

*Repertoire of the Practice of the Security Council* 26th Supplement

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Department of Political and Peacebuilding Affairs - Security Council Affairs Division Security Council Practices and Charter Research Branch

### 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 of the present Supplement covers the practice of the Council relating to committees, working groups, investigative bodies, tribunals, ad hoc commissions, and special advisers, envoys and representatives, as well as the Peacebuilding Commission. It also includes instances of subsidiary organs that were proposed but not established, where applicable. Field-based missions, including United Nations peacekeeping and political missions, are covered in part X. Field-based missions led by regional organizations are covered in part VIII. Each subsection below provides a summary of the major developments relating to each subsidiary organ during the period covered by this Supplement.

#### I. Committees

#### Note

Section I focuses on the decisions of the Security Council adopted during 2023 concerning the establishment of committees and the implementation of and changes to their mandates, as well as their termination. Subsection A covers standing committees and subsection B covers committees established under Chapter VII of the Charter of the United Nations. The description of each committee includes the tasks of the committee, as mandated by the Council

in the context of the implementation of sanctions measures such as an arms embargo, an asset freeze and/or a travel ban. Information on measures mandated by the Council pursuant to Article 41 of the Charter is provided in part VII, section III. The committees are discussed within each subsection below in the order of their establishment.

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 Council has both standing committees that meet only when issues under their purview are being considered and committees established on an ad hoc basis in response to specific requirements of the Council, such as counter-terrorism or sanctions committees.

The Bureau of each committee generally consists of a Chair and a Vice-Chair, who are elected by the Council on an annual basis.<sup>1</sup> Since the issuance in 2012 of a note by the President of the Council on the matter, the process for the appointment of Chairs and Vice-Chairs is conducted with the participation of all Council members.<sup>2</sup> According to the note by the President of the Council dated 31 August 2017, the informal process would be undertaken in a balanced, transparent, efficient and inclusive way "so as to facilitate an exchange of information related to the work of the subsidiary bodies involved" and would be "facilitated jointly by two members of the Council working in full cooperation".<sup>3</sup> On 27 December 2019, a note by the President was issued, according to which the Council members stressed that the "informal consultation process should take into account the need for a shared responsibility and a fair distribution of work for the selection of the Chairs among all members of the Council, bearing in mind the capacities and resources of members".<sup>4</sup>

In a new note by the President of the Council dated 21 August 2023, the Council reaffirmed the importance of "ensuring the efficiency and effectiveness ... in conducting its business" and agreed on two points to ensure that the Council can function continuously in accordance with Article 28 of the Charter. First, members of the Council remain committed to

<sup>&</sup>lt;sup>1</sup> For the bureaux of the committees during the period covered in the present Supplement, see <u>S/2023/2</u>, <u>S/2023/2/REV.1</u> and <u>S/2023/2/REV.2</u>.

<sup>&</sup>lt;sup>2</sup> See <u>S/2012/937</u>.

 $<sup>\</sup>frac{3}{2}$  S/2017/507, Annex, paras. 111–114. It was also indicated in the note that the Council should make every effort to agree on the appointment of the Chairs for the following year no later than 1 October. Previous notes of this nature were S/2006/507 and S/2010/507.

<sup>&</sup>lt;sup>4</sup> See <u>S/2019/991</u>.

"making every effort to agree provisionally on the appointment of the Chairs of the subsidiary bodies for the following year no later than 1 October" and second, "unless agreement is reached by1 January" on the appointment of Chairs and Vice-Chairs of the subsidiary bodies of the Council for the year, "as a contingency measure, the responsibilities of Chairs of all of the subsidiary bodies of the Council during the month of January shall devolve to the President for the month of January".<sup>5</sup>

#### A. Standing committees

During 2023, the standing committees, namely, the Committee of Experts on Rules of Procedure, the Committee of Experts established by the Council at its 1506th meeting to study the question of associate membership, the Committee on the Admission of New Members and the Committee on Council Meetings away from Headquarters, continued to exist but did not meet.

#### **B.** Committees established under Chapter VII of the Charter

Subsection 1 deals with the committees and associated monitoring teams, groups or panels of experts (expert groups) that oversaw specific sanctions measures in 2023.<sup>6</sup> Subsection 2 deals with subsidiary organs with a thematic scope, namely the Committee established pursuant to resolution <u>1373 (2001)</u> concerning counter-terrorism and the Committee established pursuant to resolution <u>1540 (2004)</u>, which have broader mandates relating to terrorism and non-proliferation. Other subsidiary bodies, including the Office of the Ombudsperson, the Counter-Terrorism Committee Executive Directorate and expert groups are discussed together with the relevant committees.

In 2023, the committees carried out their mandate of, inter alia, listing and delisting individuals and entities, granting exemptions and processing notifications, monitoring and assessing implementation and reporting to the Council. In addition to reporting by means of written reports, some Committee Chairs delivered briefings to the Council in open meetings and

<sup>&</sup>lt;sup>5</sup> See <u>S/2023/615</u>.

<sup>&</sup>lt;sup>6</sup> For information concerning the sanctions measures relevant to each of the committees, see part VII, section III.

closed consultations. As outlined in table 1, briefings by Chairs of subsidiary organs took place under both thematic and country-and region-specific items and briefings were delivered as joint or individual briefings, in the context of which Chairs reported at varying intervals on a variety of aspects of the work of subsidiary organs, including their mandates and/or any visits conducted by the Chairs.

Table 1

Item	Briefing by the Chair	Meeting record and date
Country and region-specific		
Reports of the Secretary- General on the Sudan and South Sudan	Committee established pursuant to resolution <u>1591 (2005)</u>	<u>S/PV.9288</u> 20 March 2023
		<u>S/PV.9348</u> 15 June 2023
		<u>S/PV.9416</u> 13 September 2023
		<u>S/PV.9503</u> 12 December 202
	Committee established pursuant to resolution 2206 (2015)	<u>S/PV.9507</u> 14 December 202
The question concerning Haiti	Committee established pursuant to resolution 2653 (2022)	<u>S/PV.9368</u> 6 July 2023
		<u>S/PV.9504</u> <u>S/PV.9504 Corr.</u> 12 December 202
The situation concerning the Democratic Republic of the Congo	Committee established pursuant to resolution 1533 (2004)	<u>S/PV.9427</u> 28 September 20.
The situation in Afghanistan	Committee established pursuant to resolution 1988 (2011)	<u>S/PV.9515</u> 20 December 202
The situation in Libya	Committee established pursuant to resolution 1970 (2011)	<u>S/PV.9306</u> 18 April 2023
		<u>S/PV.9351</u> 19 June 2023
		<u>S/PV.9402</u> 22 August 2023

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		<u>S/PV.9438</u> 16 October 2023
		<u>S/PV.9510</u> 16 December 2023
The situation in the Middle East	Committee established pursuant to resolution 2140 (2014)	<u>S/PV.9282</u> 15 March 2023 <u>S/PV.9468</u> 8 November
		2023
The situation in Somalia	Committee established pursuant to resolution 751 (1992) <sup>a</sup>	<u>S/PV.9271</u> 27 February 2023
		<u>S/PV.9349</u> 15 June 2023
		<u>S/PV.9441</u> 17 October 2023
Thematic		
Briefings by Chairs of subsidiary bodies of the Security Council	<ul> <li>a. Committee established pursuant to resolutions <u>1267 (1999)</u>, <u>1989 (2011)</u> and <u>2253 (2015)</u></li> <li>b. Committee established pursuant to resolution <u>1373 (2001)</u></li> <li>c. Committee established pursuant to resolution <u>1540 (2004)</u></li> </ul>	<u>S/PV.9478</u> 15 November 2023
	<ul> <li>a. Committee established pursuant to resolution 1518 (2003)</li> <li>b. Committee established pursuant to resolution 1636 (2005)</li> <li>c. Committee established pursuant to resolution 2140 (2014)</li> <li>d. Committee established pursuant to resolution 2127 (2013)</li> <li>e. Committee established pursuant to resolution 1373 (2001)</li> <li>f. Committee established pursuant to resolution 2048 (2012)</li> <li>g. Committee established pursuant to resolution 1533 (2004)</li> <li>h. Committee established pursuant to resolution 2206 (2015)</li> <li>i. Committee established pursuant to resolution 2653 (2022)</li> </ul>	<u>S/PV.9508</u> 14 December 2023
Non-proliferation of weapons	Committee established pursuant to resolution 1540 (2004)	<u>S/PV.9293</u> 23 March 2023

of mass destruction

<sup>*a*</sup> By resolution <u>2713 (2023)</u>, the Council decided that the Committee should cease being described as "pursuant to resolution <u>751</u> (<u>1992</u>)" and instead be described as "pursuant to resolution <u>2713 (2023)</u>".

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#### 1. Committees overseeing specific sanctions measures

During the period under review, the total number of active committees overseeing specific sanctions measures decreased from 15 to 14 by the end of 2023, as the Council did not renew the measures established pursuant to resolution <u>2374 (2017)</u> concerning Mali and the respective mandates of the relevant committee and panel of experts.<sup>7</sup> It also amended the name of the Security Council Committee established pursuant to resolution <u>751 (1992)</u> concerning Al-Shabaab to "Security Council Committee established pursuant to resolution <u>2713 (2023)</u> concerning Al-Shabaab"<sup>8</sup>.

As described in more detail below, while most of the mandates of the committees remained largely unchanged, the Council modified some aspects of the mandates of certain committees or requested committees or expert panels to carry out specific tasks. For example, recognizing the need to preserve the value of the t frozen liquid assets of the Libyan Investment Authority for the benefit of the Libyan people, the Council requested the Panel of Experts to provide recommendations on possible actions that could enable the reinvestments of such assets.<sup>9</sup>

Table 2 provides an overview of the committees, including selected categories of the main mandatory measures that they oversaw during 2023.

<sup>&</sup>lt;sup>7</sup> See  $\underline{S/PV.9408}$ . For more information, see part I, sect. 11.

<sup>&</sup>lt;sup>8</sup> Resolution <u>2713 (2023)</u>, para. 25.

<sup>&</sup>lt;sup>9</sup> Resolution <u>2701 (2023)</u>, para. 15.

#### Table 2

#### Security Council committees responsible for oversight of specific sanctions measures, 2023

Sanctions Committee	Arms embargo	Asset freeze	Travel ban or restrictions	Non- proliferation measures/ restrictions on ballistic missiles	Economic and financial restrictions	Petroleum related (including bunkering services)	Natural resourcesª	<b>Others</b> <sup>b</sup>
Committee pursuant to resolution 751 (1992)	Х	Х	Х				Х	Х
Committee pursuant to resolutions <u>1267 (1999)</u> , <u>1989 (2011)</u> and <u>2253 (2015)</u>	Х	Х	Х					
Committee established pursuant to resolution 1518 (2003)	Х	Х						
Committee established pursuant to resolution 1533 (2004)	Х	Х	Х					Х
Committee established pursuant to resolution 1591 (2005)	Х	Х	Х					
Committee established pursuant to resolution <u>1636 (2005)</u>		Х	Х					
Committee established pursuant to resolution 1718 (2006)	Х	Х	Х	Х	Х	Х	Х	Х
Committee established pursuant to resolution 1970 (2011)	Х	Х	Х		Х	Х		
Committee established pursuant to resolution 1988 (2011)	Х	Х	Х					
Committee established pursuant to resolution 2048 (2012)			Х					
Committee established pursuant to resolution 2127 (2013)	Х	Х	Х					
Committee established pursuant to resolution 2140 (2014)	Х	Х	Х					
Committee established pursuant to resolution 2206 (2015)	Х	Х	Х					
Committee established pursuant to resolution 2374 (2017)		Х	Х					
Committee established pursuant to resolution 2653 (2022)	Х	Х	Х					

<sup>a</sup> This category refers to a variety of measures on natural resources including charcoal, coal, iron, gold, titanium, copper, nickel, silver and zinc.

<sup>b</sup> Including measures relating to, inter alia, transport and aviation, the ban on components of improvised explosive devices, trade restrictions and/or diplomatic restrictions.

#### (a) Committee established pursuant to resolution 751 (1992) concerning Al-Shabaab

In 2023, while the mandate of the Committee initially established pursuant to resolution 751 (1992) remained largely unchanged,<sup>10</sup> the Council decided on 1 December that the future briefings of its Chair should take place on an annual basis and that thenceforth the Committee should cease being described as "pursuant to resolution 751 (1992)" and instead be described as "pursuant to resolution 2713 (2023)".<sup>11</sup> More information about the work of the Committee can be found in its annual report.<sup>12</sup>

By resolutions <u>2713 (2023)</u> and <u>2714 (2023)</u>, the Council lifted the arms embargo on Somalia, imposed by resolution 733 (1992), and imposed a territorial arms embargo on Al-Shabaab, with exceptions and exemptions in place. By resolution <u>2696 (2023)</u>, the Council authorized the Federal Government of Somalia to implement its proposal for a one-off, complete disposal of the charcoal stockpile as a one-off exemption to the ban and directed the Committee to follow up on its implementation.<sup>13</sup>

By resolution <u>2713 (2023)</u>, adopted under the item entitled "Peace and security in Africa", <sup>14</sup> the Council also renewed the mandate of the Panel of Experts, thenceforth known as the Panel of Experts pursuant to resolution <u>2713 (2023)</u>, until 15 January 2025 and decided that its mandate should include the tasks referred to in paragraph 11 of resolution <u>2444 (2018)</u>, and paragraphs 5, 11 and 17 of resolution <u>2713 (2023)</u>.<sup>15</sup> Consistent with prior practice, the Council also requested the Secretary-General to include dedicated gender expertise, in line with paragraph 11 of its resolution <u>2467 (2019)</u>, and further requested the Panel to include gender as a cross-cutting issue in its investigations and reporting, and expressed its intention to review this mandate and take appropriate action regarding any extension and modification of that mandate

<sup>&</sup>lt;sup>10</sup> The mandate of the Committee included, inter alia, designating individuals and entities subject to the sanctions measures adopted by the Council, which comprise an arms embargo, an asset freeze, a travel ban, a charcoal ban and an IED components ban, monitoring implementation and deciding requests for exemptions.

<sup>&</sup>lt;sup>11</sup> Resolution <u>2713 (2023)</u>, para. 31.

<sup>&</sup>lt;sup>12</sup> See <u>S/2023/1052</u>.

<sup>&</sup>lt;sup>13</sup> Resolution <u>2696 (2023)</u>, para. 3.

<sup>&</sup>lt;sup>14</sup> For more information, see part I, sect. 9.

<sup>&</sup>lt;sup>15</sup> Resolution <u>2713 (2023)</u>, para. 25.

no later than 15 December 2024.<sup>16</sup>The Council further requested the Panel to give recommendations to the Committee on how to support the Federal Government of Somalia in weapons and ammunition management and reduce smuggling of weapons and ammunition, including efforts towards establishing a National Small Arms and Light Weapons Commission and address sexual violence in conflict and the "six grave violations" against children, in line with <u>S/2023/676</u>.<sup>17</sup> The Council also requested that the Panel provide regular updates to the Committee, including a minimum of three different thematic reports, a comprehensive mid-term update and a final report by 15 October 2024.<sup>18</sup>

# (b) Committee established pursuant to resolutions <u>1267 (1999)</u>, <u>1989 (2011)</u> and <u>2253 (2015)</u> concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities

In 2023, the Council addressed matters relating to the Committee under the item entitled "Threats to international peace and security caused by terrorist acts".<sup>19</sup> The mandates of the Committee, the Analytical Support and Sanctions Monitoring Team and the Office of the Ombudsperson remained largely unchanged in 2023.<sup>20</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>21</sup> More information on the work of the Monitoring

<sup>21</sup> <u>S/2023/1002</u>.

<sup>&</sup>lt;sup>16</sup> Ibid.

<sup>&</sup>lt;sup>17</sup> Ibid., para. 26.

<sup>&</sup>lt;sup>18</sup> Ibid., para. 29.

<sup>&</sup>lt;sup>19</sup> For more information, see part I, sect. 30.

<sup>&</sup>lt;sup>20</sup> The mandate of the Committee included, inter alia, monitoring the implementation of the sanctions measures, comprising an arms embargo, an asset freeze and a travel ban, deciding on requests for exemptions, designating individuals and entities subject to the sanctions measures and conducting periodic and specialized reviews of the entries on the ISIL (Da'esh) and Al-Qaida sanctions list. The mandate of the Analytical Support and Sanctions Monitoring Team included, inter alia, supporting the Committee, gathering and analysing information on compliance with the sanctions measures, providing to the Committee information relevant to the listing of individuals and entities subject to the sanctions measures, assisting the Committee in regularly reviewing names on the sanctions list, assisting the Ombudsperson to the Committee in carrying out its mandate and providing periodic reports. The mandate of the Office of the Ombudsperson included, inter alia, reviewing requests from individuals and entities seeking to be removed from the sanctions list and making a recommendation to the Committee on those requests.

Team can be found in its reports.<sup>22</sup> More information on the work of the Office of the Ombudsperson can be found in its reports for 2023.<sup>23</sup>

#### (c) Committee established pursuant to resolution 1518 (2003)

In 2023, there were no modifications to the mandate of the Committee established pursuant to resolution <u>1518 (2003)</u>. By its resolution <u>1518 (2003)</u>, adopted on 24 November 2003, the Council established the Committee and mandated it to continue to identify individuals and entities whose funds, other financial assets and economic resources should be frozen and transferred to the Development Fund for Iraq, in accordance with paragraphs 19 and 23 of resolution <u>1483 (2003)</u>.<sup>24</sup> During the reporting period, the Committee did not convene any meetings but continued to reach agreement on delisting requests. For more information on the work of the Committee, see its annual report for 2023.<sup>25</sup>

# (d) Committee established pursuant to resolution <u>1533 (2004)</u> concerning the Democratic Republic of the Congo

In 2023, the mandate of the Committee established pursuant to resolution <u>1533 (2004)</u> remained largely unchanged.<sup>26</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>27</sup>

In its resolution 2688 (2023), by which the mandate of the Group of Experts established pursuant to resolution 1533 (2004) was extended until 1 August 2024, the Council expressed its intention to review the Group's mandate and take appropriate action regarding further extension

<sup>&</sup>lt;sup>22</sup> <u>S/2023/549</u> and <u>S/2024/92</u>.

<sup>&</sup>lt;sup>23</sup> <u>S/2023/662</u> and <u>S/2024/274</u>.

<sup>&</sup>lt;sup>24</sup> For background information, see *Repertoire, Supplement 2000-2003*, chap. V, part I.B.2.

<sup>&</sup>lt;sup>25</sup> <u>S/2023/1016</u>.

<sup>&</sup>lt;sup>26</sup> The mandate of the Committee included, inter alia, designating individuals and entities subject to the sanctions measures adopted by the Security Council, which comprise an arms embargo, an asset freeze, transport and customs controls and a travel ban, monitoring implementation and deciding on requests for exemptions.
<sup>27</sup> See S/2023/1011.

no later than 1 July 2024.<sup>28</sup> In addition, the Council called for enhanced cooperation between all States, particularly those in the region, and the Group of Experts, and requested the Group of Experts to provide a mid-term report no later than 30 December 2023 and a final report no later than 15 June 2024.<sup>29</sup> The Council also reaffirmed the reporting provisions set out in resolutions 2360 (2017) and 2478 (2019).<sup>30</sup> The Council recalled the Secretary-General's commitment that the United Nations would do everything possible to ensure that the perpetrators of the killing of the two members of the Group of Experts and the four Congolese nationals accompanying them were brought to justice and stressed the importance of a continued deployment by the Secretary-General of the follow-on mechanism to the Democratic Republic of the Congo to assist with the national investigation, within existing resources.<sup>31</sup>

In its resolution <u>2717 (2023)</u>, by which it extended the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the Council requested MONUSCO to monitor the implementation of the arms embargo as described in paragraphs 1 to 3 of resolution <u>2688 (2023)</u>, in cooperation with the Group of Experts and further requested MONUSCO to assist and exchange relevant information with the Group of Experts.<sup>32</sup>

#### (e) Committee established pursuant to resolution 1591 (2005) concerning the Sudan

In 2023, the mandate of the Committee established pursuant to resolution <u>1591 (2005)</u> concerning the Sudan remained unchanged.<sup>33</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>34</sup>

<sup>&</sup>lt;sup>28</sup> Resolution <u>2688 (2023)</u>, para. 5. The mandate of the Group of Experts included, inter alia, supporting the Committee, gathering and analyzing information on compliance, providing information relevant to listing individuals and entities subject to the sanctions measures and providing periodic reports.

<sup>&</sup>lt;sup>29</sup> Ibid., para. 6.

<sup>&</sup>lt;sup>30</sup> Ibid., para. 7.

<sup>&</sup>lt;sup>31</sup> Ibid., para. 9.

<sup>&</sup>lt;sup>32</sup> Resolution <u>2717 (2023)</u>, para. 43. For more information on the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), see part X, sect. I.

<sup>&</sup>lt;sup>33</sup> The mandate of the Committee included monitoring implementation of the measures adopted by the Council, comprising an arms embargo, an asset freeze and a travel ban, deciding on requests for exemptions and designating individuals and entities subject to the sanctions measures.

<sup>&</sup>lt;sup>34</sup> See <u>S/2023/1043</u> and <u>S/2023/1043/Corr.1</u>.

In its resolution <u>2676 (2023)</u>, by which the mandate of the Panel of Experts established pursuant to resolution <u>1591 (2005)</u> was extended until 12 March 2024, the Council requested the Panel to provide periodic reports and expressed its intention to review the Panel's mandate and to take appropriate action regarding the further extension of the mandate no later than 12 February 2024.<sup>35</sup> Further, the Council requested the Secretary-General, in close coordination with the Panel, to conduct, no later than 1 December 2023, an assessment of progress achieved on the key benchmarks established as outlined in the report of the Secretary-General of 31 July 2021.<sup>36</sup>

#### (f) Committee established pursuant to resolution 1636 (2005)

During the period under review, there were no changes to the mandate of the Committee established pursuant to resolution <u>1636 (2005)</u> to register and oversee the travel ban and asset freeze on individuals designated by the International Independent Investigation Commission or by 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.<sup>37</sup> The Committee held no meetings during 2023. As of 31 December 2023, no individual had been registered.

<sup>&</sup>lt;sup>35</sup> Resolution <u>2676 (2023)</u>, para. 2. The mandate of the Panel of Experts included supporting the Committee, gathering and analysing information on compliance, providing information relevant to the listing of individuals and entities subject to the sanctions measures and providing periodic reports. Resolution <u>2676 (2023)</u> was adopted with 13 votes in favour and two abstentions. For more information on the outcome of the vote, see part I, sect. 7.
<sup>36</sup> Ibid., para. 5. See also <u>S/2021/696</u>. In his letter dated 28 November 2023, the Secretary-General stated that, following the outbreak of violence and pronounced deterioration of the security situation in the Sudan on 15 April, the implementation of benchmarks and the assessment of progress made on them would not be possible (S/2023/918).

<sup>&</sup>lt;sup>37</sup> For more information, see *Repertoire, Supplement 2004-2007*, chap. V part I.B.

#### (g) Committee established pursuant to resolution 1718 (2006)

During the period under review, there were no modifications to the mandate of the Committee established pursuant to resolution 1718 (2006).<sup>38</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>39</sup>

In its resolution 2680 (2023), by which the mandate of the Panel of Experts established pursuant to resolution 1874 (2009) was extended until 30 April 2024, the Council requested the Panel to provide periodic reports and expressed its intent to review the mandate of the Panel and take appropriate action regarding further extension no later than 22 March 2024.<sup>40</sup> In the same resolution, the Council requested the Panel of Experts to provide the Committee a planned programme of work no later than thirty days after the Panel's reappointment and encouraged the Committee to engage in regular discussions about its programme of work and to engage regularly with the Panel about its work, and further requested the Panel to provide to the Committee any updates to its programme of work.<sup>41</sup>

#### (h) Committee established pursuant to resolution 1970 (2011) concerning Libya

In 2023, the mandate of the Committee established pursuant to resolution 1970 (2011) concerning Libya remained unchanged.<sup>42</sup> Nevertheless, the Council underscored the importance of the Committee considering de-listing requests of a number of designated individuals, as

<sup>&</sup>lt;sup>38</sup> The mandate of the Committee included, inter alia, monitoring implementation, deciding on requests for exemptions, and designating individuals, entities and vessels subject to the sanctions measures adopted by the Council, comprising, among others, an arms embargo, an embargo relating to nuclear, ballistic missile and other weapons of mass destruction programmes, sectoral bans on coal, minerals and fuel, a ban on the export of luxury goods, a travel ban, an asset freeze, a ban on the provision of financial services and a ban on specialized teaching and training in disciplines that could contribute to prohibited activities and programmes. <sup>39</sup> S/2023/1021.

<sup>&</sup>lt;sup>40</sup> Resolution 2680 (2023), paras. 1–2. The mandate of the Panel of Experts included, inter alia, supporting the Committee, gathering and analyzing information on compliance, making recommendations on actions that the Council, the Committee or Member States might consider improving implementation of the measures and providing periodic reports.

<sup>&</sup>lt;sup>41</sup> Resolution 2680 (2023), para. 3.

<sup>&</sup>lt;sup>42</sup> The mandate of the Committee included monitoring implementation, gathering and analyzing information on compliance, deciding on requests for exemptions and designating individuals, entities and vessels subject to the sanctions measures adopted by the Council, which comprise an arms embargo, a travel ban, an asset freeze and measures aimed at preventing illicit exports of petroleum.

appropriate and in line with resolution <u>1730 (2006)</u>.<sup>43</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>44</sup>

During the period under review, the Council adopted resolution 2701 (2023), by which it extended the mandate of the Panel of Experts on Libya until 15 February 2025 and decided that the Panel's mandated tasks as defined in resolution 2213 (2015) should also apply with respect to the measures updated in resolution 2701 (2023), namely the measures aimed at preventing the illicit exports of petroleum, the arms embargo, the travel ban and the assets freeze.<sup>45</sup> By the same resolution, the Council expressed its intent to review the Panel's mandate and take appropriate action regarding further extension no later than 15 January 2025 and requested the Panel to provide periodic reports.<sup>46</sup> It requested that the Panel of Experts closely follow and report to the Committee any information relating to the illicit export from or illicit import to Libya of petroleum and directed the Committee to immediately inform all relevant Member States about notifications to the Committee from the Government of Libya's focal point regarding vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya.<sup>47</sup> The Council affirmed its readiness to consider changes, when appropriate, to the asset freeze at the request of the Government of Libya, including allowing the Libyan Investment Authority, which is under a specific asset freeze measure, to reinvest frozen liquid assets for the purpose of preserving their value and benefiting the Libyan people at a later stage. To that end, the Council requested the Panel of Experts to provide recommendations on possible actions that could enable such reinvestments in their final report.<sup>48</sup>

<sup>&</sup>lt;sup>43</sup> Resolution <u>2701 (2023)</u>, para. 13.

<sup>&</sup>lt;sup>44</sup> <u>S/2023/1037</u>.

<sup>&</sup>lt;sup>45</sup> Resolution <u>2701 (2023)</u>, paras. 2 and 17. The mandate of the Panel of Experts included supporting the Committee, gathering and analysing information on compliance, monitoring implementation, making recommendations on actions that the Council, the Committee, the Government of Libya or other States might consider to improve implementation of the relevant measures and providing periodic reports. For more information on the sanctions measures concerning Libya, see part VII, sect. III.

<sup>&</sup>lt;sup>46</sup> Ibid., paras. 17 and 18.

<sup>&</sup>lt;sup>47</sup> Ibid., paras. 3 and 4.

<sup>&</sup>lt;sup>48</sup> Ibid., para. 15.

#### (i) Committee established pursuant to resolution 1988 (2011)

In 2023, the Council addressed matters related to the Committee under two different items of its agenda, namely: (a) "The situation in Afghanistan" and (b) "Threats to international peace and security caused by terrorist acts".<sup>49</sup>

The mandate of the Committee established pursuant to resolution <u>1988</u> (2011) remained largely unchanged.<sup>50</sup> The Council adopted one resolution in relation to the mandate of the Committee and the Analytical Support and Sanctions Monitoring Team. By its resolution <u>2716</u> (2023), the Council extended for a period of 12 months, until December 2024, the mandate of the Monitoring Team in support of the Committee established pursuant to resolution <u>1988</u> (2011), with further details on the mandate set forth in the annex to the resolution.<sup>51</sup> In the resolution, the Council also directed the Monitoring Team to gather information on instances of non-compliance with the measures imposed by resolution <u>2255</u> (2015) and to keep the Committee informed of such instances, as well as to facilitate, upon request by Member States, assistance on capacitybuilding. In addition, the Council encouraged Committee members to address issues of noncompliance and bring them to the attention of the Monitoring Team or the Committee and directed the Monitoring Team to provide recommendations to the Committee, see its annual report for 2023.<sup>53</sup> More information on the work of the Committee, see its annual report for 2023.<sup>54</sup>

<sup>&</sup>lt;sup>49</sup> For more information, see part I, sects. 14 and 30.

<sup>&</sup>lt;sup>50</sup> The mandate of the Committee included, inter alia, monitoring implementation, deciding upon requests for exemptions and designating individuals and entities subject to the sanctions measures adopted by the Security Council, which comprised an arms embargo, an asset freeze and a travel ban, and conducting periodic and specialized reviews of the entries on the sanctions list. The Committee was supported by the Analytical Support and Sanctions Monitoring Team.

<sup>&</sup>lt;sup>51</sup> Resolution <u>2716 (2023)</u>, para. 2. See the annex to the resolution for a comprehensive overview of the mandate of the Monitoring Team included, inter alia, supporting the Committee, gathering and analysing information on compliance with the sanctions measures, providing to the Committee information relevant to the listing of individuals and entities subject to the sanctions measures, assisting the Committee in regularly reviewing names on the sanctions list and providing periodic reports.

<sup>&</sup>lt;sup>52</sup> Resolution <u>2716 (2023)</u>, para. 3.

<sup>&</sup>lt;sup>53</sup> <u>S/2023/1010</u>.

<sup>&</sup>lt;sup>54</sup> <u>S/2023/370</u>.

#### (j) Committee established pursuant to resolutions 2048 (2012) concerning Guinea-Bissau

During 2023, no changes were made to the mandate of the Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau. In this regard, the Committee continued to oversee the implementation of the travel ban, designate individuals who met the listing criteria contained in resolution 2048 (2012), and consider and decide upon requests for exemptions from the sanctions measures. For more information on the work of the Committee, see its annual report for 2023.<sup>55</sup>

# (k) Committee established pursuant to resolution <u>2127 (2013)</u> concerning the Central African Republic

In 2023, the mandate of the Committee established pursuant to resolution <u>2127 (2013)</u> concerning the Central African Republic remained unchanged.<sup>56</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>57</sup>

In its resolution <u>2693 (2023)</u>, by which the mandate of the Panel of Experts was extended until 31 August 2024, the Council requested the Panel to provide periodic reports and expressed its intention to review the Panel's mandate and take appropriate action regarding its further extension no later than 31 July 2024.<sup>58</sup> The Council strongly condemned attacks committed by armed groups of the Coalition des patriotes pour le changement (CPC) and requested the Panel to consider proposing or updating further statements of cases for possible designation pursuant to paragraphs 20 to 21 of resolution <u>2399 (2018)</u>.<sup>59</sup> Expressing concern about reports of illicit transnational trafficking networks which continued to fund and supply armed groups in the Central African Republic, and noting the increasing use of explosive ordnances, including improvised explosive devices (IEDs) and landmines, the Council requested the Panel, in the

<sup>&</sup>lt;sup>55</sup> See <u>S/2023/1061</u>.

<sup>&</sup>lt;sup>56</sup> The mandate of the Committee included, inter alia, monitoring and discussing implementation, processing notifications, deciding on exemptions, gathering and analyzing information on compliance and designating individuals and entities subject to the sanction's measures adopted by the Council comprising an arms embargo, an asset freeze and a travel ban.

<sup>&</sup>lt;sup>57</sup> See <u>S/2023/1057</u>.

<sup>&</sup>lt;sup>58</sup> Resolution <u>2693 (2023)</u>, paras. 6-7.

<sup>&</sup>lt;sup>59</sup> Ibid., para. 8.

course of carrying out its mandate, to devote special attention to the analysis of such networks and threats relating to explosive ordnances, in cooperation with other panels or groups of experts established by the Council.<sup>60</sup> The Council further reaffirmed the Committee provisions and the reporting and review provisions as set out in resolution <u>2399 (2018)</u> and extended by resolution <u>2648 (2022)</u>.<sup>61</sup>

In its resolution <u>2709 (2023)</u>, by which it extended the mandate of MINUSCA, the Council reiterated the Mission's tasks to assist the Committee and the Panel of Experts , including by monitoring the implementation of sanctions measures, supporting the Panel of Experts in collecting information of acts of incitement to violence, particularly on religious or ethnic grounds, and ensuring unhindered access and safety for the Panel of Experts.<sup>62</sup>

#### (I) Committee established pursuant to resolution 2140 (2014)

In 2023, the Council adopted resolution 2675 (2023) of 15 February and resolution 2707 (2023) of 14 November in connection with the Committee established pursuant to resolution 2140 (2014). In 2023, the mandate of the Committee remained largely unchanged. For more information on the work of the Committee, see its annual report for 2023.<sup>63</sup>

In its resolution <u>2675 (2023)</u>, the Council renewed until 15 November 2023 the measures as set out in resolution <u>2140 (2014)</u> and resolution <u>2216 (2015)</u>.<sup>64</sup> By its resolution, the Council extended the mandate of the Panel of Experts until 15 December 2023, requested the Panel to provide periodic reports, including a final report containing information as set out in paragraph 16 of resolution <u>2624 (2022)</u> no later than 15 October 2023, and expressed its intention to review the mandate and take appropriate action regarding further extension no later than 15 November 2023.<sup>65</sup>

<sup>&</sup>lt;sup>60</sup> Ibid., para. 9.

<sup>&</sup>lt;sup>61</sup> Ibid., para. 11. See also resolution <u>2399 (2018)</u>, paras. 26 and 41, and resolution <u>2648 (2022)</u>, para. 12.

<sup>&</sup>lt;sup>62</sup> Resolution <u>2709 (2023)</u>, para. 38 (a)-(d). For more information on the mandate of MINUSCA, see part X, sect. I.

<sup>&</sup>lt;sup>63</sup> See <u>S/2023/1054</u>.

<sup>&</sup>lt;sup>64</sup> Resolution <u>2675 (2023)</u>, para. 1.

<sup>&</sup>lt;sup>65</sup> Ibid., paras. 2 and 3.

By its resolution <u>2707 (2023)</u>, the Council renewed until 15 November 2024 the measures imposed by resolution <u>2140 (2014)</u> and resolution <u>2216 (2015)</u>.<sup>66</sup> In the resolution, the Council extended the mandate of the Panel of Experts until 15 December 2024, expressed its intention to review the mandate and take appropriate action regarding the further extension no later than 15 November 2024, and requested the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Panel of Experts until 15 December 2024.<sup>67</sup> The Council further requested the Panel to provide a midterm update to the Committee no later than 15 April 2024, as well as a final report no later than 15 October 2024.<sup>68</sup>

#### (m) Committee established pursuant to resolution 2206 (2015) concerning South Sudan

In 2023, the mandate of the Committee established pursuant to resolution 2206 (2015) concerning South Sudan remained unchanged.<sup>69</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>70</sup>

In its resolution <u>2683 (2023)</u>, the Council extended the mandate of the Panel of Experts until 1 July 2024 and requested the Panel to provide periodic reports.<sup>71</sup> The Council reiterated its request to the Secretariat to include the necessary gender expertise on the Panel and encouraged the Panel to integrate gender as a cross-cutting issue across its investigation and reporting.<sup>72</sup> By the same resolution, the Council encouraged the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members.<sup>73</sup> The Council further encouraged the timely exchange of information between UNMISS and the Panel of

<sup>&</sup>lt;sup>66</sup> Resolution <u>2707 (2023)</u>, para. 1.

<sup>&</sup>lt;sup>67</sup> Ibid., para.  $\overline{2}$ .

<sup>&</sup>lt;sup>68</sup> Ibid., para. 3.

<sup>&</sup>lt;sup>69</sup> The mandate of the Committee included monitoring implementation, deciding on requests for exemptions and designating individuals and entities subject to the sanctions measures adopted by the Council, comprising an arms embargo, an asset freeze and a travel ban.

<sup>&</sup>lt;sup>70</sup> <u>S/2023/1017</u>.

<sup>&</sup>lt;sup>71</sup> Resolution <u>2683 (2023)</u>, para. 19. The mandate of the Panel of Experts included supporting the Committee, gathering, examining and analyzing information on compliance and, as of 2018, information regarding the supply, sale or transfer of arms and related materiel and related military or other assistance, providing information relevant to the listing of individuals and entities subject to the sanctions measures and providing periodic reports. Resolution <u>2683 (2023)</u> was adopted with 10 votes in favour and five abstentions. For more information on the outcome of the vote, see part I, sect. 7.

<sup>&</sup>lt;sup>72</sup> Resolution <u>2683 (2023)</u>, para. 20.

<sup>&</sup>lt;sup>73</sup> Ibid., para. 18.

Experts and requested the Mission to assist the Committee and the Panel, within its mandate and capabilities.<sup>74</sup>

#### (n) Committee established pursuant to resolution 2374 (2017) concerning Mali

In 2023, the Council did not renew the sanctions measures established pursuant to resolution 2374 (2017) concerning Mali upon their expiration on 31 August,<sup>75</sup> after which the sanctions measures ceased to apply and the mandate of the Committee expired. Neither did the Council renew the mandate of the the Panel of Experts on Mali beyond its expiration on 30 September.<sup>76</sup>

#### (o) Committee established pursuant to resolution 2653 (2022) concerning Haiti

In 2023, the mandate of the Committee established pursuant to resolution <u>2653 (2022)</u> concerning Haiti remained largely unchanged.<sup>77</sup> For more information on the work of the Committee, see its annual report for 2023.<sup>78</sup>

In its resolution <u>2700 (2023)</u>, the Council extended the mandate of the Panel of Experts for a period of 13 months, until 19 November 2024, and requested the Panel to provide to the Council an interim report by 29 March 2024, a final report no later than 1 October 2024, and periodic updates in between.<sup>79</sup> In the resolution, the Council directed the Committee to consider expeditiously the update of the list of individuals and entities designated pursuant to resolution <u>2653 (2022)</u>, taking into account the reports submitted by the Panel of Experts.<sup>80</sup>

<sup>&</sup>lt;sup>74</sup> Ibid., para. 23. For more information on the mandate of UNMISS, see part X, sect. I.

<sup>&</sup>lt;sup>75</sup> Resolution <u>2649 (2022)</u>, para. 1. See also <u>S/PV.9408</u>.

<sup>&</sup>lt;sup>76</sup> Ibid., para. 4.

<sup>&</sup>lt;sup>77</sup> The mandate of the Committee included, inter alia, monitoring implementation, deciding requests for exemptions, and designating individuals and entities subject to the sanctions measures adopted by the Security Council, comprising an arms embargo, an asset freeze and a travel ban.

<sup>&</sup>lt;sup>78</sup> See <u>S/2023/1019</u>.

<sup>&</sup>lt;sup>79</sup> Resolution <u>2700 (2023)</u>, paras. 19 and 20. The mandate of the Panel of Experts included, inter alia, supporting the Committee, gathering, examining and analysing information, in particular incidents regarding the source and routes of arms trafficking to Haiti and incidents of undermining the political transition, providing information relevant to listing individuals and entities subject to the sanctions measures, and providing periodic reports. <sup>80</sup> Ibid., para. 4.

By resolution 2699 (2023), the Council modified the provisions of the sanctions regime by extending the targeted arms embargo, set in resolution 2653 (2022), and imposing a territorial arms embargo. In addition, the Council called upon the MSS mission, authorized by resolution 2699 (2023), to implement management processes and oversight mechanisms for their weapons and ammunition, to report any diversion of weapons and ammunition to the Panel of Experts, and to cooperate with the Government of Haiti's efforts to reinforce their weapons and ammunition management.<sup>81</sup>

By the resolution, the Council directed the Panel to cooperate with BINUH,<sup>82</sup> UNODC, CARICOM and relevant expert groups providing support to the work of the Sanctions Committees, as well as urged Member States and the MSS Mission to ensure cooperation with the Panel.<sup>83</sup> Finally, the Council requested the Secretary-General, in close coordination with the Panel of Experts, to conduct, no later than 1 October 2024, an assessment of progress achieved on the key benchmarks.<sup>84</sup>

#### 2. Other committees

During the period under review, both the Committee established pursuant to resolution <u>1373 (2001)</u> concerning counter-terrorism and the Counter-Terrorism Committee Executive Directorate established by resolution <u>1535 (2004)</u> to support the Counter-Terrorism Committee remained active.

The Committee established pursuant to resolution <u>1540 (2004)</u> also remained active in 2023, holding seven formal sessions and one informal session over the year. The Council did not adopt any resolutions related to the Committee.

#### (a) Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

On 25 April 2023, the Chair of the Counter-Terrorism Committee transmitted to the President of the Council, pursuant to resolution <u>1373 (2001)</u>, the work programmes of the

<sup>&</sup>lt;sup>81</sup> Ibid., paras. 14 and 15.

<sup>&</sup>lt;sup>82</sup> For more information on the mandate of BINUH, see part X, sect. II.

<sup>&</sup>lt;sup>83</sup> Ibid., paras. 21 and 22.

<sup>&</sup>lt;sup>84</sup> Ibid., para. 25.

Committee concerning counter-terrorism and CTED for the period 1 January to 31 December 2023.<sup>85</sup>

On 16 November, the Chair transmitted to the President of the Council a report prepared by CTED, pursuant to paragraph 7 of resolution  $\underline{1373} (2001)$ , on global implementation of the provisions of resolution  $\underline{2178} (2014)$  and  $\underline{2396} (2017)$  calling for strengthened efforts to address the evolving threat of foreign terrorist fighters and to counter terrorist travel.<sup>86</sup>

On 1 December 2023, under the agenda item "Peace and security in Africa", the Council adopted resolution <u>2713 (2023)</u>, in which it encouraged the CTED, including with initiatives such as "Tech Against Terrorism" to support the Government of the Federal Republic of Somalia with analysis and reporting on the use of online platforms for terrorist purposes by Al-Shabaab, and work in collaboration with Member States in the region to facilitate capacity building in detecting and disrupting Al-Shabaab's terrorist activities.<sup>87</sup>

In a letter dated 19 December, the Chair transmitted a set of non-binding guiding principles to assist Member States in countering the threats posed by the use of unmanned aircraft systems for terrorist purposes, developed by the Committee in accordance with the Delhi Declaration and in line with a presidential statement adopted by the Council on 15 December 2022.<sup>88</sup> These principles are to be known and referred to as the "Abu Dhabi Guiding Principles".

In a letter dated 29 December 2023 addressed to the President of the Council, the Chair of the Counter-Terrorism Committee recalled that pursuant to paragraph 2 of resolution <u>2617</u> (2021), the Council decided to conduct an interim review of the mandate of CTED by 31 December 2023. The Chair further informed the President that the Committee continued to review relevant documents submitted by CTED and would inform the Council of the outcome of the review, upon its completion.

<sup>&</sup>lt;sup>85</sup> <u>S/2023/296</u>.

<sup>&</sup>lt;sup>86</sup> S/2023/883.

<sup>&</sup>lt;sup>87</sup> Resolution 2713 (2023), para. 46.

<sup>&</sup>lt;sup>88</sup> See <u>S/2023/1035</u>. See also <u>S/PRST/2022/5</u>.

#### (b) Committee established pursuant to resolution 1540 (2004)

In 2023, the Security Council did not adopt any resolutions related to the Committee established pursuant to resolution <u>1540 (2004)</u>.

On 31 January, the Chair of the Committee addressed a letter to the President of the Council, informing that the Committee was continuing consideration of its annual programme of work and would report to the Council by 20 February 2023.<sup>89</sup> On 16 February, the Committee submitted its 20<sup>th</sup> programme of work covering the period from 1 February 2023 to 31 January 2024, in accordance with paragraph 4 of Security Council resolution <u>2663 (2022)</u>.<sup>90</sup> Pursuant to paragraph 9 of resolution <u>1540 (2004)</u> for 2023.<sup>91</sup> The Committee also concluded a review of its internal guidelines on matters regarding its group of experts, in accordance with paragraph 5 of resolution <u>2663 (2022)</u>.

In 2023, the Council heard twice the briefings by the Chair of the Committee. On 23 March, in relation with the agenda item entitled "Non-proliferation of weapons of mass destruction", the Chair briefed the Council on the activities of the Committee during the year of 2022, including the completion of the comprehensive review of resolution <u>1540 (2004)</u> in accordance with the provisions of resolution <u>1977 (2011)</u>.<sup>92</sup> On 15 November, the Chair of the Committee briefed the Council about the activities of the Group of Experts for the Committee under a separate agenda entitled "Briefings by Chairs of subsidiary bodies of the Security Council".<sup>93</sup>

#### **II. Working groups**

Note

<sup>&</sup>lt;sup>89</sup> See <u>S/2023/75</u>.

<sup>&</sup>lt;sup>90</sup> See <u>S/2023/117</u>.

<sup>&</sup>lt;sup>91</sup> See <u>S/2023/1067</u>.

<sup>&</sup>lt;sup>92</sup> See <u>S/PV.9293</u>. For more details, see part I, sect. 34.

<sup>&</sup>lt;sup>93</sup> See S/PV.9478. For more details, see part I, sect. 31.

During the period under review, working groups of the 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. In 2023, five of the six existing working groups of the Council held regular meetings.<sup>94</sup>

Table 3 provides information on the establishment, mandate, key provisions, chairmanship and vice-chairmanship of the informal and ad hoc working groups of the Council and the annual reports of their activities in 2023.

#### Table 3

#### Working Groups of the Security Council, 2023

Establishment	Mandate	Chair (Vice-Chairs)	Annual Report
Working Group on Peacel	ceeping Operations		
Established on 31 January 2001 ( <u>S/PRST/2001/3</u> )	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	Ghana (United Kingdom)	<u>S/2023/1078</u>
	Where appropriate, to seek the views of the troop-contributing countries, including through meetings between the Working Group and the troop-contributing countries, so that their views are taken into account by the Council		
Ad Hoc Working Group o	n Conflict Prevention and Resolution in Afri	ca	
Established in March 2002 ( <u>S/2002/207</u> ) <sup>a</sup>	To monitor the implementation of recommendations contained in the presidential statement <u>S/PRST/2002/2</u> and previous presidential statements and resolutions regarding conflict prevention and resolution in Africa.	Mozambique (Gabon)	<u>S/2023/1042</u>

<sup>&</sup>lt;sup>94</sup> Thirty-four meetings were held. The Working Group established pursuant to resolution 1566 (2004) did not meet during the period under review.

Establishment	Mandate	Chair (Vice-Chairs)	Annual Report
	To propose recommendations on the enhancement of cooperation between the Security Council and the Economic and Social Council as well as with other United Nations agencies dealing with Africa.		
	To examine, in particular, regional and cross-conflict issues that affect the Council's work on African conflict prevention and resolution.		
	To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the United Nations and regional (Organization of African Unity [now African Union]) and subregional organizations.		
Working Group establish	ed pursuant to resolution <u>1566 (2004)</u>		
Established on 8 October 2004 (resolution <u>1566</u> (2004))	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 <u>1267 (1999)</u> 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, and preventing supply to them of all types of arms and related material, and on the procedures for implementing these measures.	United Arab Emirates (France and Russian Federation)	N/A
	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.		
Working Group on Child	ren and Armed Conflict		
Established on 26 July 2005 (resolution <u>1612</u> (2005))	To review the reports of the monitoring and reporting mechanism on children and armed conflict.	Malta (Ecuador)	<u>S/2023/1030</u>

Establishment	Mandate	Chair (Vice-Chairs)	Annual Report
	To review progress in the development and implementation of the action plans called for in resolutions $1539$ (2004) and $1612$ (2005).		
	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.		
	To address requests, as appropriate, to other bodies within the United Nations system for action to support implementation of resolution <u>1612 (2005)</u> in accordance with their respective mandates.		
nformal Working Group Questions	on Documentation and Other Procedural		
Established in June 1993 no formal decision was aken)	To deal with issues related to documentation and other procedural questions.	Albania (Japan and United Arab Emirates)	<u>S/2023/1014</u>
nformal Working Group	on International Tribunals		
Established in June 2000 pursuant to a proposal nade by some Council nembers at the_4161st neeting (no formal decision was taken) <sup>b</sup>	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.	Gabon (Japan and Mozambique)	<u>S/2023/1018</u>

<sup>a</sup> In notes by the President of the Security Council, the Council renewed the mandate of the Working Group for periods of one year until 31 December 2011 (see <u>S/2003/1138</u>, <u>S/2004/1031</u>, <u>S/2005/814</u>, <u>S/2007/6</u>, <u>S/2008/795</u>, <u>S/2009/650</u> and <u>S/2010/654</u>). From that date onward, the Ad Hoc Working Group has continued to meet without the annual renewal of its mandate. <sup>b</sup> See <u>S/PV.4161</u>.

#### **III. Investigative bodies**

#### Note

During the period under review, the Council extended the mandate of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) for a final period of twelve months until 17 September 2024.<sup>95</sup> The Council did not authorize the establishment of any new investigative bodies.

# United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant

UNITAD formally commenced its activities on 20 August 2018.<sup>96</sup> On 22 May and 4 December 2023, the Special Adviser and Head of UNITAD submitted to the Council the tenth and eleventh reports on the activities of the Team.<sup>97</sup> The reporting period was marked by the successful launch of new lines of inquiry, including on the development and use of biological and chemical weapons, the destruction of cultural and religious heritage, and the crimes committed against various communities of Iraq, as well as advances on all the other lines of inquiry, including, inter alia, the updated versions of case assessment reports on crimes committed against the Christian community, the attack on Badush prison, the massacre in the Tikrit Air Academy, and the events in Sinjar. Further, in that period, UNITAD had produced its first joint case file with Iraqi investigative judges, which had been shared with the third State, where the alleged perpetrator resided. Progress had been made also towards establishing a centralized database of digitized evidence originating from Iraqi courts and government agencies under the custodianship of the Iraqi judiciary. In 2023, the Council held two meetings to hear briefings by the Special Adviser on the activities of UNITAD and its progress in implementing its mandate further to its reports.<sup>98</sup>

In addition, on 15 September 2023, the Council unanimously adopted resolution <u>2697</u> (2023), reaffirming resolution <u>2379 (2017)</u>, by which UNITAD had been established, and

<sup>&</sup>lt;sup>95</sup> Resolution <u>2697 (2023)</u>, para. 2.

<sup>&</sup>lt;sup>96</sup> <u>S/2018/1031</u>, para. 4. For more information on the establishment and history of UNITAD, see supplements 2016-2022, part IX, sect. III.

<sup>&</sup>lt;sup>97</sup> See <u>S/2023/367</u> and <u>S/2023/882</u>. For more information on the investigative priorities, see previous reports of the Special Advisor and Head of UNITAD (<u>S/2018/1031</u>, <u>S/2019/407</u>, <u>S/2019/878</u>, <u>S/2020/386</u>, <u>S/2020/1107</u>, <u>S/2021/419</u>, <u>S/2021/974</u>, <u>S/2022/434</u> and <u>S/2022/836</u>).

<sup>&</sup>lt;sup>98</sup> See <u>S/PV.9341</u> and <u>S/PV.9493</u>. For additional information, see part I, sect. 36 on "Threats to international peace and security".

recalling the terms of reference approved by the Council.<sup>99</sup> Taking note of the request from the Government of Iraq for a non-extendable one year extension of the mandate of the Special Adviser and the Team contained in its letter dated 5 September 2023,<sup>100</sup> the Council decided to extend the mandate of the Special Adviser and the Team until 17 September 2024 only.<sup>101</sup> By the same resolution, the Council further took note of the request from the Government of Iraq for UNITAD to promote national accountability in Iraq for members of ISIL/Da'esh and those who provided assistance and financing to this terrorist organisation by providing the evidence it had to the Government of Iraq within the next year.<sup>102</sup> The Council requested the Secretary-General to submit to the Council, no later than 15 January 2024, a report setting out recommendations for implementing that request with full respect for the sovereignty of Iraq.<sup>103</sup> It also requested UNITAD, with the approval of the Government of Iraq, to determine the modalities for evidence sharing with third states and further requested that UNITAD communicated to the Government of Iraq on what previous evidence had been shared with third states.<sup>104</sup> By the same resolution, the Special Adviser was also requested to continue to submit and present reports to the Council on the activities of the Team every 180 days and to develop, by 15 March 2024, in consultations with the Government of Iraq, a roadmap for the completion of the Team's mandate, including with respect to Iraq's request set out in paragraph 3 and the necessary steps for the Team's closure.105

#### **IV. Tribunals**

#### Note

<sup>&</sup>lt;sup>99</sup> Resolution <u>2697 (2023)</u>, para. 1. For the terms of reference approved by the Council for UNITAD, see <u>S/2018/118</u>, annex.

<sup>&</sup>lt;sup>100</sup> See <u>S/2023/654</u>.

<sup>&</sup>lt;sup>101</sup> Resolution <u>2697 (2023)</u>, para. 2.

<sup>&</sup>lt;sup>102</sup> Ibid., para. 3.

<sup>&</sup>lt;sup>103</sup> Ibid., para. 4.

<sup>&</sup>lt;sup>104</sup> Ibid., para. 5.

<sup>&</sup>lt;sup>105</sup> Ibid., para. 6.

In a note by the President of the Council dated 2 February 2018,<sup>106</sup> the Council agreed that issues pertaining to the International Residual Mechanism for Criminal Tribunals would be considered under an item entitled "International Residual Mechanism for Criminal Tribunals", <sup>107</sup> under which would be subsumed the earlier consideration by the Council of issues pertaining to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda.<sup>108</sup> During the period under review, the Council took note of the intention of the Secretary-General to appoint a judge nominated to fill the vacancy resulting from the death of one judge for the remainder of the term of office.<sup>109</sup>

#### **Developments in 2023**

In an exchange of letters dated 8, 11 and 26 May 2023 between the Secretary-General and the President of the Security Council,<sup>110</sup> the Council took note of the intention of the Secretary-General to appoint a judge to fill a vacancy following the death of one of the judges of the Mechanism on 5 January 2023 for the remainder of the term of office ending on 30 June 2024.

#### V. Special advisers, envoys and representatives

#### Note

Section V 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

<sup>&</sup>lt;sup>106</sup> S/2018/90.

 $<sup>\</sup>frac{107}{\text{By}}$  its resolution 1966 (2010), the Council established the Mechanism to carry out the residual functions of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (International Tribunal for the Former Yugoslavia) and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (International Tribunal for Rwanda) after the completion of their mandates. For more information on the activities of the Council during 2023 in connection with the Mechanism, see part I, sect. 25, "International Residual Mechanism for Criminal Tribunals". <sup>108</sup> See *Repertoire, Supplement 2014-2015* to *Supplement 2022*.

<sup>&</sup>lt;sup>109</sup> For more information on the actions of the Council concerning judges of the Mechanism, see part IV, sect. I.D. <sup>110</sup> See S/2023/347, S/2023/348 and S/2023/386.

responsibility for the maintenance of international peace and security. Special representatives appointed as heads of peacekeeping or special political missions are covered in part X and those authorized by the General Assembly are covered in part IV. Previous supplements should be consulted for information concerning special advisers, envoys and representatives whose functions have ceased.

During the period under review, the following envoys, advisers and representatives of the Secretary-General continued to exercise their functions:

- Personal Envoy of the Secretary-General for Western Sahara
- Special Adviser to the Secretary-General on Cyprus
- Special Adviser to the Secretary-General on the Prevention of Genocide
- Special Envoy of the Secretary-General for the implementation of Security Council resolution <u>1559 (2004)</u><sup>111</sup>
- Special Adviser to the Secretary-General on the Responsibility to Protect
- Special Representative of the Secretary-General on Sexual Violence in Conflict
- Special Envoy of the Secretary-General for the Horn of Africa
- Special Envoy of the Secretary-General for Yemen
- Special Envoy of the Secretary-General for the Great Lakes Region
- Special Adviser and Head of the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant

By resolution <u>2679 (2023)</u> of 16 March, the Council requested the Secretary-General to conduct and provide in full to the Council, no later than 17 November 2023, an integrated, independent assessment on Afghanistan with forward-looking recommendations for an integrated and coherent approach among political, humanitarian, and development actors, within and outside of the United Nations system to address the current challenges faced by the

<sup>&</sup>lt;sup>111</sup> The Under-Secretary-General for Political and Peacebuilding Affairs has fulfilled the reporting functions of the Secretary-General to the Security Council on resolution <u>1559 (2004)</u> since former Special Envoy Terje Rod Larsen ended his functions in May 2016.

Part IX - Subsidiary organs of the Security Council: committees, tribunals and other bodies *Repertoire website:* https://www.un.org/securitycouncil/content/repertoire/structure

country.<sup>112</sup> On 8 November, the Secretary-General submitted the independent assessment to Council, suggesting the appointment of a Special Envoy.<sup>113</sup> Subsequently on 29 December, by resolution <u>2721 (2023)</u>, the Council requested the Secretary-General, in consultation with members of the Security Council, relevant Afghan political actors and stakeholders, including relevant authorities, Afghan women and civil society, as well as the region and the wider international community, to appoint a Special Envoy for Afghanistan, provided with robust expertise on human rights and gender, to promote implementation of the recommendations of the independent assessment.<sup>114</sup>

Decisions of the Council acknowledging the appointment of special envoys, advisers and representatives of the Secretary-General, their mandate and any developments that occurred during the period under review are listed in Table 4.

#### Table 4

#### Developments relating to special advisers, envoys and representatives, 2023

Establishment/appointment Decisions

Personal Envoy of the Secretary-General for Western Sahara				
<u>S/1997/236</u> 19 March 1997	Resolution $2703$ (2023), second, third, fourth, twelfth and fourteenth preambular paragraphs and paras. 3, 5 and 6			
<b>Special Adviser to the Sect</b> <u>S/1997/320</u> 17 April 1997 <u>S/1997/321</u> 21 April 1997	retary-General on Cyprus There were no developments in 2023			

 Special Adviser to the Secretary-General on the Prevention of Genocide

 S/2004/567
 Resolution 2677 (2023), para. 3 (d) (iii)

 12 July 2004
 S/2004/568

 13 July 2004
 S/2004

### Special Envoy of the Secretary-General for the implementation of Security Council resolution <u>1559</u> (2004)

<sup>&</sup>lt;sup>112</sup> Resolution <u>2679 (2023)</u>, paras. 1 and 2.

<sup>&</sup>lt;sup>113</sup> <u>S/2023/856</u>.

<sup>&</sup>lt;sup>114</sup> Resolution <u>2721 (2023)</u>, para. 4.

There were no developments in 2023

<u>S/PRST/2004/36</u> 19 October 2004 <u>S/2004/974</u> 14 December 2004 <u>S/2004/975</u> 16 December 2004

### Special Adviser to the Secretary-General on the Responsibility to ProtectS/2007/721There were no developments in 2023

<u>S/2007/721</u> 31 August 2007 <u>S/2007/722</u> 7 December 2007

#### Special Representative of the Secretary-General on Sexual Violence in Conflict

Resolution <u>1888 (2009)</u> 30 September 2009 <u>S/2010/62</u> 29 January 2010 <u>S/2010/63</u> 2 February 2010 Resolution <u>2683 (2023)</u>, para. 22 Resolution <u>2709 (2023)</u>, eighteenth and para. 36 (a)(vi) Resolution <u>2713 (2023)</u>, para. 28 Resolution <u>2717 (2023)</u>, para. 7

#### Special Envoy of the Secretary-General for the Horn of Africa

<u>S/2018/955</u> 24 October 2018 <u>S/2018/979</u> 31 October 2018 There were no developments in 2023

#### Special Envoy of the Secretary-General for Yemen

<u>S/2012/469</u> 18 June 2012 <u>S/2012/470</u> 21 June 2012 There were no developments in 2023

#### Special Envoy of the Secretary-General for the Great Lakes Region

 S/2013/166
 S/PRST/2023/3, seventh paragraph

 15 March 2013
 S/PRST/2023/5, ninth paragraph

 S/2013/167
 Resolution 2717 (2023), paras. 2, 17, 19, 34 (ii) (k) and 49

 18 March 2013
 Seventh paragraph

#### Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant

 Resolution 2379 (2017)
 Resolution 2682 (2023), para. 2 (d)

 21 September 2017
 Resolution 2697 (2023), paras. 1, 2 and 6

 S/2018/118
 Pebruary 2018

 S/2018/119
 13 February 2018

#### **VI. Peacebuilding Commission**

#### Note

The Peacebuilding Commission was established by the Council in resolution <u>1645 (2005)</u> of 20 December 2005.<sup>115</sup> During the period under review, the Commission held a total of 20 meetings and produced a total of 49 outcome documents.<sup>116</sup> The Commission also continued to submit advice to the Security Council in the form of letters and formal briefings in line with the previous practice. The Commission undertook four field visits: one to the African Union Commission by the Chair, the Vice-Chairs and three Chairs of the country configurations, and one to Mozambique by the Chair and the Vice-Chairs, one field visit each to the Central African Republic and Guinea-Bissau by the respective Chairs of the configurations. In 2023, the Commission addressed the situations in the Central African Republic, Colombia, Guinea-Bissau, Liberia and South Sudan and engaged on, for the first time, Canada, Honduras, Mozambique, Nepal and Norway.<sup>117</sup> The Commission was also engaged on the regional situations in the Great Lakes Region, the Gulf of Guinea and the Sahel.<sup>118</sup>

#### **Appointments to the Organizational Committee**

In 2023, Ecuador and Mozambique were the two elected members of the Council that were selected to participate in the Organizational Committee of the Peacebuilding Commission for a term of one year, until the end of 2023.<sup>119</sup>

<sup>&</sup>lt;sup>115</sup> In its resolution <u>1645 (2005)</u>, the Council, acting concurrently with the General Assembly, decided that the main purposes of the Peacebuilding Commission would be to, inter alia, bring together all relevant actors within and outside the United Nations involved in peacekeeping and peacebuilding to marshal the resources and advise on and propose integrated strategies for post-conflict peacebuilding and recovery, to focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict, and to provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations. For more information, see part I, sect. 35.

<sup>&</sup>lt;sup>116</sup> For the report of the Peacebuilding Commission on its seventeenth session, see S/2024/153, paras. 3, 5 and 27. <sup>117</sup> Ibid., paras. 7-13.

<sup>&</sup>lt;sup>118</sup> Ibid., paras. 14-16.

<sup>&</sup>lt;sup>119</sup> See <u>S/2023/37</u>.

#### **Developments in 2023**

In 2023, consistent with past practice, the Council invited the Chair of the Peacebuilding Commission and the Chairs of its country-specific configurations to provide briefings on their activities and on the situations on the agenda of the Commission.<sup>120</sup> In addition, the Chair of the Peacebuilding Commission transmitted written advice from the Commission to the Council in the form of letters addressed to the President of the Security Council on 10 occasions (see table 5 below).

#### Table 5

## Peacebuilding Commission Written Advice by the Peacebuilding Commission transmitted as letters to the President of the Security Council, 2023

Date	Topic	Related Council meeting or document
6 January 2023	United Nations Office for West Africa and the Sahel (UNOWAS)	<u>S/2023/26</u>
9 January 2023	Colombia	<u>S/2023/29</u>
14 February 2023	Threats to international peace and security: sea level rise – implications for international peace and security	<u>S/2023/106</u>
3 March 2023	United Nations Mission in South Sudan (UNMISS)	<u>S/2023/173</u>
3 May 2023	Futureproofing trust for sustaining peace	<u>S/2023/306</u>
15 May 2023	Group of Five for the Sahel	<u>S/2023/352</u>
20 July 2023	United Nations Office for West Africa and the Sahel (UNOWAS)	<u>S/2023/541</u>
9 October 2023	Colombia	<u>8/2023/745</u>
11 October 2023	Great Lakes region	<u>S/2023/752</u>
10 November 2023	Renewal of the MINUSCA mandate	<u>S/2023/860</u>

<sup>&</sup>lt;sup>120</sup> The practice of inviting the Chairs of country-specific configurations of the Peacebuilding Commission to participate in formal Council meetings was established in the note by the President of the Council dated 26 July 2010 ( $\underline{S/2010/507}$ , para. 61) and was reaffirmed in the note by the President dated 30 August 2017 ( $\underline{S/2017/507}$ , para. 95).

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#### (i) Briefings and discussions

During a meeting held on 26 January under the item "Peacebuilding and sustaining peace" and the subitem "Investment in people to enhance resilience against complex challenges"<sup>121</sup>, the representative of Bangladesh, in his capacity as Chair of the Peacebuilding Commission, reported about the growing synergies between the Commission and the Council in recent years with the Commission's strengthened advisory role at the Council's request.<sup>122</sup> The number of submissions from the Commission to the Council had continued to grow, reaching a total of 17 in 2022, with improved timeliness of the advice which enabled the Council to take decisions while benefitting from the broader peacebuilding perspectives. Other informal arrangements that had allowed the Council to make better use of the advisory, bridging and convening role of the Commission included the convening of informal interactive dialogues, the appointment by the Commission of an informal coordinator for the interactions between the Council and the Commission and the decision by the Council to share with the Commission advance copies of reports of the Secretary-General. He indicated that the Commission was open to exploring other forms of advice to the Council, especially concerning those countries in which a peace operation was present, building on the Commission's interactions and leveraging the convening role of the PBC vis-à-vis regional and subregional organizations, international financial institutions, regional development banks and civil society organizations.<sup>123</sup>

On 21 February, the Council heard a briefing by the Chair of the Central African Republic configuration concerning the progress in and prospects for peacebuilding in the country, laying out three peacebuilding priorities, namely, holding local elections, strengthening the rule of law and transitional justice and investments in socioeconomic recovery and development.<sup>124</sup> He reported that the configuration would continue to focus on the cohesion and coordination on those priorities and on advocating for greater attention and support on the part of the international community to the CAR.

Concerning the situation in Colombia, the Council heard briefings by the Chair of the Peacebuilding Commission on two occasions. On 13 April, the representative of Croatia, in his

<sup>&</sup>lt;sup>121</sup> A concept note was circulated in a letter dated 5 January 2023 (<u>S/2023/19</u>).

<sup>&</sup>lt;sup>122</sup> See <u>S/PV.9250</u>, pp. 4-6.

<sup>&</sup>lt;sup>123</sup> For more information, see part I, sect. 35.

<sup>&</sup>lt;sup>124</sup> <u>S/PV.9265</u>, pp. 5-7.

capacity as the Chair, reported about the Commission's engagement in Colombia since 2020, making a series of recommendations, including, calling for continuing to show unified support to the Government of Colombia in its efforts to implement the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace.<sup>125</sup> He also reiterated the Commission's commitment to supporting the Government of Colombia and its peoples in their efforts to build peace. On 11 October, the Chair further encouraged the Council to support the government in ensuring that peace dividends reach all Colombians and to closely follow the measures taken to provide protection for young community members and leaders to ensure their full and effective participation in peacebuilding efforts.<sup>126</sup>

In connection with the situation in the Great Lakes Region, on 19 April, the representative of Croatia, in his capacity as Chair of the Peacebuilding Commission, briefed the Council.<sup>127</sup> Building on the Commission's previous advice to the Council and its continuing engagement in the Great Lakes region, the Chair encouraged the Council to consider reiterating its demand for all armed groups to immediately lay down their weapons and cease hostilities, continuing to firmly support regional peace initiatives and calling for the implementation by all States of the Peace, Security and Cooperation Framework commitments.

#### (ii) Decisions

The Council referred to the Peacebuilding Commission and to its mandate in several decisions adopted under thematic and country- and region-specific items.

#### Thematic decision

On 14 June, under the item entitled "Maintenance of international peace and security", the Council adopted resolution <u>2686 (2023)</u>, in which it encouraged the Peacebuilding Commission to continue fully utilising its role to convene United Nations bodies, Member States, national authorities and all other relevant stakeholders, including regional and sub-regional and international financial institutions to ensure an integrated, strategic, coherent,

<sup>&</sup>lt;sup>125</sup> <u>S/PV.9303</u>, pp. 4-5.

<sup>&</sup>lt;sup>126</sup> <u>S/PV.9434</u>, pp. 5-6.

<sup>&</sup>lt;sup>127</sup> S/PV.9307, pp. 3-4.

coordinated and gender-responsive approach to peacebuilding and sustaining peace and, in particular, to promote tolerance and address hate speech throughout the peace continuum in accordance with international law.<sup>128</sup>

#### Country- and region-specific decisions

On 15 March, under the item "Reports of the Secretary-General concerning the Sudan and South Sudan", the Council adopted resolution <u>2677 (2023)</u>, in which it encouraged the Government of South Sudan to continue engaging with the United Nations Peacebuilding Commission to enhance international support for South Sudan's peacebuilding objectives.<sup>129</sup>

On 30 October the Council adopted resolution <u>2702 (2023)</u> under the agenda item "the situation in Libya", encouraging further international support and regional cooperation between Libya, neighbouring countries and relevant United Nations bodies, including the Peacebuilding Commission, in support of peacebuilding and sustaining peace in the country and the region.<sup>130</sup>

On the same day, under the item entitled "Identical letters dated 19 January 2016 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council (S/2016/53)", the Council adopted resolution 2704 (2023), in which it took note of the engagement of the Peacebuilding Commission with the Government of Colombia and looked forward to further cooperation, including with the relevant UN agencies, in order to ensure an integrated and coherent approach to the comprehensive implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace.<sup>131</sup>

On 31 October, under the agenda item "the situation in Somalia", the Council adopted resolution <u>2705 (2023)</u>, in which it encouraged the Federal Government of Somalia to continue engaging with the Peacebuilding Commission to enhance international support for Somalia's peace-building objectives, while noting the potential of international cooperation and support for

<sup>&</sup>lt;sup>128</sup> Resolution <u>2686 (2023)</u>, para. 13.

<sup>&</sup>lt;sup>129</sup> Resolution <u>2677 (2023)</u>, tenth preambular paragraph.

<sup>&</sup>lt;sup>130</sup> Resolution 2702 (2023), seventh preambular paragraph.

<sup>&</sup>lt;sup>131</sup> Resolution <u>2704 (2023)</u>, fourth preambular paragraph.

peacebuilding and post-conflict reconstruction and development in Somalia, if provided in line with priorities defined by the Federal Government.<sup>132</sup>

On 15 November, the Council, under the agenda item "the situation in the Central African Republic", adopted resolution 2709 (2023), in which it stressed the valuable role of the Peacebuilding Commission in offering strategic advice, providing observations for the Security Council's consideration, and fostering a more coherent, coordinated and integrated approach to international peacebuilding efforts.<sup>133</sup> The Council further encouraged continued coordination among the Peacebuilding Commission, the United Nations Peacebuilding Fund and other relevant international organizations and institutions in support of long term peace building needs of the Central African Republic (CAR), including for support to the peace process. In the same resolution, the Council mandated MINUSCA to coordinate support provided by multilateral and bilateral partners, including the World Bank, the Africa, Development Bank and the Peacebuilding Commission, to the efforts of the CAR authorities on disarmament, demobilization, reintegration and repatriation (DDRR) programs to reintegrate eligible and vetted former members of the armed groups into peaceful civilian life and to help ensure that these efforts will lead to sustainable socioeconomic reintegration.<sup>134</sup>

#### VII. Subsidiary organs of the Security Council proposed but not established

During the period under review, there was one instance of a subsidiary organ of the Council being proposed but not established.

On 27 March, at a meeting held under the item entitled "Threats to international peace and security", the Council considered a draft resolution submitted by Belarus, China, the Democratic People's Republic of Korea, Eritrea, Nicaragua, the Russian Federation, Syrian Arab Republic and Bolivarian Republic of Venezuela requesting the Secretary-General to establish an international independent investigation Commission to conduct comprehensive, transparent and impartial international investigation of all aspects of the act of sabotage on the Nord Stream 1

<sup>&</sup>lt;sup>132</sup> Resolution <u>2705 (2023)</u>, tenth preambular paragraph.

<sup>&</sup>lt;sup>133</sup> Resolution 2709 (2023), para. 17.

<sup>&</sup>lt;sup>134</sup> Ibid., para. 37(d)(iv).

and 2 gas pipelines, including identification of its perpetrators, sponsors, organizers and accomplices.<sup>135</sup> The draft resolution was not adopted, having failed to obtain the required number of votes.<sup>136</sup> By the draft resolution, the Council would have established a commission composed of impartial, internationally respected, experienced experts who would have been selected by the Secretary-General and the latter would have been requested to report to the Council within 30 days the recommendations for the proposed specific modalities for the establishment of the Commission.

Speaking before the vote as a penholder of the draft resolution, the representative of the Russian Federation explained that he believed that the Council had a responsibility to the international community by responding to the act of sabotage against the Nord Stream gas pipeline in the Baltic Sea in September 2022 and indicated that the initiative did not limit national investigations and rather contained a call to ensure wide-ranging cooperation between Member States and the Commission<sup>137</sup>.

Following the vote, the representative of China, voting in favour of the draft resolution, expressed support to authorizing the United Nations to set up an international, independent investigation commission, which could play a coordinating role among different investigations and ensure the fullness and integrity of the chain of custody.<sup>138</sup> The representative of Brazil indicated that his delegation's vote for the draft should not be interpreted as a criticism of the conduct of the investigations or a sign of mistrust, but as recognition of the importance of additional and more comprehensive efforts on the part of the United Nations.<sup>139</sup>

The representative of the United States, abstaining from the vote, underlined that that the national investigations by Sweden, Denmark and Sweden had to first be allowed to conclude.<sup>140</sup> He added that a United Nations investigation should be preserved for scenarios in which States failed to carry out genuine, impartial investigations. Several Council members, explaining their abstentions, acknowledged that there were ongoing investigations by competent

<sup>&</sup>lt;sup>135</sup> <u>S/2023/212</u>.

<sup>&</sup>lt;sup>136</sup> The draft resolution received 3 votes in favour (Brazil, China and the Russian Federation), none against and 12 abstentions (Albania, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom and United States). See <u>S/PV.9295</u>.

<sup>&</sup>lt;sup>137</sup> See <u>S/PV.9295</u>, p. 2.

<sup>&</sup>lt;sup>138</sup> Ibid., p. 6.

<sup>&</sup>lt;sup>139</sup> Ibid., p. 8.

<sup>&</sup>lt;sup>140</sup> Ibid., p. 3.

national authorities and that it would be premature to launch parallel international investigations which would not add benefit at the current stage.<sup>141</sup> The representative of Ecuador noted that his delegation's abstention did not negate his country's condemnation of acts of sabotage, neither did it oppose in principle to considering the establishment of an international investigation commission.<sup>142</sup> The representative of the United Kingdom added that his country supports investigative commissions by the Secretary-General, when mandated. However, in the context of the ongoing national investigations, we do not think that it is appropriate to instigate one in this situation<sup>143</sup>. The representative of France explained that her delegation had no reason to doubt the impartiality of the ongoing investigations.<sup>144</sup> The representative of the United Arab Emirates explained that her country had abstained in the voting on the draft resolution because the national investigations were continuing.<sup>145</sup>

<sup>&</sup>lt;sup>141</sup> p. 4 (Gabon), p. 5 (Ecuador, Malta, Switzerland, Japan), p. 6 (United Kingdom, Albania and France) and p. 8 (United Arab Emirates)

<sup>&</sup>lt;sup>142</sup> Ibid., p. 5.

<sup>&</sup>lt;sup>143</sup> Ibid., p. 5.

<sup>&</sup>lt;sup>144</sup> Ibid., p. 6.

<sup>&</sup>lt;sup>145</sup> Ibid., p. 8.