>a</sup> Newly mandated task.

## United Nations Regional Centre for Preventive Diplomacy for Central Asia

### Background

The United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) was authorized through an exchange of letters between the Secretary-General and the President of the Security Council dated 7 and 15 May 2007<sup>130</sup> at the initiative of the Governments of the region, in parallel with the closure of the United Nations Tajikistan Office of Peacebuilding.<sup>131</sup> The Centre was mandated to strengthen the United Nations capacity for conflict prevention in Central Asia, through the implementation of a range of tasks including: liaising with the

Governments in the region on issues relevant to preventive diplomacy; monitoring and analysing the situation on the ground; and maintaining contact with regional organizations such as the Organization for Security and Cooperation in Europe and the Shanghai Cooperation Organization. Table 69 provides an overview of the mandate of the Centre since its establishment.<sup>132</sup>

### Developments during 2010 and 2011

The United Nations Regional Centre for Preventive Diplomacy for Central Asia was established with an open-ended mandate. During the period under review, there were no changes to the mandate of the Centre.

<sup>130</sup> S/2007/279 and S/2007/280.

<sup>131</sup> For information relating to the mandate of the United Nations Tajikistan Office of Peacebuilding, see *Repertoire, Supplement 2000-2003*, chap. V, part I.E; and *Supplement 2004-2007*, chap. V, part I.F.

<sup>132</sup> For information relating to the mandate of the United Nations Regional Centre for Preventive Diplomacy for Central Asia prior to the period under review, see *Repertoire, Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

Table 69  
UNRCCA: overview of mandate by category

|  | <i>S/2007/279 and S/2007/280</i> |
|--|----------------------------------|
| Date of adoption   | 7 May 2007 and 15 May 2007       |
| Duration of mandate  | Open-ended                       |
| <i>Category and mandated task</i>  |                                  |
| <b>Coordination</b>  |                                  |
| Coordination with United Nations agencies in the country                               | X <sup>a</sup>                   |
| Coordination with other United Nations entities in the region                          | X <sup>a</sup>                   |
| <b>Political processes</b>   |                                  |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>                   |
| Regional cooperation   | X <sup>a</sup>                   |
| Cooperation with/support to regional and subregional organizations                     | X <sup>a</sup>                   |

<sup>a</sup> Newly mandated task.

## Middle East

### United Nations Assistance Mission for Iraq

#### Background

The United Nations Assistance Mission for Iraq (UNAMI) was established by the Security Council on 14 August 2003 by resolution 1500 (2003) to coordinate among United Nations and international agencies engaged in humanitarian assistance and reconstruction activities in Iraq, and to advance efforts to restore and establish national and local institutions. The mandate of UNAMI was expanded by resolution 1770 (2007) of 10 August 2007 to help the Government to achieve further improvements in such areas as strengthening governmental institutions, promoting political dialogue and national reconciliation, engaging neighbouring countries, implementing the International Compact with Iraq, assisting vulnerable groups including refugees and internally displaced people and strengthening the judicial and legal system. Table 70 provides an overview of the mandate of UNAMI since the adoption of resolution 1770 (2007).<sup>133</sup>

#### Developments during 2010 and 2011

During the period under review, the Council twice extended the mandate of UNAMI for periods of one year, the last until 31 July 2012, without modifying the mandate.<sup>134</sup> The Council, at the request of the Government of Iraq<sup>135</sup> decided that the Special Representative of the Secretary-General and UNAMI

should continue to pursue the mandate as stipulated in resolutions 1883 (2009) and 1936 (2010), respectively.<sup>136</sup> The full text of all paragraphs in Council decisions that relate to the mandate of UNAMI adopted during the period under review is provided in table 71.

By a presidential statement of 15 December 2010, the Council reaffirmed its full support for UNAMI in assisting the Government to strengthen democratic institutions, advance inclusive dialogue and national reconciliation, facilitate regional dialogue, strengthen gender equality, and promote the protection of human rights. The Council also encouraged UNAMI to provide protection and help to create conditions conducive to the voluntary, safe and dignified return of Iraqi refugees and internally displaced persons.<sup>137</sup> With regard to the security arrangements for UNAMI, through an exchange of letters between the Secretary-General and the President of the Security Council dated 21 and 23 December 2010,<sup>138</sup> the Council welcomed the proposed adjustments to the integrated United Nations security structure,<sup>139</sup> such as the tasks of the guard force, in view of changing circumstances in the country including the drawdown of the United States forces.

<sup>133</sup> For information relating to the mandate of the United Nations Assistance Mission for Iraq (UNAMI) prior to the period under review, see *Repertoire, Supplement 2000-2003*, chap. V, part I.E; *Supplement 2004-2007*, chap. V, part I.F; and *Supplement 2008-2009*, part X, sect. II.

<sup>134</sup> Resolutions 1936 (2010), para. 1; and 2001 (2011), para. 1.

<sup>135</sup> S/2010/404, annex; and S/2011/464, annex.

<sup>136</sup> Resolutions 1936 (2010), para. 2; and 2001 (2011), para. 2.

<sup>137</sup> S/PRST/2010/27.

<sup>138</sup> S/2010/666 and S/2010/667.

<sup>139</sup> The integrated United Nations security structure consisted of four elements, namely, international security staff, protection coordination officers, personal security details and guard units. With regard to the fourth element, guard units, the Security Council authorized in 2004 the deployment of three formed units, each consisting of up to 160 armed civilian police, paramilitary or military personnel, to form part of UNAMI, with the specific responsibility of controlling access to and conducting patrols within UNAMI premises.

Table 70  
 UNAMI: overview of mandate by category

|   | <i>Resolution</i>        |                          |                          |                          |                       |                          |
|---|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------|--------------------------|
|   | <i>1770 (2007)</i>       | <i>1830 (2008)</i>       | <i>1883 (2009)</i>       | <i>1936 (2010)</i>       | <i>S/PRST/2010/27</i> | <i>2001 (2011)</i>       |
| Date of adoption  | 10 August<br>2007        | 7 August<br>2008         | 7 August<br>2009         | 5 August<br>2010         | 15 December<br>2010   | 28 July<br>2011          |
| Duration of mandate   | Extension<br>(12 months) | Extension<br>(12 months) | Extension<br>(12 months) | Extension<br>(12 months) |                       | Extension<br>(12 months) |
| <i>Category and mandated task</i>   |                          |                          |                          |                          |                       |                          |
| <b>Coordination</b>   |                          |                          |                          |                          |                       |                          |
| Coordination of donors  | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| Coordination of international engagement  | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| Coordination with United Nations agencies in the country                                  | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| <b>Demilitarization and arms control</b>  |                          |                          |                          |                          |                       |                          |
| Disarmament, demobilization and reintegration   | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| <b>Electoral assistance and certification</b>   |                          |                          |                          |                          |                       |                          |
| Electoral assistance  | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| <b>Humanitarian issues</b>  |                          |                          |                          |                          |                       |                          |
| Humanitarian support/coordination   | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| Refugees/internally displaced persons: facilitation of return                             | X <sup>a</sup>           |                          |                          |                          | X <sup>b</sup>        |                          |
| <b>Human rights; women and peace and security; children and armed conflict</b>            |                          |                          |                          |                          |                       |                          |
| Human rights: promotion and protection  | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| <b>Institutions and governance</b>  |                          |                          |                          |                          |                       |                          |
| Institution-building: strengthening/promotion of autonomy                                 | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| Internal boundaries   | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| <b>Political processes</b>  |                          |                          |                          |                          |                       |                          |
| Facilitation of political process/ dialogue/ preventive diplomacy/mediation/ good offices | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| National reconciliation   | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| Regional cooperation  | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| <b>Rule of law</b>  |                          |                          |                          |                          |                       |                          |
| Judicial and legal reform   | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| Constitutional support  | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| <b>Other</b>  |                          |                          |                          |                          |                       |                          |
| Conduct of census   | X <sup>a</sup>           |                          |                          |                          |                       |                          |
| Development/reconstruction  | X <sup>a</sup>           |                          |                          |                          |                       |                          |

<sup>a</sup> Newly mandated task.

<sup>b</sup> Reiteration.

Table 71  
UNAMI: changes to mandate, 2010-2011

| Category and mandated task                                    | Text of mandate   | Mandated task level |
|---|---|---------------------|
| <b>S/PRST/2010/27</b>   |   |                     |
| <b>Humanitarian issues</b>                                    |   |                     |
| Refugees/internally displaced persons: facilitation of return | The Security Council encourages the continued work of the Mission, in coordination with the Government of Iraq, to provide protection and help to create conditions conducive to voluntary, safe, dignified and, in particular, the sustainable return of Iraqi refugees and internally displaced persons, and stresses the importance of further attention to this issue by all concerned (eighth paragraph) | Additional element  |

## Office of the United Nations Special Coordinator for Lebanon

### Background

The Office of the United Nations Special Coordinator for Lebanon (UNSCOL) was authorized through an exchange of letters between the Secretary-General and the President of the Security Council dated 13 February 2007.<sup>140</sup> The Office was mandated to represent the Secretary-General on all political aspects of the Organization's work in the country, to coordinate the work of the United Nations in Lebanon and ensure that the activities of the United Nations country team in Lebanon were well coordinated with the Government of Lebanon, donors and international

<sup>140</sup> S/2007/85 and S/2007/86.

financial institutions.<sup>141</sup> The Office had replaced the Personal Representative of the Secretary-General for Southern Lebanon established in August 2000. Table 72 provides an overview of the mandate of the Office since its establishment.<sup>142</sup>

### Developments during 2010 and 2011

The Office of the United Nations Special Coordinator for Lebanon was established with an open-ended mandate. There were no changes to the mandate during the period under review.

<sup>141</sup> Ibid.

<sup>142</sup> For information relating to the mandate of the Office of the United Nations Special Coordinator for Lebanon prior to the period under review, see *Repertoire, Supplement 2008-2009*, part X, sect. II.

Table 72  
UNSCOL: overview of mandate by category

|  | S/2007/85 and S/2007/86 |
|--|-------------------------|
| Date of adoption   | 8 and 13 February 2007  |
| Duration of mandate  | Open-ended              |
| Category and mandated task   |                         |
| <b>Coordination</b>  |                         |
| Coordination with United Nations agencies in the country                               | X <sup>a</sup>          |
| Coordination of donors   | X <sup>a</sup>          |
| <b>Political processes</b>   |                         |
| Facilitation of political process/dialogue/preventive diplomacy/mediation/good offices | X <sup>a</sup>          |

<sup>a</sup> Newly mandated task.



**Annex**

**Documents relating to peacekeeping operations and political and peacebuilding missions**

| <i>Mission</i>  | <i>Symbol</i>  | <i>Date</i>         | <i>Details</i>   |
|---|--|---------------------|--|
| United Nations Mission for the Referendum in Western Sahara (MINURSO)                               | <a href="#">S/2010/175</a>                                 | 6 April 2010        | Report of the Secretary-General including a recommendation to extend MINURSO for one year  |
|   | <a href="#">S/2011/249</a>                                 | 1 April 2011        | Report of the Secretary-General including a recommendation to extend MINURSO for one year  |
|   | <a href="#">S/2011/459</a> ,<br><a href="#">S/2011/460</a> | 22 and 26 July 2011 | Exchange of letters between the Secretary-General and the President of the Council regarding the appointment of a new Force Commander of MINURSO                                     |
| United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)                 | <a href="#">S/2010/164</a>                                 | 30 March 2010       | Report of the Secretary-General including recommendations to extend MONUC for one year and to authorize the immediate implementation of the first phase of the drawdown of the force |
| United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) | <a href="#">S/2010/303</a> ,<br><a href="#">S/2010/304</a> | 7 and 9 June 2010   | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative and Head of MONUSCO                    |
|   | <a href="#">S/2010/367</a> ,<br><a href="#">S/2010/368</a> | 6 and 8 July 2010   | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Force Commander of MONUSCO                                    |
|   | <a href="#">S/2010/369</a>                                 | 9 July 2010         | Report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo   |
|   | <a href="#">S/2011/298</a>                                 | 12 May 2010         | Report of the Secretary-General including a recommendation to extend MONUSCO for one year  |
|   | <a href="#">S/2011/589</a>                                 | 20 September 2011   | Letter from the Secretary-General to the President of the Council concerning the acute shortage of helicopters in MONUSCO  |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Mission</i>                                    | <i>Symbol</i>  | <i>Date</i>              | <i>Details</i>  |
|---|--|--------------------------|---|
| United Nations Mission in Liberia (UNMIL)         | <a href="#">S/2010/429</a>                                 | 11 August 2010           | Report of the Secretary-General including a recommendation to extend UNMIL for one year   |
|   | <a href="#">S/2010/523</a> ,<br><a href="#">S/2010/524</a> | 11 and 13 October 2010   | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a Force Commander of UNMIL                                       |
|   | <a href="#">S/2011/74</a>                                  | 11 February 2011         | Letter from the Secretary-General to the President of the Council concerning the withdrawal of UNMIL personnel providing security for the Special Court for Sierra Leone          |
|   | <a href="#">S/2011/497</a>                                 | 5 August 2011            | Report of the Secretary-General including a recommendation to extend UNMIL for one year   |
|   | <a href="#">S/2011/577</a> ,<br><a href="#">S/2011/594</a> | 15 and 27 September 2011 | Exchange of letters between the Secretary-General and the President of the Council concerning the redeployment of military and police personnel between UNMIL and UNOCI           |
|   | <a href="#">S/2011/730</a> ,<br><a href="#">S/2011/747</a> | 22 and 30 November 2011  | Exchange of letters between the Secretary-General and the President of the Council concerning the temporary redeployment of military and police personnel between UNMIL and UNOCI |
| United Nations Operation in Côte d'Ivoire (UNOCI) | <a href="#">S/2010/15</a>                                  | 7 January 2010           | Report of the Secretary-General including a recommendation to extend the mandate of UNOCI for six months  |
|   | <a href="#">S/2010/42</a>                                  | 15 January 2010          | Letter from the Secretary-General to the President of the Council concerning the redeployment to UNOCI of 500 troops to reinforce security for the Ivorian presidential election  |
|   | <a href="#">S/2010/220</a> ,<br><a href="#">S/2010/221</a> | 26 and 29 April 2010     | Exchange of letters between the Secretary-General and the President of the Council concerning the mandate of UNOCI  |

## Repertoire of the Practice of the Security Council, 2010-2011

| <i>Mission</i> | <i>Symbol</i>  | <i>Date</i>              | <i>Details</i>   |
|----------------|--|--------------------------|--|
|                | <a href="#">S/2010/245</a>                                 | 20 May 2010              | Report of the Secretary-General including a recommendation to maintain UNOCI with the current total overall strength of its military and police components until the end of 2010   |
|                | <a href="#">S/2010/485</a> ,<br><a href="#">S/2010/486</a> | 14 and 17 September 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning a temporary increase in the overall authorization strength of UNOCI for a period of up to six months                                       |
|                | <a href="#">S/2010/493</a>                                 | 23 September 2010        | Letter dated 23 September 2010 from the Secretary-General to the President of the Council concerning the certification of the final voters list  |
|                | <a href="#">S/2010/600</a>                                 | 23 November 2010         | Report of the Secretary-General including a recommendation to extend UNOCI for four months   |
|                | <a href="#">S/2010/601</a>                                 | 22 November 2010         | Letter from the Secretary-General to the President of the Council concerning options for the further reinforcement of UNOCI  |
|                | <a href="#">S/2011/5</a>                                   | 7 January 2011           | Letter from the Secretary-General to the President of the Council recommending a number of measures aimed at strengthening the capacity of UNOCI and increasing its overall authorized military strength                                 |
|                | <a href="#">S/2011/134</a> ,<br><a href="#">S/2011/135</a> | 11 and 14 March 2011     | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Force Commander of UNOCI  |
|                | <a href="#">S/2011/200</a>                                 | 28 March 2011            | Letter from the Secretary-General to the President of the Council transmitting a resolution adopted by the Authority of Heads of State and Government of the Economic Community of West African States on the situation in Côte d'Ivoire |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Mission</i> | <i>Symbol</i>  | <i>Date</i>          | <i>Details</i>  |
|----------------|--|----------------------|---|
|                | <a href="#">S/2011/221</a>                                 | 4 April 2011         | Letter from the Secretary-General to the President of the Council concerning his instructions to UNOCI to take the necessary measures to prevent the use of heavy weapons against the civilian population pursuant to paragraph 6 of resolution <a href="#">1975 (2011)</a> |
|                | <a href="#">S/2011/247</a> ,<br><a href="#">S/2011/248</a> | 12 and 14 April 2011 | Exchange of letters between the Secretary-General and the President of the Council concerning a temporary reconfiguration of the police component of UNOCI  |
|                | <a href="#">S/2011/295</a> ,<br><a href="#">S/2011/296</a> | 9 and 12 May 2011    | Exchange of letters between the Secretary-General and the President of the Council concerning the extension of the time frame for the issuance of the report requested in resolution <a href="#">1962 (2010)</a>  |
|                | <a href="#">S/2011/297</a>                                 | 11 May 2011          | Letter from the Secretary-General to the President of the Council concerning an extension of the temporary deployment of personnel and equipment from UNMIL to UNOCI  |
|                | <a href="#">S/2011/351</a>                                 | 10 June 2011         | Letter from the Secretary-General to the President of the Council recommending a further extension of the temporary redeployment of three armed helicopters from UNMIL to UNOCI   |
|                | <a href="#">S/2011/387</a>                                 | 24 June 2011         | Report of the Secretary-General including a recommendation to extend UNOCI for one year   |
|                | <a href="#">S/2011/468</a> ,<br><a href="#">S/2011/469</a> | 26 and 28 July 2011  | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative for Côte d'Ivoire and Head of UNOCI   |

Repertoire of the Practice of the Security Council, 2010-2011

| <i>Mission</i>                                 | <i>Symbol</i>   | <i>Date</i>              | <i>Details</i>   |
|--|---|--------------------------|--|
|  | <a href="#">S/2011/577</a> ,<br><a href="#">S/2011/594</a>            | 15 and 27 September 2011 | Exchange of letters between the Secretary-General and the President of the Council concerning the redeployment of military and police personnel and assets from UNMIL to UNOCI during upcoming elections in Liberia                            |
|  | <a href="#">S/2011/730</a> ,<br><a href="#">S/2011/747</a>            | 22 and 30 November 2011  | Exchange of letters between the Secretary-General and the President of the Council regarding the temporary redeployment of military and police personnel and assets from UNMIL to UNOCI during upcoming legislative elections in Côte d'Ivoire |
| United Nations Mission in the Sudan (UNMIS)    | <a href="#">S/2010/168</a><br>and<br><a href="#">S/2010/168/Add.1</a> | 5 and 27 April 2010      | Report of the Secretary-General including a recommendation for the extension of UNMIS for one year   |
|  | <a href="#">S/2010/491</a> ,<br><a href="#">S/2010/492</a>            | 17 and 21 September 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a three-member panel to monitor and assess the referendum processes for Southern Sudan and the Abyei area                     |
|  | <a href="#">S/2011/239</a>  | 12 April 2011            | Report of the Secretary-General including a recommendation for the extension of UNMIS for two months   |
|  | <a href="#">S/2011/314</a>  | 17 May 2011              | Report of the Secretary-General including recommendations on the role a United Nations peacekeeping mission could play to facilitate peace consolidation in the new State of South Sudan   |
|  | <a href="#">S/2011/333</a>  | 31 May 2011              | Letter from the Secretary-General to the President of the Council concerning the decision of the Government of the Sudan to terminate the presence of UNMIS as from 9 July 2011  |
| United Nations Mission in South Sudan (UNMISS) | <a href="#">S/2011/361</a> ,<br><a href="#">S/2011/362</a>            | 13 and 15 June 2011      | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a Special Representative and Head of UNMISS   |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Mission</i>   | <i>Symbol</i>  | <i>Date</i>         | <i>Details</i>  |
|--|--|---------------------|---|
|  | <a href="#">S/2011/678</a>                                 | 2 November 2011     | Report of the Secretary-General including a recommendation that the strength of UNMISS be maintained at 7,000 military personnel  |
| African Union-United Nations Hybrid Operation in Darfur (UNAMID) | <a href="#">S/2010/382</a>                                 | 14 July 2010        | Report of the Secretary-General including a recommendation to renew UNAMID for one year   |
|  | <a href="#">S/2011/422</a>                                 | 8 July 2011         | Report of the Secretary-General including a recommendation to renew UNAMID for one year   |
|  | <a href="#">S/2011/466</a>                                 | 27 July 2011        | Letter from the Secretary-General to the President of the Council transmitting a communiqué adopted by the African Union Peace and Security Council at its 286th meeting, held to review the situation in Darfur and the operations of UNAMID               |
| United Nations Interim Security Force for Abyei (UNISFA)         | <a href="#">S/2011/384</a>                                 | 23 June 2011        | Letter from the Secretary-General to the President of the Council transmitting the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on temporary arrangements for the administration and security of the Abyei Area |
|  | <a href="#">S/2011/474</a> ,<br><a href="#">S/2011/475</a> | 27 and 29 July 2011 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of the Secretary-General's Special Envoy for the Sudan and South Sudan  |
|  | <a href="#">S/2011/510</a> ,<br><a href="#">S/2011/511</a> | 5 and 9 August 2011 | Exchange of letters between the Secretary-General and the President of the Council concerning a reconnaissance mission to be undertaken by UNISFA along the border between the Sudan and South Sudan  |
|  | <a href="#">S/2011/603</a>                                 | 29 September 2011   | Report of the Secretary-General including recommendations for amending the mandate of UNISFA to enable it to support an international border monitoring mechanism   |

Repertoire of the Practice of the Security Council, 2010-2011

| <i>Mission</i>   | <i>Symbol</i>  | <i>Date</i>          | <i>Details</i>   |
|--|--|----------------------|--|
|  | <a href="#">S/2011/628</a>                                 | 10 October 2011      | Letter from the Secretary-General to the President of the Council concerning the financial implications of supporting the border monitoring mechanism                  |
| United Nations Mission in the Central African Republic and Chad (MINURCAT) | <a href="#">S/2010/129</a>                                 | 11 March 2010        | Letter from the Secretary-General to the President of the Council concerning a two-month technical rollover of the mandate of MINURCAT                                 |
|  | <a href="#">S/2010/217</a>                                 | 29 April 2010        | Report of the Secretary-General including recommendations for the tasks and configuration of MINURCAT after the expiration of its mandate on 15 May 2010               |
|  | <a href="#">S/2010/292</a> ,<br><a href="#">S/2010/293</a> | 3 and 8 June 2010    | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of the Special Representative for MINURCAT               |
| United Nations Stabilization Mission in Haiti (MINUSTAH)                   | <a href="#">S/2010/23</a> ,<br><a href="#">S/2010/24</a>   | 13 January 2010      | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of an Acting Special Representative and Head of MINUSTAH |
|  | <a href="#">S/2010/200</a>                                 | 22 February 2010     | Report of the Secretary-General including recommendations to increase the strength of police personnel of MINUSTAH and to make adjustments to its mandate              |
|  | <a href="#">S/2010/131</a> ,<br><a href="#">S/2010/132</a> | 8 and 10 March 2010  | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Force Commander of MINUSTAH                     |
|  | <a href="#">S/2010/160</a> ,<br><a href="#">S/2010/161</a> | 26 and 29 March 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative and Head of MINUSTAH     |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Mission</i>   | <i>Symbol</i>  | <i>Date</i>             | <i>Details</i>  |
|--|--|-------------------------|---|
|  | <a href="#">S/2011/187</a> ,<br><a href="#">S/2011/188</a> | 23 and 25 March 2011    | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Force Commander of MINUSTAH  |
|  | <a href="#">S/2011/301</a> ,<br><a href="#">S/2011/302</a> | 12 and 13 May 2011      | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative for Haiti and Head of MINUSTAH                                  |
|  | <a href="#">S/2011/540</a>                                 | 25 August 2011          | Report of the Secretary-General including a recommendation to reduce the military and police strength of MINUSTAH and to extend the Mission for one year  |
| United Nations Military Observer Group in India and Pakistan (UNMOGIP) | <a href="#">S/2010/662</a> ,<br><a href="#">S/2010/663</a> | 15 and 21 December 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Chief Military Observer and Head of UNMOGIP  |
|  | <a href="#">S/2011/431</a> ,<br><a href="#">S/2011/432</a> | 14 and 18 July 2011     | Exchange of letters between the Secretary-General and the President of the Council concerning the reduction of the Italian contingent and the proposal to add Thailand to the list of contributors to UNMOGIP |
| United Nations Integrated Mission in Timor-Leste (UNMIT)               | <a href="#">S/2010/85</a>                                  | 12 February 2010        | Report of the Secretary-General including a recommendation to extend UNMIT for 12 months with a gradual decrease in the number of police personnel and the establishment of additional civilian posts         |
|  | <a href="#">S/2011/32</a>                                  | 25 January 2011         | Report of the Secretary-General including a recommendation to extend UNMIT for 12 months while continuing the gradual decrease in the number of police personnel  |
| United Nations Peacekeeping Force in Cyprus (UNFICYP)                  | <a href="#">S/2010/260</a> ,<br><a href="#">S/2010/261</a> | 27 and 28 May 2010      | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative in Cyprus and Head of UNFICYP                                   |



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| <i>Mission</i>  | <i>Symbol</i>  | <i>Date</i>                       | <i>Details</i>  |
|---|--|-----------------------------------|---|
|   | <a href="#">S/2010/264</a>                                 | 28 May 2010                       | Report of the Secretary-General including a recommendation to extend UNFICYP for six months   |
|   | <a href="#">S/2010/605</a>                                 | 26 November 2010                  | Report of the Secretary-General including a recommendation to extend UNFICYP for six months   |
|   | <a href="#">S/2011/332</a>                                 | 31 May 2011                       | Report of the Secretary-General including a recommendation to extend UNFICYP for six months   |
|   | <a href="#">S/2011/13</a> ,<br><a href="#">S/2011/14</a>   | 10 and 12 January 2011            | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Force Commander of UNFICYP                   |
|   | <a href="#">S/2011/746</a>                                 | 30 November 2011                  | Report of the Secretary-General including a recommendation to extend UNFICYP for six months   |
| United Nations Interim Administration Mission in Kosovo (UNMIK) | <a href="#">S/2011/631</a> ,<br><a href="#">S/2011/632</a> | 7 and 11 October 2011             | Exchange of letters between the Secretary-General and the President of the Council appointing a new Special Representative for Kosovo and Head of UNMIK             |
| United Nations Truce Supervision Organization (UNTSO)           | <a href="#">S/2011/189</a> ,<br><a href="#">S/2011/190</a> | 23 and 25 March 2011              | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of the Head of Mission and Chief of Staff of UNTSO    |
| United Nations Disengagement Observer Force (UNDOF)             | <a href="#">S/2010/55</a> ,<br><a href="#">S/2010/56</a>   | 28 January and<br>1 February 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Head of Mission and Force Commander of UNDOF |
|   | <a href="#">S/2010/296</a>                                 | 9 June 2010                       | Report of the Secretary-General including a recommendation to extend UNDOF by six months  |
|   | <a href="#">S/2010/607</a>                                 | 1 December 2010                   | Report of the Secretary-General including a recommendation to extend UNDOF by six months  |
|   | <a href="#">S/2011/359</a>                                 | 13 June 2011                      | Report of the Secretary-General including a recommendation to extend UNDOF by six months  |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Mission</i>                                      | <i>Symbol</i>  | <i>Date</i>          | <i>Details</i>  |
|---|--|----------------------|---|
|   | <a href="#">S/2011/748</a>                                 | 30 November 2011     | Report of the Secretary-General including a recommendation to extend UNDOF by six months  |
| United Nations Interim Force in Lebanon (UNIFIL)    | <a href="#">S/2010/86</a>                                  | 12 February 2010     | Letter from the Secretary-General to the President of the Council concerning the review of the operational capacity of UNIFIL   |
|   | <a href="#">S/2010/430</a>                                 | 11 August 2010       | Letter from the Secretary-General to the President of the Council recommending that the Council extend UNIFIL for one year  |
|   | <a href="#">S/2011/488</a>                                 | 5 August 2011        | Letter from the Secretary-General to the President of the Council recommending that the Council extend UNIFIL for one year  |
| United Nations Political Office for Somalia (UNPOS) | <a href="#">S/2010/301</a> ,<br><a href="#">S/2010/302</a> | 7 and 9 June 2010    | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative for Somalia and Head of UNPOS |
| United Nations Office for West Africa (UNOWA)       | <a href="#">S/2010/324</a>                                 | 21 June 2010         | Report of the Secretary-General including a recommendation to strengthen the technical and strategic police advisory capacity of UNOWA                                      |
|   | <a href="#">S/2010/614</a>                                 | 3 December 2010      | Report of the Secretary-General including a recommendation to extend UNOWA for three years  |
| United Nations Integrated Office in Burundi (BINUB) | <a href="#">S/2010/156</a> ,<br><a href="#">S/2010/157</a> | 23 and 25 March 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of an Executive Representative for Burundi and Head of BINUB  |
|   | <a href="#">S/2010/608</a>                                 | 30 November 2010     | Report of the Secretary-General recommending the termination of BINUB and the establishment of BNUB   |
| United Nations Office in Burundi (BNUB)             | <a href="#">S/2010/608</a>                                 | 30 November 2010     | Report of the Secretary-General recommending the termination of BINUB and the establishment of BNUB   |

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| <i>Mission</i>  | <i>Symbol</i>  | <i>Date</i>             | <i>Details</i>  |
|---|--|-------------------------|---|
|   | <a href="#">S/2010/677</a> ,<br><a href="#">S/2010/678</a> | 22 and 30 December 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative in Burundi and Head of BNUB                         |
|   | <a href="#">S/2011/751</a>                                 | 30 November 2011        | Report of the Secretary-General recommending the renewal of the mandate of BNUB for one year  |
| United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL)                | <a href="#">S/2010/471</a>                                 | 17 September 2010       | Report of the Secretary-General including a recommendation to extend UNIPSIL for one year   |
|   | <a href="#">S/2011/554</a>                                 | 2 September 2011        | Report of the Secretary-General including a recommendation to extend UNIPSIL for one year   |
| United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) | <a href="#">S/2010/584</a>                                 | 19 November 2010        | Report of the Secretary-General including a recommendation to extend BINUCA for one year  |
|   | <a href="#">S/2011/291</a> ,<br><a href="#">S/2011/292</a> | 6 and 10 May 2011       | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative for the Central African Republic and Head of BINUCA |
|   | <a href="#">S/2011/739</a>                                 | 28 November 2011        | Report of the Secretary-General including a recommendation to extend BINUCA for one year  |
| United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS)              | <a href="#">S/2010/550</a>                                 | 25 October 2010         | Report of the Secretary-General including a recommendation to extend UNIOGBIS for one year  |
|   | <a href="#">S/2011/655</a>                                 | 21 October 2011         | Report of the Secretary-General including a recommendation to extend UNIOGBIS for one year  |
| United Nations Regional Office for Central Africa (UNOCA)                               | <a href="#">S/2011/130</a> ,<br><a href="#">S/2011/131</a> | 11 and 14 March 2011    | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a Special Representative for Central Africa and Head of UNOCA                    |

**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

| <i>Mission</i>   | <i>Symbol</i>  | <i>Date</i>              | <i>Details</i>  |
|--|--|--------------------------|---|
| United Nations Support Mission in Libya (UNSMIL)         | <a href="#">S/2011/542</a>                                 | 7 September 2011         | Letter from the Secretary-General to the President of the Council proposing the establishment of UNSMIL for an initial period of three months                               |
|  | <a href="#">S/2011/587</a> ,<br><a href="#">S/2011/588</a> | 16 and 19 September 2011 | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative and Head of UNSMIL            |
|  | <a href="#">S/2011/727</a>                                 | 22 November 2011         | Report of the Secretary-General including a recommendation to extend UNSMIL for three months  |
| United Nations Assistance Mission in Afghanistan (UNAMA) | <a href="#">S/2010/47</a> ,<br><a href="#">S/2010/48</a>   | 26 and 27 January 2010   | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a Special Representative for Afghanistan and Head of UNAMA |
|  | <a href="#">S/2010/127</a>                                 | 10 March 2010            | Report of the Secretary-General recommending the renewal of the mandate of UNAMA for one year   |
|  | <a href="#">S/2011/120</a>                                 | 9 March 2011             | Report of the Secretary-General recommending the renewal of the mandate of UNAMA for one year   |
|  | <a href="#">S/2011/733</a> ,<br><a href="#">S/2011/734</a> | 22 and 23 November 2011  | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a Special Representative for Afghanistan and Head of UNAMA |
| United Nations Mission in Nepal (UNMIN)                  | <a href="#">S/2010/214</a>                                 | 28 April 2010            | Report of the Secretary-General including a recommendation that the Council respond positively should the Government of Nepal request an extension of the mandate of UNMIN  |
|  | <a href="#">S/2010/229</a>                                 | 5 May 2010               | Letter from the Secretary-General to the President of the Council transmitting a letter from the Government of Nepal requesting the extension of UNMIN for four months      |

## Repertoire of the Practice of the Security Council, 2010-2011

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| <i>Mission</i> | <i>Symbol</i>              | <i>Date</i>       | <i>Details</i>  |
|----------------|----------------------------|-------------------|---|
|                | <a href="#">S/2010/453</a> | 2 September 2010  | Report of the Secretary-General including a recommendation that the current mandate of UNMIN be rolled over by the Council in order to permit the necessary discussions with a duly formed government   |
|                | <a href="#">S/2010/473</a> | 9 September 2010  | Letter from the Secretary-General to the President of the Council transmitting a letter from the Chairman of the Unified Communist Party of Nepal (Maoist) requesting the extension of UNMIN for six months   |
|                | <a href="#">S/2010/474</a> | 14 September 2010 | Letter from the Secretary-General to the President of the Council transmitting a letter from the Government of Nepal and a letter from the Chairman of the Unified Communist Party of Nepal (Maoist) requesting the extension of UNMIN for four months  |
|                | <a href="#">S/2011/1</a>   | 5 January 2011    | Letter from the Secretary-General to the President of the Council transmitting (a) letter dated 31 December 2010 from the caretaker Government of Nepal on how issues relating to the monitoring of arms and armies and dispute-resolution mechanisms should be handled after the withdrawal of UNMIN on 15 January 2011; (b) a letter dated 30 December 2010 from the Chairman of the Unified Communist Party of Nepal (Maoist), requesting the extension of the tenure of UNMIN or the setting up of a United Nations political office to follow up the peace process; and (c) a letter dated 4 January 2011 from the Chairman of the Unified Communist Party of Nepal (Maoist) raising objections to all the key elements contained in the letter from the Government of Nepal |

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**Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions**

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| <i>Mission</i>                                     | <i>Symbol</i>  | <i>Date</i>             | <i>Details</i>   |
|--|--|-------------------------|--|
| United Nations Assistance Mission for Iraq (UNAMI) | <a href="#">S/2010/404</a>                                 | 29 July 2010            | Note verbale from the Permanent Mission of Iraq to the United Nations requesting an extension of the mandate of UNAMI for 12 months                                      |
|  | <a href="#">S/2010/666</a> ,<br><a href="#">S/2010/667</a> | 21 and 23 December 2010 | Exchange of letters between the Secretary-General and the President of the Council concerning security arrangements for UNAMI  |
|  | <a href="#">S/2011/464</a>                                 | 27 July 2011            | Note verbale from the Permanent Mission of Iraq to the United Nations requesting an extension of the mandate of UNAMI for 12 months                                      |
|  | <a href="#">S/2011/502</a> ,<br><a href="#">S/2011/503</a> | 4 and 8 August 2011     | Exchange of letters between the Secretary-General and the President of the Council concerning the appointment of a new Special Representative for Iraq and Head of UNAMI |

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*The Repertoire of the Practice of the Security Council* and its supplements are published by the United Nations Secretariat as a guide to the proceedings of the Security Council from its first meeting in 1946 onwards. The *Repertoire* is designed to assist government officials, practitioners of international law, academics and all those interested in the work of the United Nations to follow the evolving practice of the Council and gain a better understanding of the framework within which it operates. The publication presents, as comprehensively as possible, new trends in the Council's application of the Charter of the United Nations and its own provisional rules of procedure. The *Repertoire* is the only such official record and is based solely on the deliberations of the Council, its decisions and other official documentation before the Council.

The current Supplement, seventeenth in the series of Supplements to the *Repertoire*, covers the years 2010 and 2011. As the Security Council continued to address various challenges with regard to its responsibility to maintain international peace and security during the period, its application of the Charter further evolved. Actively seized of a wide range of conflicts particularly in Africa and the Middle East, the Council continued to grapple with the question of protecting civilians in a manner consistent with the Charter. On 26 October 2010, the Council celebrated the tenth anniversary of its adoption of resolution 1325 (2000) on women and peace and security.

