

Repertoire of the Practice of the Security Council

26th Supplement

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Part II

Provisional rules of procedure and related procedural developments

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Introductory note

Part II of the present Supplement 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 rather than standard applications of the rules in the proceedings of the Council.

Part II is divided into 10 sections, in the order of the relevant chapters of the provisional rules of procedure, as follows: section I, meetings and records (Article 28 of the Charter and rules 1-5 and 48-57); section II, agenda (rules 6-12); section III, representation and credentials (rules 13-17); section IV, presidency (rules 18-20); section V, Secretariat (rules 21-26); section VI, conduct of business (rules 27, 29, 30, and 33); section VII, participation (Articles 31 and 32 of the Charter and rules 37 and 39); section VIII, decision-making and voting (Article 27 of the Charter and rules 31, 32, 34-36, 38 and 40); section IX, languages (rules 41-47); and section X, status of the provisional 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 concerning Security Council missions, in part VI; and rule 61, concerning relations with other United Nations organs, in part IV.

As there were no instances of the application of rules 58 to 60, concerning the admission of new Members, during the reporting period, the present Supplement contains no material relating to those rules.

* * *

During the period under review, the Council held 290 meetings, of which 271 were public and 19 were private. The members of the Council held 124 informal consultations of the whole in 2023. Council members continued to hold informal interactive dialogues and Arriaformula meetings. Council members also continued the practice of holding informal "wrap-up" sessions at the end of the month.

In 2023, the Council was seized of 66 items and considered 47 of them. Of the 47 items considered by the Council in 2023, 24 concerned country-specific and regional situations and 23

dealt with thematic and other issues.¹ While no new items were added to the agenda, two were deleted in 2023.²

During the reporting period, the Council adopted 50 resolutions and six statements by the President. The Council also issued 18 notes by the President and 22 letters from the President. Five draft resolutions and three sets of amendments were not adopted due to the lack of the required nine affirmative votes, while five draft resolutions and one amendment were not adopted because of the negative vote of one or more permanent members. In 2023, objections to the extension of invitations pursuant to rules 37 and 39 of the provisional rules of procedure led to procedural votes on three occasions.

Aspects relating to the working methods of the Council continued to be raised and discussed by Council members and other speakers, in particular at the annual open debate on the working methods of the Council, held under the item entitled "Implementation of the note by the President of the Security Council (S/2017/507)" (see cases 1, 2, 3, 4 and 5).³ The discussions focused on ways of ensuring transparency, efficiency and effectiveness in the work of the Council, particularly as it related to the format of Council meetings, the scope of its agenda, the role of the Council presidency, the Secretariat, participation in Council meetings and other activities, inclusivity in the decision-making process, the practice of penholdership and the use of the veto.

In a letter dated 30 December addressed to the President of the Council,⁴ the Chair of the Informal Working Group on Documentation and Other Procedural Questions transmitted the annual report of the working group, covering the period from 1 January to 31 December 2023. As a result of the work of the Informal Working Group, the Council issued three notes by the President relating to its working methods, namely, on the observance of minutes of silence, contingency measures concerning the appointment of Chairs of subsidiary organs, as well as on the question of penholdership.⁵

¹ See <u>S/2024/10/Rev.1.</u>

² See S/2023/10/Add.9.

³ See <u>S/PV.9410</u> and <u>S/PV.9410 (Resumption 1)</u>.

⁴ See $\frac{S/2023/1014}{2022}$, The practice of issuing an annual report was first established in 2022, see *Repertoire*, *Supplement* 2022, part II.

⁵ See <u>S/2023/612</u>, <u>S/2023/615</u> and <u>S/2023/945</u>.

I. Meetings and records

Note

Section I covers the practice of the Council concerning meetings, publicity and the records of the Council, 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.

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.

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.

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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.

ADVANCE VERSION

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.

The present section comprises five subsections: A. Meetings, concerning the convening of meetings pursuant to rules 1 to 5 and 48; B. Informal consultations of the whole; C. Other informal meetings of the members of the Security Council; D. Discussions concerning meetings; and E. Records, maintained pursuant to rules 49 to 57.

During the period under review, the Council held 290 meetings, compared to 292 in 2022 and 164 in 2021. Of the 290 meetings, 271 were public and 19 were private. The Council also held a total of 124 informal consultations of the whole (also known as consultations or informal consultations), compared with 127 in 2022 and 67 in 2021.

During the period under review, the Council continued the practice of conducting wrapup sessions at the end of every month, most of which followed the "Toledo-style" format, whereby, in addition to the President of the Council, members of the Council presented jointly the activity of the Council for the relevant month as a panel and in an interactive manner. Council members also held six informal interactive dialogues and 22 Arria-formula meetings. Figure I shows the total number of meetings and informal consultations held from 2014 to 2023.

Figure I



Number of meetings, consultations and videoconferences, 2014-2023

A. Meetings

1. Application of rules relating to meetings

In 2023, there were no intervals exceeding 14 days between meetings of the Council, as provided under rule 1 of the provisional rules of procedure. The Council continued, on occasion, to convene more than one meeting a day.

In 2023, the Council held no periodic meetings pursuant to rule 4 or meetings away from Headquarters in accordance with rule 5.

During the reporting period, no communications were received from Member States requesting the Council to convene a meeting that explicitly cited rule 2 as the basis of the request. Nevertheless, by a letter dated 6 December, the representative of Guyana requested the President of the Council to call urgently for a meeting, expressly invoking rule 3 of the provisional rule of procedure, as the basis of the request.⁶ Table 1 below lists nine communications in which an urgent or special meeting was requested by either explicitly or implicitly invoking Article 35 of the Charter, under which Member States or States that are not members of the United Nations may refer disputes to the Council.⁷

Table 1

Letters in which Member States requested an urgent or special meeting, 2023

Letter addressed to the President of the Security Council	Summary	Meeting convened (item and date)
Identical letters dated 3 January 2023 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council (<u>S/2023/12</u>)	Calling for the convening of an emergency Council meeting for immediate action on recent developments in the occupied East Jerusalem	S/PV.9236 The situation in the Middle East, including the Palestinian question 5 January
Letter dated 18 February 2023 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (<u>S/2023/122</u>)	Requesting that the Council promptly hold a meeting to discuss and respond to the serious violation of Council resolutions following the long-range ballistic missile launch by the Democratic People's Republic of Korea on 18 February 2023	S/PV.9264 Non-proliferation/Democratic People's Republic of Korea 20 February
Letter dated 17 March 2023 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (<u>S/2023/205</u>)	Requesting that the Council promptly hold a meeting to discuss and respond to the serious violation of Council resolutions following the long-range ballistic missile launch by the Democratic People's Republic of Korea on 16 March 2023	S/PV.9287 Non-proliferation/Democratic People's Republic of Korea 20 March
Letter dated 13 April 2023 from the Permanent Representative of the Republic of Korea to the United Nations addressed to	Requesting that the Council promptly hold a meeting to consult on and respond to serious violations of Council resolutions following the intercontinental ballistic	S/PV.9305 Non-proliferation/Democratic People's Republic of Korea

⁶ See <u>S/2023/961</u>. The request did not result in a formal meeting of the Council. This notwithstanding, Council members held informal consultations of the whole on 8 December (see <u>S/2024/337</u>).
⁷ For more information on Article 35 of the Charter, see part VI, sect. I.

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the President of the Security Council (<u>S/2023/271</u>)

Letter dated 12 July 2023 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2023/521)

Letter dated 11 August 2023 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council (<u>S/2023/594</u>)

Letter dated 19 September 2023 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council (S/2023/687)

Letter dated 21 November 2023 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2023/908)

Letter dated 18 December 2023 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (<u>S/2023/996</u>) missile launch by the Democratic People's Republic of Korea on 13 April 2023

Requesting the Council promptly hold a meeting to consult on and respond to the serious violations of Council resolutions following the long-range ballistic missile launch by the Democratic People's Republic of Korea on 12 July 2023

Requesting that the Council convene an emergency meeting in accordance with Article 35 (1) of the Charter in relation to the deterioration of the humanitarian situation as a result of the total blockade inflicted upon the civilian population of Nagorno-Karabakh

Requesting that the Council convene an emergency meeting in accordance with Article 35 (1) of the Charter in relation to the large-scale military aggression of Azerbaijan which posed an imminent threat to international peace and security

Requesting the Council promptly hold a meeting to consult on and respond to the serious violations of Council resolutions following the long-range ballistic missile launch by the Democratic People's Republic of Korea on 21 November 2023

Requesting the Council promptly hold a meeting to consult on and respond to the serious violations of Council resolutions following the long-range ballistic missile launch by the Democratic People's Republic of Korea on 18 December 2023 17 April

<u>S/PV.9376</u>

Non-proliferation/Democratic People's Republic of Korea

13 July

<u>S/PV.9397</u>

Letter dated 13 September 2022 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council (<u>S/2022/688</u>)

16 August

<u>S/PV.9422</u>

Letter dated 13 September 2022 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council (<u>S/2022/688</u>)

21 September

<u>S/PV.9485</u>

Non-proliferation/Democratic People's Republic of Korea

27 November

<u>S/PV.9514</u>

Non-proliferation/Democratic People's Republic of Korea

19 December

Complaints raised by Member States concerning the application of rule 2 or 3

During the period under review, Council members exchanged views on the application of rule 2 of the provisional rules of procedure in the context of a meeting held on 17 August under the item entitled "The situation in the Democratic People's Republic of Korea". While recognizing that rule 2 of the provisional rules of procedure provided that the President should

call a meeting of the Council at the request of any member, the representative of Brazil reminded Council members that the subject of the meeting must come under the mandate of the Council.⁸ At the same meeting, the representative of the Russian Federation held the view that the meeting was in no way linked to developments on the ground and had not been initially included in the draft programme of work proposed by the United States Presidency at the beginning of the month. Pointing out that Albania, the United States and Japan had circulated among Council members a concept note calling for Council members to focus discussions on the human rights situation in the Democratic People's Republic of Korea in the context of international peace and security, the representative of the Russian Federation underscored that based on longstanding practice, such concept notes were circulated by the Presidency of the Council only in relation to the signature events that it was organizing. He therefore asked the President whether the meeting was another signature event of the Presidency and if so, why had it not been properly announced at the beginning of the month. If it was not a signature event, the representative of the Russian Federation expressed the belief that such actions were a violation of established practice in the work of the Council.

2. Format

Public meetings

The Council continued to meet in public, as provided for in rule 48 of the provisional rules of procedure, mainly for the purposes of: (a) hearing briefings on country-specific, regional situations or thematic issues under its consideration; (b) holding debates on particular items;⁹ and (c) adopting decisions.¹⁰ In 2023, the Council held a total of 290 meetings, of which 271, or 93.4 per cent, were public.

During the period under review, Council members held 25 meetings at which two or more Council members were represented at the ministerial or higher levels. A total of 18 of those meetings were held in connection with thematic items and seven were held in connection with

⁸ See <u>S/PV.9398</u>.

⁹ In 2023, the Council continued the practice of holding meetings from 10 a.m. to 1 p.m. and from 3 to 6 p.m., with resumptions in the case of several open debates (see, for example, <u>S/PV.9241</u>, <u>S/PV.9241</u> (<u>Resumption 1</u>), <u>S/PV.9260</u> (<u>Resumption 1</u>), <u>S/PV.9276</u>, <u>S/PV.9276</u> (<u>Resumption 1</u>), <u>S/PV.9366</u>, <u>S/PV.9366</u> (<u>Resumption 1</u>), <u>S/PV.9451</u>, <u>S/PV.9451</u> (<u>Resumption 1</u>), <u>S/PV.9497</u> and <u>S/PV.9497</u> (<u>Resumption 1</u>)).

¹⁰ On the formats of public meetings, see also S/2017/507, annex, sect. II.C.1.

regional and country-specific situations. In addition, out of the total of 25 high-level meetings, the Council held six meetings at which one or more Council members were represented at the level of Head of State or Government. In 2023, the Council held seven meetings at which more than half of its members were represented at the ministerial or higher levels.

Table 2 lists all high-level meetings held in 2023 at which two or more Council members were represented at ministerial or higher levels.

Table 2

Meeting record and date	Item	Sub-item	High-level participation
<u>S/PV.9241</u> 12 January	The promotion and strengthening of the rule of law in the maintenance of international peace and security	The rule of law among nations	Ministerial level (6) Ecuador (Minister of Foreign Affairs and Human Mobility), Japan (Minister for Foreign Affairs), Switzerland (Head of the Federal Department of Foreign Affairs), United Arab Emirates (Minister of State), United Kingdom (Parliamentary Under Secretary of State in the Foreign, Commonwealth and Development Office), United States (Permanent Representative to the United Nations and Member of the President's Cabinet)
<u>S/PV.9260</u> 14 February	Threats to international peace and security	Sea-level rise: implications for international peace and security	Ministerial level (5) Malta (Minister for Foreign and European Affairs and Trade), Mozambique (Minister for Foreign Affairs and Cooperation), Switzerland (State Secretary), United Arab Emirates (Director-General of the 28th Conference of the Parties to the United Nations Framework Convention on Climate Change (COP28)), United States (Permanent Representative to the United Nations and Member of the President's Cabinet)
S/PV.9268 23 February	Cooperation between the United Nations and regional and subregional organizations in maintaining international	European Union	Ministerial level (3) Albania (Minister for Europe and Foreign Affairs), Ghana (Deputy Minister for Foreign Affairs and Regional Integration), Malta (Minister for Foreign and European Affairs and Trade)

High-level meetings, 2023

peace and security

<u>S/PV.9269</u> 24 February	Maintenance of peace and security of Ukraine		Ministerial level (10) Albania (Minister for Europe and Foreign Affairs), Ecuador (Minister for Foreign Affairs and Human Mobility), France (Minister for Europe and Foreign Affairs), Ghana (Deputy Minister for Foreign Affairs and Regional Integration), Japan (Minister for Foreign Affairs), Malta (Minister for Foreign and European Affairs and Trade), Switzerland (Federal Councillor and Head of the Federal Department of Foreign Affairs), United Arab Emirates (Permanent Representative and Assistant Minister of Foreign Affairs and International Cooperation for Political Affairs), United Kingdom
S/DV 0276	Women and passa	Towards the 25 th	(Secretary of State for Foreign, Commonwealth and Development Affairs), United States (Secretary of State) Heads of State or Government (1)
<u>S/PV.9276</u> 7 March	Women and peace and security	anniversary of	Switzerland (President)
		resolution <u>1325</u> (2000)	Ministerial level (11)
			Brazil (Vice-Minister for Europe and North America at the Ministry of External Relations), China (Vice-Chairperson of the National Working Committee on Children and Women), Ecuador (Minister for Women and Human Rights), France (Secretary of State for Social and Solidarity Economy and Associative Life), Gabon (Minister of Justice in charge of Human Rights), Ghana (Minister for Gender, Children and Social Protection), Malta (Parliamentary Secretary for Reforms and Equality), Mozambique (Minister for Foreign Affairs and Cooperation), United Arab Emirates (Minister of State), United Kingdom (Minister of State at the Foreign, Commonwealth and Development Office and the Prime Minister's Special Representative for Preventing Sexual Violence in Conflict), United States (Permanent Representative to the United Nations and Member of the President's Cabinet)
<u>S/PV.9296</u> 28 March	Threats to international peace and security caused by terrorist acts	Countering terrorism and preventing violent extremism conducive to terrorism by strengthening cooperation between the United Nations and regional	 Heads of State or Government (4) Gabon (First Vice-President), Ghana (President), Mozambique (President), Switzerland (President) Ministerial level (4) Brazil (Secretary of State for Multilateral Political Affairs at the Ministry of External Relations), China (Special Representative for African Affairs), United Arab Emirates

		organizations and mechanisms	(Minister of State), United States (Permanent Representative to the United Nations and Member of the President's Cabinet)
<u>S/PV.9299</u> 30 March	Peace and security in Africa	The impact of development policies in the implementation of the Silencing the Guns initiative	 Heads of State or Government (1) Mozambique (President) Ministerial level (4) Brazil (Secretary of State for Multilateral Political Affairs of the Ministry of External Relations), China (Special Representative for African Affairs), United Arab Emirates (Minister of State), United States (Under Secretary of State for Civilian Security, Democracy and Human Rights)
<u>S/PV.9308</u> 24 April	Maintenance of international peace and security	Effective multilateralism through the defence of the principles of the Charter of the United Nations	Ministerial level (4) Gabon (Deputy Minister of Foreign Affairs), Ghana (Deputy Minister for Foreign Affairs and Regional Integration), Russian Federation (Minister for Foreign Affairs), United Arab Emirates (Minister of State)
<u>S/PV.9309</u> 25 April	The situation in the Middle East, including the Palestinian question		Ministerial level (2) Russian Federation (Minister for Foreign Affairs), United Arab Emirates (Minister of State)
<u>S/PV.9315</u> 3 May	Peacebuilding and sustaining peace	Futureproofing trust for sustaining peace	Ministerial level (3) Japan (Parliamentary Vice Minister for Foreign Affairs), Switzerland (Federal Councillor and Head of the Federal Department of Foreign Affairs), United Arab Emirates (Minister of State for Artificial Intelligence, Digital Economy and Remote Work Applications)
<u>S/PV.9327</u> 23 May	Protection of civilians in armed conflict	Ensuring the security and dignity of civilians in conflict: addressing food insecurity and protecting essential services	 Heads of State or Government (3) Malta (President), Mozambique (President), Switzerland (President) Ministerial level (5) Brazil (Minister for Foreign Affairs), Ghana (Minister for the Interior), United Arab Emirates (Minister of Climate Change and Environment), United Kingdom (Minister of State for the Middle East, North Africa, South Asia and the United Nations), United States (Permanent Representative to the United Nations and Member of the President's Cabinet)

<u>S/PV.9345</u> 13 June	Threats to international peace and security	Climate change, peace and security	Ministerial level (6) Gabon (Minister for Foreign Affairs), Ghana (Minister for Environment, Science, Technology and Innovation), Mozambique (Minister of State Administration and Public Service), Switzerland (State Secretary), United Arab Emirates (Minister of Climate Change and Environment), United States (Special Presidential Envoy for Climate Change)
<u>S/PV.9346</u> 14 June	Maintenance of international peace and security	The values of human fraternity in promoting and sustaining peace	Ministerial level (4) Gabon (Minister for Foreign Affairs), Ghana (Minister for Environment, Science, Technology and Innovation), Mozambique (Minister of State Administration and Public Service), United Arab Emirates (Minister of State)
<u>S/PV.9378</u> 14 July	Women and peace and security	Conflict-related sexual violence: promoting implementation of Security Council resolutions on conflict-related sexual violence	Ministerial level (2) Switzerland (State Secretary and Head of the Peace and Human Rights Division, Federal Department of Foreign Affairs), United Kingdom (Minister of State at the Foreign, Commonwealth and Development Office and Prime Minister's Special Representative for Preventing Sexual Violence in Conflict)
<u>S/PV.9380</u> 17 July	Maintenance of peace and security of Ukraine		Ministerial level (4) France (Minister for Europe and Foreign Affairs), Japan (State Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign, Commonwealth and Development Affairs), United States (Permanent Representative to the United Nations and Member of the President's Cabinet)
<u>S/PV.9381</u> 18 July	Maintenance of international peace and security	Artificial intelligence: opportunities and risks for international peace and security	Ministerial level (4) Japan (State Minister for Foreign Affairs), Mozambique (Deputy Minister for Foreign Affairs and Cooperation), United Arab Emirates (Assistant Minister for Foreign Affairs and International Cooperation for Advanced Science and Technology), United Kingdom (Secretary of State for Foreign, Commonwealth and Development Affairs)
<u>S/PV.9392</u> 3 August	Maintenance of international peace and security	Famine and conflict-induced global food insecurity	Ministerial level (4) Albania (Deputy Minister for Europe and Foreign Affairs), Japan (State Minister for Foreign Affairs), United Arab Emirates (Minister of State), United States (Secretary of State)

S/PV.9421 20 September	Maintenance of international peace and security	Upholding the purposes and principles of the United Nations Charter through effective multilateralism: maintenance of peace and security of Ukraine	 Heads of State or Government (8) Albania (Prime Minister), Ecuador (Constitutional President), Gabon (Prime Minister), Ghana (President), Japan (Prime Minister), Malta (Prime Minister), Switzerland (President), United Kingdom (Deputy Prime Minister) Ministerial level (6) Brazil (Minister for Foreign Affairs), China (Executive Vice Minister of Foreign Affairs), France (Minister for Europe and Foreign Affairs), Russian Federation (Minister for Foreign Affairs), United Arab Emirates (Minister of Climate Change and Environment), United States (Secretary of State)
<u>S/PV.9422</u>	Letter dated 13		Ministerial level (5)
21 September	September 2022 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council (<u>S/2022/688</u>)		Albania (Minister for Europe and Foreign Affairs), France (Minister for Europe and Foreign Affairs), Malta (Minister for Foreign and European Affairs and Trade), United Arab Emirates (Minister of State), United Kingdom (Secretary of State for Foreign, Commonwealth and Development Affairs)
<u>S/PV.9448</u>	Maintenance of	Peace through	Ministerial level (2)
20 October	international peace and security	dialogue: the contribution of regional, subregional and bilateral arrangements to the prevention and peaceful resolution of disputes	Albania (Minister for Europe and Foreign Affairs), United Arab Emirates (Minister of State at the Ministry of Foreign Affairs)
<u>S/PV.9451</u>	The situation in		Ministerial level (9)
24 October	the Middle East, including the Palestinian question		Albania (Minister for Europe and Foreign Affairs), Brazil (Minister for Foreign Affairs), France (Minister for Europe and Foreign Affairs), Gabon (Minister for Foreign Affairs), Malta (Minister for Foreign and European Affairs and Trade), Switzerland (State Secretary), United Arab Emirates (Minister of State for International Cooperation), United Kingdom (Minister of State for Security), United States (Secretary of State)

<u>S/PV.9452</u> 25 October	Women and peace and security	Women's participation in international peace and security: from theory to practice	Ministerial level (4) Brazil (Minister for Foreign Affairs), Gabon (Minister for Foreign Affairs), United Arab Emirates (Minister of State), United States (Permanent Representative to the United Nations and Member of President's Cabinet)
<u>S/PV.9489</u>	The situation in		Ministerial level (8)
29 November	the Middle East, including the Palestinian question		Brazil (Minister for Foreign Affairs), China (Minister for Foreign Affairs), Ghana (Deputy Minister for Foreign Affairs and Regional Integration), Japan (Special Envoy for the Middle East Peace), Switzerland (State Secretary), United Arab Emirates (Minister of State), United Kingdom (Minister of State at the Foreign, Commonwealth and Development Office), United States (Permanent Representative to the United Nations and Member of President's Cabinet)
<u>S/PV.9497</u>	Threats to	Transnational	Heads of State or Government (1)
7 December international peace and security	international peace and security	organized crime, growing	Ecuador (Constitutional President)
	challenges and	Ministerial level (2)	
		new threats	Ghana (Permanent Secretary for the Ministry of Foreign Affairs and Regional Integration), Mozambique (Minister for Foreign Affairs and Cooperation)
<u>S/PV.9509</u>	Small arms	Addressing the	Ministerial level (3)
15 December		threat posed by diversion, illicit trafficking and misuse of small arms and light weapons and their ammunition to peace and security	Albania (Minister for Europe and Foreign Affairs), Ecuador (Minister of Foreign Affairs and Human Mobility), United Arab Emirates (Chief of Military Judiciary)

Private meetings

During the period under review, the Council continued to hold meetings in private, in accordance with rule 48 of the provisional rules of procedure. Private meetings continued to constitute a small percentage of all Council meetings, with 19 private meetings (6.6 per cent) out of a total of 290 meetings held in 2023 (see figures II and III).¹¹ As indicated in table 3 below, 10 of those meetings were held with troop- and police-contributing countries under the item entitled

¹¹ On the format of private meetings, see also S/2017/507, annex, sect. II.C.2.

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"Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution <u>1353 (2001)</u>, annex II, sections A and B".

Figure III

Items considered at private meetings, 2023

Figure II





Table 3

Private meetings, 2023

Item	Meeting record and date
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B	<u>S/PV.9239</u> , 11 January <u>S/PV.9273</u> , 2 March <u>S/PV.9339</u> , 6 June <u>S/PV.9342</u> , 7 June
	<u>S/PV.9395</u> , 15 August <u>S/PV.9433</u> , 11 October <u>S/PV.9447</u> , 19 October <u>S/PV.9455</u> , 26 October <u>S/PV.9495</u> , 6 December

Item	Meeting record and date
	<u>S/PV.9496</u> , 6 December
The situation in Afghanistan	<u>S/PV.9242</u> , 13 January
	<u>S/PV.9488</u> , 28 November
The situation in the Middle East	<u>S/PV.9259</u> , 13 February
The situation in the window Last	<u>S/PV.9379</u> , 17 July
	<u>S/PV.9401</u> , 21 August
The situation in Myanmar	<u>S/PV.9279</u> , 13 March
The situation in Somalia	<u>S/PV.9294</u> , 27 March
Briefing by the President of the International Court of Justice	<u>S/PV.9456</u> , 27 October
The situation in the Middle East, including the Palestinian question	<u>S/PV.9486</u> , 27 November

B. Informal consultations of the whole

Informal consultations of the whole are not official meetings of the Council. The members gather in private for the purpose of holding discussions and receiving briefings from the Secretariat and representatives of the Secretary-General. These meetings are ordinarily held in the Consultations Room, adjacent to the Security Council Chamber. Most frequently, informal consultations continued to be held immediately after public meetings on the same issue. In 2023, the number of informal consultations remained at a similar level observed in the year prior, with 124 held in 2023, compared with 127 in 2022 (see figure I).

Pursuant to the Council's established practice, no official records of informal consultations were issued, and non-members were not invited.¹² On occasion, statements to the press were issued or elements to the press were read out by the President of the Council after informal consultations.

¹² According to the note by the President of 30 August 2017, newly elected members of the Council are invited to observe all meetings of the Council and its subsidiary bodies and the informal consultations of the whole for a period of three months, as from 1 October immediately preceding their term of membership (<u>S/2017/507</u>, annex, para. 140).

C. Other informal meetings of the members of the Security Council

During the period under review, Council members continued to hold informal interactive dialogues and Arria-formula meetings.¹³ Informal interactive dialogues and Arria-formula meetings are convened at the initiative of one or more members of the Council. Informal interactive dialogues are convened with the participation of all Council members, while Arriaformula meetings are convened with the participation of all or some Council members. In recent practice, Arria-formula meetings have been convened and arranged in cooperation with non-Council members. While informal interactive dialogues are presided over by the President of the Council, Arria-formula meetings are not. Frequently, the member or one of the members of the Council convening the Arria-formula meeting also serves as the Chair. Neither of the two types of meetings are considered formal meetings of the Council. They are typically not announced in the Journal of the United Nations or in the Council's programme of work, and no official records are prepared. In 2023, however, several informal interactive dialogues were included for the first time in the Council's provisional programme of work.¹⁴ Invitees to informal interactive dialogues and Arria-formula meetings include Member States, relevant organizations and individuals. In past practice, Arria-formula meetings were closed to the public while, more recently, they have been generally open and broadcast. Informal interactive dialogues are not open to the public or broadcast.

Informal interactive dialogues

According to the note by the President dated 30 August 2017, when it deems appropriate, the Council may utilize informal dialogues to seek the views of Member States that are parties to a conflict and/or other interested and affected parties.¹⁵ As shown in table 4, the Council held a total of six informal interactive dialogues in 2023, four of which concerned country-specific or regional situations, while two were held in connection with thematic issues. Three of the four informal interactive dialogues concerning country-specific or regional situations were related to

¹³ For more information on informal interactive dialogues and Arria-formula meetings, see S/2017/507, annex, paras. 92, 95 and 97–99.

¹⁴ Informal interactive dialogues were included in the provisional programme of work for the months of June, July and September 2023.

¹⁵ <u>S/2017/507</u>, annex, para. 92.

the humanitarian situation in the Syrian Arab Republic in accordance with resolution <u>2642</u> (2022), which encouraged the convening of an informal interactive dialogue every two months with the participation of donors, interested regional parties and representatives of the international humanitarian agencies operating in the country in order to regularly review and follow-up on the implementation of the resolution, including progress in early-recovery projects.¹⁶

Table 4

Date	Subject	Participants (including non-members of the Council)
16 February	The situation in the Middle East (humanitarian situation in the Syrian Arab Republic)	All Council members; Director of Advocacy and Operations, Office for the Coordination of Humanitarian Affairs; Resident and Humanitarian Coordinator for Syria, United Nations Development Programme; Regional Humanitarian Coordinator for the Syria Crisis, Office for the Coordination of Humanitarian Affairs; Acting Deputy Regional Humanitarian Coordinator for the Syria Crisis on surge to Türkiye; Syrian Arab Republic; European Union; Türkiye; Sweden; Germany; Iran (Islamic Republic of); Norway; Canada
26 April	The situation in the Middle East (humanitarian situation in the Syrian Arab Republic)	All Council members; Deputy Director for the Middle East and North Africa, United Nations Office for the Coordination of Humanitarian Affairs; Resident and Humanitarian Coordinator for Syria, United Nations Development Programme; Regional Humanitarian Coordinator for the Syria Crisis, United Nations Office for the Coordination of Humanitarian Affairs; Acting Deputy Regional Humanitarian Coordinator for the Syria Crisis on surge to Türkiye; Syrian Arab Republic; Egypt; Lebanon; Norway; Jordan; Iraq; Iran (Islamic Republic of); Canada; Algeria; Türkiye; Germany; Sweden; European Union
17 May	The situation in Libya (European Union military operation in the Mediterranean (Operation IRINI))	All Council members; Director and Deputy Managing Director for the for Integrated Approach for Security and Peace, European External Action Service
22 June	The situation in the Middle East (humanitarian situation in the Syrian Arab Republic)	All Council members; Director of Advocacy and Operations, United Nations Office for the Coordination of Humanitarian Affairs; Resident and Humanitarian Coordinator for Syria, United Nations Development Programme; Regional Humanitarian Coordinator for the Syria Crisis, United Nations Office for the Coordination of Humanitarian Affairs; Acting Deputy Regional Humanitarian Coordinator for the

Informal interactive dialogues, 2023

¹⁶ See resolution <u>2642 (2022)</u>, para. 6. For more information on the situation in the Middle East, see part I, sect. 21. For information on the evolution of informal interactive dialogues, see *Repertoire, Supplements 2008–2009* to 2022.

Date	Subject	Participants (including non-members of the Council)
		Syria Crisis on surge to Türkiye; Syrian Arab Republic; Jordan; Egypt; Iraq; Lebanon; Türkiye; Iran (Islamic Republic of); Norway; Germany; Sweden; Canada; European Union
28 July	Maintenance of international peace and security (Conflict and hunger)	All Council members; Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator; Director at Food and Agriculture Organization; Deputy Executive Director, World Food Programme; Burkina Faso; Democratic Republic of the Congo; Haiti
21 September	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security – second high- level meeting with LAS Troika (Algeria, Bahrain, Saudi Arabia) as mandated in <u>S/PRST/2021/2</u> and <u>S/PRST/2022/1</u>	All Council members; Under-Secretary-General for Political and Peacebuilding Affairs; Secretary-General of the League of Arab States; Algeria; Bahrain; Comoros; Djibouti; Egypt; Iraq; Jordan; Kuwait; Lebanon; Libya; Mauritania; Morocco; Oman; Observer State of Palestine; Qatar; Saudi Arabia; Somalia; Sudan; Syrian Arab Republic; Tunisia; Yemen

Arria-formula meetings

As provided for in the note by the President dated 30 August 2017, Arria-formula meetings are utilized by members of the Council as a flexible and informal forum for enhancing their deliberations and contact with civil society and non-governmental organizations.¹⁷ In accordance with the note, Council members may invite, on an informal basis, any Member State, relevant organization or individual to participate in Arria-formula meetings.

In 2023, Council members held 22 Arria-formula meetings, compared with 21 in 2022, and 32 in 2021. In terms of publicity, 12 were open and broadcast on United Nations Web TV and 10 were closed or not broadcast. In some instances, members and non-members of the Council transmitted concept notes, summaries and compilations of statements delivered by participants in Arria-formula meetings as official documents of the Security Council, as well as other communications in reaction or response to the meetings.¹⁸ Arria-formula meetings held

¹⁷ <u>S/2017/507</u>, annex, para. 98.

¹⁸ See, for example, letter dated 16 June from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Council concerning the Arria-formula meeting held on 25 May on the topic of "The responsibility and responsiveness of States to cyberattacks on critical infrastructure" (<u>S/2023/452</u>).

during the period under review are listed in table 5, which also includes information on the concept notes and summaries of the discussions.

Table 5

Arria-formula meetings, 2023

Date	Subject	Organizer(s) and sponsor(s)	Concept note	Summary or compilation of statements
20 January	The systematic war of Ukraine against the residents of Donbass: 2014 and onwards	Russian Federation	_	_
17 March	The situation of human rights in the Democratic People's Republic of Korea	Albania, Japan, Republic of Korea, United States	<u>S/2023/192</u>	-
20 March	Integrating the human rights of LGBTI persons into the Council's mandate for maintaining international peace and security	Albania, Brazil, Cyprus, Czech Republic, France, Greece, Japan, Malta, Switzerland, United Kingdom, United States	_	_
22 March	Protection of civilians: Achieving a better protection of water-related essential services and infrastructure for the civilian population during armed conflicts	Mozambique, Switzerland	_	_
24 March	Risks stemming from the politicization of the activities of the Organization for the Prohibition of Chemical Weapons	Russian Federation	_	_
5 April	Children and armed conflict: Ukrainian crisis – evacuating children from conflict zone	Russian Federation	_	<u>8/2023/289</u>
28 April	Addressing the abduction and deportation of children during armed conflict: concrete steps for accountability and prevention	Albania, France, Ukraine, United States	<u>S/2023/293</u>	_
2 May	Protection of cultural heritage in armed conflicts	Cyprus, France, Italy, United Arab Emirates	<u>S/2023/319</u>	_
12 May	Situation with freedom of religion and belief in Ukraine: persecution of the Ukrainian Orthodox Church	Russian Federation	-	<u>S/2023/394</u>

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Date	Subject	Organizer(s) and sponsor(s)	Concept note	Summary or compilation of statements
19 May	Humanitarian situation in Myanmar	United Kingdom	_	_
25 May	The responsibility and responsiveness of States to cyberattacks on critical infrastructure	Albania, Ecuador, Estonia, United States	<u>8/2023/364</u>	<u>8/2023/412</u>
26 June	Enhancing the capacities of Member States to ensure a gender-responsive approach to counter-terrorism	Costa Rica, Jordan, Malta, Mexico, Mozambique, New Zealand, Spain	<u>S/2023/420</u>	_
13 July	Migrants, refugees and asylum seekers crossing borders on land and at sea: new wave of crisis	Russian Federation	_	<u>S/2023/868</u>
18 July	The 25 th anniversary of the Rome Statute: the contribution of the International Criminal Court to the maintenance of international peace and security	Albania, Ecuador, France, Gabon, Ghana, Guyana, Japan, Malta, Republic of Korea, Sierra Leone, Slovenia, Switzerland, United Kingdom	-	<u>S/2023/942</u>
28 August	Reinforcing the implementation of the Youth and Peace and Security agenda for a peaceful and stable Africa	Ghana	_	_
18 October	Preventing and responding to conflict-related sexual violence	Albania, United Kingdom, United States	<u>S/2023/779</u>	_
27 October	Violations and abuses of human rights and violations of international humanitarian law investigated by the Independent International Commission of Inquiry on Ukraine	Albania, United Kingdom, United States	_	_
10 November	Combating forced separation and illegal exploitation of children	Russian Federation	_	_
11 December	Women's perspectives on Afghanistan	Japan, Switzerland, United Arab Emirates	_	_
19 December	Artificial Intelligence (AI) and its impact on hate speech, disinformation and misinformation	Albania, United Arab Emirates	_	_
20 December	Mind the gap: enhancing the dialogue and cooperation between the Security Council and the Peacebuilding Commission	Brazil	_	_

Date	Subject	Organizer(s) and sponsor(s)	Concept note	Summary or compilation of statements
27 December	10 years of Euromaidan in Ukraine: a step into abyss	Russian Federation	_	_

Other informal meetings

Following the practice started in 2007, the Security Council and the Peace and Security Council of the African Union held their eighth informal joint seminar and seventeenth annual joint consultative meeting in Addis Ababa on 5 and 6 October.¹⁹

D. Discussions concerning meetings

During the period under review, questions pertaining to meetings were raised in communications and meetings of the Council. In a letter dated 17 March addressed to the President of the Council,²⁰ the representative of Finland transmitted the report on the twentieth annual workshop for newly elected members of the Council, which had been held on 17 and 18 November 2022. It was noted in the report that the workshop participants had discussed, among other issues, about the relationship between the permanent and the elected members, penholdership and allocation of chairpersonship of subsidiary bodies.

Council members and the wider membership also discussed issues pertaining to the format of meetings and other informal gatherings during the annual open debate on the working methods of the Council, held on 5 September under the item entitled "Implementation of the note by the President of the Security Council ($\frac{S}{2017}$)" (case 1).

Case 1 Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)

¹⁹ See <u>A/78/2</u>. See also <u>S/2024/130</u>. For information on prior practice concerning the informal joint meetings of the Security Council and the Peace and Security Council of the African Union, see *Repertoire, Supplements 2008–2009* to *2022*. For more information on cooperation with regional and subregional organizations pursuant to Chapter VIII of the Charter, see part VIII.

²⁰ See <u>S/2023/206</u>.

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On 5 September, at the initiative of Albania, which held the presidency of the Security Council for the month and whose representative held the Chair of the Informal Working Group on Documentation and other Procedural Questions, the Council held an open debate under the item entitled "Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)" and the sub-item entitled "Working methods of the Security Council".²¹ In their discussions, members and non-members of the Council exchanged views on the format of Council meetings and ways of ensuring a balance between open and closed discussions.²²

Several speakers expressed support for striking the right balance between open and closed format of Council meetings. Speaking of the vision of the Council as being able to solve problems through interactive debate, building consensus, responsible and inclusive penholdership and decisions that had real impact on the ground, the representative of the United Kingdom stated that realizing such a vision also meant striking a balance between transparency and confidentiality.²³ In that context, she added that sometimes the Council was most effective when it held frank discussions in private and that when it did so, press elements should be agreed in the interest of transparency. The representative of France also pointed to the need to strike the right balance between public diplomacy and working behind closed doors, asserting that the current balance was not the right one. While noting that public meetings were useful because they allowed greater openness and transparency, the representative of France underscored the importance of preserving sufficient space for consultations among permanent representatives, as those were the discussions that enabled tackling the most difficult issues head-on and reaching compromises. The representative of the Russian Federation maintained that the issue of the optimal ratio of open to closed Council meetings remained a hot topic. Recalling that the Russian Federation had consistently advocated a balance between the two, the representative noted that some members of the Council, who ostensibly advocated for maximum transparency in discussions on individual country-specific issues, in fact, used them solely for propaganda shows, while still preferring to consider sensitive issues behind closed doors. Speaking on behalf of the elected members, the representative of Ecuador also underlined the need for the Council to strike a healthy balance between public and private meetings to both enhance the transparency

²¹ A concept note was circulated by a letter dated 28 August (<u>S/2023/630</u>).

²² See <u>S/PV.9410</u> and <u>S/PV.9410 (Resumption 1)</u>.

²³ See <u>S/PV.9410</u>.

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and the visibility of its work and to encourage greater interactivity of discussions and consensusbuilding. To that end, elected members of the Council supported efforts to agree on elements to be communicated by the President following closed consultations. While noting that not everything could or should be discussed in public all the time, and that closed consultations might be necessary for candid and frank exchanges, the representative of Singapore pointed out that a balance needed to be struck in a way that encouraged more open discussions, not fewer.²⁴

While some participants advocated for more open meetings in the interest of transparency, others underscored the importance of closed formats in the interests of efficiency and effectiveness. Asserting that closed meetings continued to prevail, the representative of Cuba noted that informal closed meetings should be the exception rather than the rule.²⁵ The representative of Italy believed that it was important to hold public meetings whenever possible, while keeping closed meetings and informal consultations to a minimum, in accordance with the fact that they were originally intended to be the exception. The representative of Egypt held the view that the number of open meetings, in whatever form, had to be increased, recalling that the Council represented the United Nations membership as a whole and worked on their behalf, which was why, as a general rule, its meetings and work should be accessible to all Members. The representative of Liechtenstein maintained that consultations on situations of grave concern to the whole United Nations membership should be open to membership, adding that a procedural vote had to be employed, if needed. The representative of Viet Nam called for more public meetings, which facilitated interactive exchange and consensus-building, while noting that closed meetings and informal consultations should be kept to a minimum and as exceptions. The representative of the Philippines said that more open debates should be encouraged to facilitate the inclusion of diverse views and suggestions from the United Nations membership. Among the areas where progress could be made, the representative of Argentina indicated that the Council could minimize closed meetings and informal consultations in favour of meetings in an open format. According to the representative of South Africa, the Council needed to consider convening more open meetings on country-specific situations to allow all United Nations members, specifically those with interest, to contribute to finding a solution to the conflict. Citing rule 48, the representative of Pakistan expressed support for public meetings, adding that

Part II – Provisional rules of procedure and related procedural developments *Repertoire website:* <u>https://www.un.org/securitycouncil/content/repertoire/structure</u>

²⁴ See S/PV.9410 (Resumption 1).

²⁵ See S/PV.9410.

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closed meetings should be the exception and, that if they were held, interested non-members of the Council should be invited.²⁶ The representatives of Australia and Bahrain also expressed support for more public meetings of the Council.

By contrast, the representative of China said that his country was in favour of holding more informal consultations.²⁷ The representative of Morocco asserted that consultations of the whole were of critical importance, whether to discuss sensitive issues or to reach compromises on difficult ones.²⁸

During the debate, speakers also discussed other formats of informal meetings of the Council. For example, the representative of France held the view that while the informal Arriaformula meetings were valuable, there were too many of them and that there was often a "perverse use of them".²⁹ He therefore pointed to the need to find a way of "controlling" how many such meetings were held, as well as how they were conducted. The representative of Ecuador noted that elected members valued the Arria-formula meetings as a means for Council members to engage informally with various stakeholders and the broader membership. In that regard, he asserted that, in principle and in practice, the streaming of Arria-formula meetings by the United Nations Web TV should not face objections when requested by the organizers. According to the representative of Liechtenstein, the increased use of Arria-formula meetings was only desirable as long as the original purpose of the format was honoured, bringing the attention of the Council to understudied topics and voices and not distracting from its work or creating a negative atmosphere. Expressing appreciation for the opportunity to engage in the open Arria-formula meetings, the representative of Romania wished to see topics of wide interest to the international community being showcased more frequently and noted as a positive element the circulation of the compilation of written statements in the aftermath of Arria-formula meetings.³⁰ Several speakers also noted the importance of informal wrap-up sessions,³¹ with the representative of Austria specifically encouraging the presidencies to organize them in the

²⁶ See <u>S/PV.9410 (Resumption 1)</u>.

²⁷ See S/PV.9410.

²⁸ See <u>S/PV.9410 (Resumption 1)</u>.

²⁹ See <u>S/PV.9410</u>.

³⁰ See <u>S/PV.9410 (Resumption 1)</u>.

³¹ See <u>S/PV.9410</u>, Austria, Norway (speaking on behalf of the Accountability, Coherence and Transparency group), Denmark (speaking on behalf of the Nordic and Baltic States), Liechtenstein; and <u>S/PV.9410 (Resumption 1)</u>, Morocco and Australia.

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Toledo-style format, inviting other members of the Council to engage with the wider membership alongside the outgoing presidency.

E. Records

During the period under review, verbatim records were issued following each public meeting of the Council, in accordance with rule 49 of the provisional rules of procedure, while communiqués were issued following private meetings, in accordance with rule 55. No explicit reference was made at Council meetings to rules 49 to 57 in connection with the preparation, access to and issuance of verbatim records, communiqués or other documents. This notwithstanding, owing to a technical failure of the recording and back-up systems during the meeting held on 7 March under the item entitled "Women and peace and security", no recording was made of part of the proceedings.³² As a result, in application of rule 54, written statements furnished by the delegations in question were published as annexes to verbatim record, by speaking order in the Chamber.

Concerning the possibility of generating and circulating records of closed meetings was raised at the annual open debate on the working methods of the Council held on 5 September under the item entitled "Implementation of the note by the President of the Security Council (S/2017/507)".³³ In his statement at the meeting, the representative of Cuba pointed to the need to ensure the transparency of informal consultations and to issue minutes of informal consultations.³⁴ The representative of Pakistan held the view that if closed meetings were held, the summary records could be circulated to all Member States, confidentially, if necessary.³⁵ The representative of Singapore affirmed that it was important to ensure that information and documentation flowed regularly to the wider United Nations membership and suggested that some form of summary records — or at least decision points — should be maintained for closed meetings and shared with the wider membership whenever it was possible to do so.

³² See <u>S/PV.9276 (Resumption 1)</u>.

³³ See <u>S/PV.9410</u> and <u>S/PV.9410</u> (Resumption 1).

³⁴ See <u>S/PV.9410</u>.

³⁵ See $\overline{S/PV.9410}$ (Resumption 1).

II. Agenda

Note

Section II deals with the practice of the Council concerning the agenda, in relation to rules 6 to 12 of its provisional rules of procedure.

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 twentyone 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 himself concerning any matter for the consideration of the Council, in accordance with the provisions of the Charter of the United Nations and pursuant to rule 6 of the provisional rules of procedure of the Council. The Secretary-General also continued to draw up a provisional agenda for each meeting of the Council and to communicate the provisional agenda to the representatives on the Council, in accordance with rules 7 and 8. No periodic meetings were held in 2023, and rule 12 was not applied. The present section is focused on the practice and discussion regarding rules 9-11 and is organized under the following three main headings: 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.

A. Adoption of the agenda (rule 9)

In accordance with rule 9 of the provisional rules of procedure, the first item of the agenda for each meeting of the Council is the adoption of the agenda. In 2023, the Council issued a note by the President of 21 August (S/2023/612) whereby the members of the Council agreed that the observance of minutes of silence should be held after the opening of the meeting and before the adoption of the agenda of the meeting of the Security Council.³⁶ The note also provided that requests for the observance of a minute of silence should be communicated to the President no later than 60 minutes before the start of the meeting, unless in cases of emergency.³⁷

Voting on the adoption of the agenda

In 2023, no objection was raised to the adoption of the agenda.

Newly introduced items

During the period under review, the Council did not introduce any new items to the list of matters of which it was seized.

³⁶ See <u>S/2023/612</u>, para. (d).

³⁷ Ibid., para. (a). For further detail on the role of the President pursuant to this note, see sect. IV below.

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From 2000 to 2007, the Council added between 8 and 23 new items to its agenda every year. Since 2008, however, the number of new items introduced each year has decreased significantly, with no more than three new items introduced in any given year. Figure IV provides information on the number of items newly introduced per year since 2000.

Figure IV



Number of newly introduced items per year, 2000-2023

Consideration of country-specific situations under existing items of a regional nature and region-specific situations under existing thematic items

During the period under review, the Council continued the practice of using existing items of a regional nature for the consideration of evolving country-specific situations. For example, Council members continued to consider the situations in Lebanon, the Syrian Arab Republic, and Yemen under the items entitled "The situation in the Middle East" and "The situation in the Middle East, including the Palestinian question".³⁸ The Council also considered

³⁸ For more information, see part I, sects. 21 and 22.

the situation pertaining to the activities of Al-Shabaab in Somalia under the item entitled "Peace and security in Africa".³⁹

Furthermore, the Council continued to utilize thematic items to discuss country- and region-specific situations. For example, under the item entitled "Threats to international peace and security", Council members continued to deliberate on the work of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant, established pursuant to resolution 2379 (2017).⁴⁰ In 2023, the Council also continued to utilize this item to regularly discuss the situation in Ukraine.⁴¹ The Council also discussed the developments in Ukraine under the item entitled "Maintenance of international peace and security".⁴² Under the item entitled "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security", the Council deliberated on its cooperation with regional organizations, such as the African Union,⁴³ the European Union,⁴⁴ and the League of Arab States.⁴⁵

Inclusion of new sub-items under existing items

During the period under review, the Council continued the practice of adding new subitems to existing items for the consideration of evolving threats to international peace and security and other issues. Table 6 provides a list of new sub-items introduced in 2023 in chronological order of their introduction.⁴⁶

Table 6

New sub-items added to existing items at formal meetings, 2023

Meeting record	Item	New sub-item
and date		

³⁹ For more information, see part I, sect. 9.

⁴⁰ See, for example, $\underline{S/PV.9341}$ and $\underline{S/PV.9493}$.

⁴¹ See, for example, <u>S/PV.9245</u>, <u>S/PV.9256</u>, <u>S/PV.9280</u> and <u>S/PV.9501</u>.

⁴² See S/PV.9421.

⁴³ See <u>S/PV.9435</u>.

⁴⁴ See <u>S/PV.9268</u>.

⁴⁵ See S/PV.9343.

⁴⁶ The table excludes cases of routine sub-items relating to briefings on Council missions, briefings by Chairs of subsidiary bodies, letters addressed to the President of the Council, reports of the Secretary-General, and meetings of the Council with troop- and police-contributing countries pursuant to resolution <u>1353 (2001)</u>, annex II, sects. A and B.
<u>S/PV.9241</u> 12 January ^a	The promotion and strengthening of the rule of law in the maintenance of international peace and security	The rule of law among nations
<u>S/PV.9250</u> 26 January ^a	Peacebuilding and sustaining peace	Investment in people to enhance resilience against complex challenges
<u>S/PV.9260</u> 14 February ^a	Threats to international peace and security	Sea-level rise: implications for international peace and security
<u>S/PV.9276</u> 7 March ^a	Women and peace and security	Towards the 25 th anniversary of resolution $\underline{1325}$ (2000)
<u>S/PV.9296</u> 28 March	Threats to international peace and security caused by terrorist acts	Countering terrorism and preventing violent extremism conducive to terrorism by strengthening cooperation between the United Nations and regional organizations and mechanisms
<u>S/PV.9299</u> 30 March ^a	Peace and security in Africa	The impact of development policies on the implementation of the Silencing the Guns Initiative
<u>S/PV.9301</u> 10 April	Threats to international peace and security	Risks stemming from violations of the agreements regulating the export of weapons and military equipment
<u>S/PV.9308</u> 24 April ^a	Maintenance of international peace and security	Effective multilateralism through the defence of the principles of the Charter of the United Nations
<u>S/PV.9315</u> 3 May ^a	Peacebuilding and sustaining peace	Futureproofing trust for sustaining peace
<u>S/PV.9327</u> 23 May ^a	Protection of civilians in armed conflict	Ensuring the security and dignity of civilians in conflict: addressing food insecurity and protecting essential services
<u>S/PV.9345</u> 13 June ^a	Threats to international peace and security	Climate change, peace and security
<u>S/PV.9346</u> 14 June	Maintenance of international peace and security	The values of human fraternity in promoting and sustaining peace
<u>S/PV.9366</u> 5 July ^a	Children and armed conflict	How to prevent and respond to grave violations against children in armed conflict
<u>S/PV.9378</u> 14 July ^a	Women and peace and security	Conflict-related sexual violence: promoting implementation of Security Council resolutions on conflict-related sexual violence
<u>S/PV.9381</u> 18 July	Maintenance of international peace and security	Artificial intelligence: opportunities and risks for international peace and security
S/PV.9392 3 August ^a	Maintenance of international peace and security	Famine and conflict-induced global food insecurity

<u>S/PV.9418</u> 14 September ^a	Maintenance of international peace and security	Advancing public-private humanitarian partnership
S/PV.9421 20 September ^b	Maintenance of international peace and security	Upholding the purposes and principles of the United Nations Charter through effective multilateralism: maintenance of peace and security of Ukraine
<u>S/PV.9448</u> 20 October ^{<i>a</i>}	Maintenance of international peace and security	Peace through dialogue: the contribution of regional, subregional and bilateral arrangements to the prevention and peaceful resolution of disputes
<u>S/PV.9452</u> 25 October ^c	Women and peace and security	Women's participation in international peace and security: from theory to practice
<u>S/PV.9482</u> 20 November ^a	Maintenance of international peace and security	Promote sustaining peace through common development
<u>S/PV.9497</u> 7 December ^a	Threats to international peace and security	Transnational organized crime, growing challenges and new threats
<u>S/PV.9509</u> 15 December ^a	Small arms	Addressing the threat posed by diversion, illicit trafficking and misuse of small arms and light weapons and their ammunition to peace and security

^a The 9241st, 9250th, 9260th, 9276th, 9299th, 9308th, 9315th, 9327th, 9345th, 9366th, 9378th, 9392nd, 9418th, 9448th, 9482nd, 9497th and 9509th meetings were resumed in the afternoon of the same day (see <u>S/PV.9241 (Resumption 1)</u>, <u>S/PV.9250 (Resumption 1)</u>, <u>S/PV.9260 (Resumption 1)</u>, <u>S/PV.9276 (Resumption 1)</u>, <u>S/PV.9299 (Resumption 1)</u>, <u>S/PV.9308 (Resumption 1)</u>, <u>S/PV.9315 (Resumption 1)</u>, <u>S/PV.9327 (Resumption 1)</u>, <u>S/PV.9345 (Resumption 1)</u>, <u>S/PV.9366 (Resumption 1)</u>, <u>S/PV.9378 (Resumption 1)</u>, <u>S/PV.9392 (Resumption 1)</u>, <u>S/PV.9418 (Resumption 1)</u>, <u>S/PV.9448 (Resumption 1)</u>, <u>S/PV.9482 (Resumption 1)</u>, <u>S/PV.9497 (Resumption 1)</u> and <u>S/PV.9509 (Resumption 1)</u>).

^{*b*} The 9421st meeting was resumed in the afternoon of the same day and on the following day (see <u>S/PV.9421</u> (Resumption 1) and <u>S/PV.9421</u> (Resumption 2)).

^c The 9452nd meeting was resumed in the afternoon of the same day and on the following day (see <u>S/PV.9452</u> (Resumption 1) and <u>S/PV.9452</u> (Resumption 2)).

B. Matters of which the Security Council is seized (rules 10 and 11)

During the period under review, pursuant to rule 11 of the provisional rules of procedure and the note by the President dated 30 August 2017,⁴⁷ the Secretary-General continued to communicate each week to the members of the Council a summary statement of matters of which the Council was seized and of the stage reached in their consideration.⁴⁸ The practice of

⁴⁷ <u>S/2017/507</u>, annex, paras. 15 and 16.

⁴⁸ See, for example, <u>S/2023/10/Add.1</u> and <u>S/2023/10/Add.2</u>.

including an item in the summary statement upon its adoption at a formal meeting of the Council remained unchanged.

In accordance with the note by the President dated 30 August 2017, the preliminary annual summary statement of matters of which the Council is seized, issued in January each year by the Secretary-General, identifies the items that have not been considered by the Council during the preceding three calendar years and that are therefore subject to deletion. An item is deleted unless a Member State notifies the President of the Council, by the end of February, of its request that the item be retained on the list, in which case the item will remain on the list for an additional year. If no Member State requests the item's retention on the list, the first summary statement issued in March of that year reflects its deletion.⁴⁹

During the period under review, in accordance with rule 11 of the provisional rules of procedure and the note by the President dated 30 August 2017,⁵⁰ the Council continued the practice of reviewing the summary statement at the beginning of each year in order to determine whether the Council had concluded its consideration of any items.⁵¹ In 2023, of the 18 items identified for deletion in January, the items entitled "The situation in Burundi" and "The situation in the Bolivarian Republic of Venezuela" were deleted, while the remaining 16 were retained for one additional year at the request of Member States, as illustrated in table 7.⁵²

Table 7

Item	Date of first and last consideration	Status in March 2023
The India-Pakistan question	6 January 1948; 5 November 1965	Retained
The Hyderabad question	16 September 1948; 24 May 1949	Retained
Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	21 February 1958; 21 February 1958	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; 5 January 1961	Retained

Items proposed for deletion from the summary statement, 2023

⁴⁹ <u>S/2017/507</u>, annex, paras. 15 and 16.

⁵⁰ S/2017/507.

⁵¹ See S/2023/10.

⁵² See <u>S/2023/10</u>/Add.9.

Item	Date of first and last consideration	Status in March 2023
Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	4 January 1961; 5 January 1961	Retained
The situation in the India/Pakistan subcontinent	4 December 1971; 27 December 1971	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; 9 December 1971	Retained
Complaint by Cuba	17 September 1973; 18 September 1973	Retained
The situation between Iran and Iraq	26 September 1980; 31 January 1991	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; 4 October 1985	Retained
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; 25 April 1988	Retained
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; 9 February 1990	Retained
The situation in Georgia	8 October 1992; 15 June 2009	Retained
The situation in Burundi	25 October 1993; 30 October 2019	Deleted
The promotion and strengthening of the rule of law in the maintenance of international peace and security	24 September 2003; 20 August 2019	Retained
The situation in the Democratic People's Republic of Korea	22 December 2014; 11 December 2017	Retained
Letter dated 13 March 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (<u>S/2018/218</u>)	14 March 2018; 6 September 2018	Retained
The situation in the Bolivarian Republic of Venezuela	26 January 2019; 10 April 2019	Deleted

Items considered at Security Council meetings

Following the deletion of two items in March 2023, the Council was seized of 66 items during the review period.⁵³ Of the 66 items, the Council considered 47 items at its formal meetings, of which 24 were country or region-specific and 23 were thematic. Moreover, for the first time since 2018, the Council held a meeting under two items. At its 9340th meeting, held on 6 June, the Council considered two items jointly, namely "Maintenance of peace and security of

⁵³ See <u>S/2024/10/Rev.1</u>, <u>S/2023/10/Add.9</u> and <u>S/2023/10/Add.52</u>.

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Ukraine" and "Threats to international peace and security".⁵⁴ Table 8 provides an overview of the items of which the Council was seized and those items that were considered at formal meetings of the Council during the period under review.

Table 8

Items of which the Council is seized and items considered at formal meetings, 2023

Item	Considered at a formal meeting
Country-specific and regional situations	
Africa	
Central African region	Yes
Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	No
Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	No
Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	No
Peace and security in Africa	Yes
Peace consolidation in West Africa	Yes
Reports of the Secretary-General on the Sudan and South Sudan	Yes
The situation concerning the Democratic Republic of the Congo	Yes
The situation concerning Western Sahara	Yes
The situation in the Great Lakes Region	Yes
The situation in Guinea-Bissau	No
The situation in Libya	Yes
The situation in Mali	Yes
The situation in Somalia	Yes
The situation in the Central African Republic	Yes
Americas	
Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council	No
Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	No
Complaint by Cuba	No
Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council	No
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 (<u>S/2016/53</u>)	Yes
The question concerning Haiti	Yes

⁵⁴ See <u>S/PV.9340</u>. See also *Repertoire, Supplement 2018*, part II.

Item

Considered at a formal meeting

	5	0
Asia		
The situation in Afghanistan	Yes	
The situation in the Democratic People's Republic of Korea	Yes	
The Hyderabad question	No	
The India-Pakistan question	No	
The situation in the India/Pakistan subcontinent	No	
The situation in Myanmar	Yes	
Letter dated 13 September 2022 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council (<u>S/2022/688</u>)	Yes	
Europe		
The situation in Bosnia and Herzegovina	Yes	
The situation in Cyprus	Yes	
The situation in Georgia	No	
Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council $(\underline{S/2014/136})$	No	
Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ($\frac{S/2014/264}{E}$)	No	
Security Council resolutions <u>1160 (1998)</u> , <u>1199 (1998)</u> , <u>1203 (1998)</u> , <u>1239 (1999)</u> , and <u>1244 (1999)</u>	Yes	
Letter dated 13 March 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (<u>S/2018/218</u>)	No	
Maintenance of peace and security of Ukraine	Yes	
Middle East		
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 (<u>S/10409</u>)	No	
The situation between Iran and Iraq	No	
The situation concerning Iraq	Yes	
The situation between Iraq and Kuwait	No	
The situation in the Middle East	Yes	
The situation in the Middle East, including the Palestinian question	Yes	
Subtotal, country-specific and regional situations considered	24 items	
Thematic and other issues		
Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe	Yes	
Briefing by the President of the International Court of Justice	Yes	
Briefing by the United Nations High Commissioner for Refugees	Yes	
Briefings by Chairs of subsidiary bodies of the Security Council	Yes	
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Item	Considered at a formal meeting
Children and armed conflict	Yes
Consideration of the draft report of the Security Council to the General Assembly	Yes
Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	Yes
General issues relating to sanctions	No
Implementation of the note by the President of the Security Council $(\frac{8/2017/507}{})$	Yes
International Residual Mechanism for Criminal Tribunals	Yes
Maintenance of international peace and security	Yes
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution <u>1353 (2001)</u> , annex II, sections A and B	Yes
Non-proliferation	Yes
Non-proliferation/Democratic People's Republic of Korea	Yes
Non-proliferation of weapons of mass destruction	Yes
Peacebuilding and sustaining peace	Yes
Protection of civilians in armed conflict	Yes
Security Council mission	Yes
Small arms	Yes
The promotion and strengthening of the rule of law in the maintenance of international peace and security	Yes
Threats to international peace and security	Yes
Threats to international peace and security caused by terrorist acts	Yes
United Nations peacekeeping operations	Yes
Women and peace and security	Yes
Subtotal, thematic and other issues considered	23 items
Total number of items ^a	66 items
Total number of items considered	47 items

^a In 2023, the Council also considered the item entitled "Election of five members of the International Court of Justice (S/2023/445, S/2023/446 and S/2023/447)" (see S/PV.9471), which was not on the list of items of which it was seized.

C. Discussions concerning the agenda

During the period under review, Council members discussed the agenda and matters of which the Council was seized in its meetings. The most salient discussion took place during the annual open debate on the working methods of the Council held on 5 September under the item entitled "Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)" (case 2).

Case 2

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

On 5 September, at the initiative of Albania, which held the presidency of the Council for the month and whose representative held the Chair of the Informal Working Group on Documentation and other Procedural Questions, the Council held an open debate under the item entitled "Implementation of the note by the President of the Security Council (S/2017/507)" and the sub-item entitled "Working methods of the Security Council".⁵⁵ During the meeting, members and non-members of the Council exchanged views on the content and scope of the Council's agenda.⁵⁶

Asserting that the Council's time had to be used in a spirit of responsibility, the representative of France noted that the strategies aimed at saturating the agenda of the Council were problematic, because they hindered its capacity to respond.⁵⁷ The representative of the Russian Federation held the view that the deliberate pressure by various members who were using the Council to pursue their national interests was leading to the expansion of the agenda of the Council to include issues of domestic politics, human rights, climate and other matters, despite the fact that the Council should not address such issues in accordance with the Charter. The representative of China stated that the Council should focus on its core mandate and address major issues that threatened peace and security and noted that his country did not support thematic issues, which took up excessive resources and overlapped with other United Nations bodies. The representative of India maintained that some of the items on the agenda of the Council were obsolete or irrelevant, on which discussions had not taken place since the establishment of the United Nations. There was, therefore, a case for beginning a discussion into the review of items of which the Council was seized in a realistic and forward-looking manner, with note by the President dated 30 August 2017⁵⁸ providing ample guidance on that. Noting that broad topics, such as the targeting of civilians and civilian infrastructure, the situation of children in armed conflict, food security, nuclear safety, cybersecurity, risks related to the development of

⁵⁵ A concept note was circulated by a letter dated 28 August (<u>S/2023/630</u>).

⁵⁶ See <u>S/PV.9410</u> and <u>S/PV.9410 (Resumption 1)</u>.

⁵⁷ See <u>S/PV.9410</u>.

⁵⁸ <u>S/2017/507.</u>

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artificial intelligence, the women and peace and security agenda, environmental damage and human-made disasters, all belonged in the Council Chamber, the representative of Poland applauded the inclusion of far-reaching and comprehensive subjects on the agenda of the Council.⁵⁹ According to the representative of Pakistan, the consideration of any items that were on the agenda of the Council should not require the support of a majority of Council members, but should be considered automatically at the request of any interested State or the Secretary-General.

III. Representation and credentials

Note

Section III covers the practice of the Council concerning representation and the credentials of its members, in relation to rules 13-17 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

⁵⁹ See <u>S/PV.9410 (Resumption 1)</u>.

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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 of the provisional rules of procedure, the credentials of the representatives of the members of the Council were communicated to the Secretary-General. The Secretary-General subsequently submitted his report to the Council pursuant to rule 15. Such reports were transmitted to the Council when there were changes in the representation of the members of the Council,⁶⁰ as well as when representatives of the newly elected members of the Council were designated prior to the beginning of each term.⁶¹

No discussions regarding the interpretation and application of rules 13 to 17 arose during the period under review. However, in his letter dated 8 November addressed to the President of the Council,⁶² transmitting the independent assessment on Afghanistan pursuant to resolution 2679 (2023), the Secretary-General noted that the de facto authorities had called for their political recognition and diplomatic representation, both bilaterally and in the United Nations, and had asserted that they met the requirements for occupying Afghanistan's seat at the General Assembly. The Secretary-General further stated that in 2021 and 2022, the Credentials Committee had postponed its consideration of the credentials pertaining to the representatives of Afghanistan, adding that the de facto authorities and some stakeholders had expressed dissatisfaction with the provisional participation of the previously credentialled representatives of Afghanistan at the United Nations.

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 State he or she represents is directly connected, in relation to rules 18 to 20 of the provisional rules of procedure.

Rule 18

⁶⁰ See, for example, S/2023/111, S/2023/667 and S/2023/1015.

⁶¹ See S/2023/1060.

⁶² See <u>S/2023/856</u>.

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.

The present section comprises two subsections, namely: A. The role of the President of the Security Council (rules 18 and 19); and B. Discussions concerning the presidency of the Security Council. In 2023, there were no instances of the application of rule 20.

A. Role of the President of the Security Council (rules 18 and 19)

During the period under review, in accordance with rule 18 of the provisional rules of procedure, the presidency of the Council was held in turn for one calendar month by the members of the Council in English alphabetical order. In accordance with rule 19, the President of the Council continued to preside over meetings of the Council, informal consultations of the whole and informal interactive dialogues, and to perform several other functions under the authority and in representation of the Council, including: (a) briefing non-members of the Council and the media on the monthly programme of work at the beginning of the month and holding "wrap-up" sessions with non-Council members and briefings with the media at the end of the presidency; (b) representing the Council and delivering statements on its behalf, including the presentation of the annual report of the Council to the General Assembly;⁶³ (c) holding monthly meetings with the Secretary-General and the President of the General Assembly; and (d) delivering statements or elements to the press following informal consultations of the whole or whenever Council members reached an agreement on a text.⁶⁴ In August, the Council issued two notes by the President of relevance to the role of the President. The first of the notes issued on 21 August $(\frac{S}{2023}/612)$ provided that in accordance with rule 19 of the provisional rules of procedure, the members of the Council agreed that the observance of minutes of silence by the members of the Security Council should only be initiated by the President and that the President should inform the members of the Council and duly consult with them on the request, and should inform Council members or any representative of a non-Council member of his or her ruling.⁶⁵ The second of the notes issued on 21 August (S/2023/615) provided that unless agreement was reached by 1 January on the appointment of the Chairs and, consequently, Vice-Chairs of the subsidiary bodies of the Council for the year, as a contingency measure, the members of the

⁶⁴ Not all statements to the press are issued as a result of informal consultations. Council presidencies referred to the practice of delivering statements and elements to the press in their respective monthly assessments (see, for example, <u>S/2023/978</u>, <u>S/2023/763</u>, <u>S/2023/1026</u>, <u>S/2023/1064</u>, <u>S/2023/910</u>, <u>S/2023/622</u> and <u>S/2024/337</u>).
⁶⁵ See <u>S/2023/612</u>, paras. (c) and (b). In 2023, minutes of silence were observed at six meetings of the Council held on 24 January (see S/PV.9247), 24 February (see S/PV.9269), 7 June (see S/PV.9341), 12 September (see

S/PV.9415), 10 November (see S/PV.9472) and 19 December (see S/PV.9512).

⁶³ At a meeting held on 30 May (see <u>S/PV.9330</u>), the Council issued a note by the President (<u>S/2023/369</u>), adopting its report to the General Assembly covering the period from 1 January to 31 December 2022 (<u>A/77/2</u>). The report was introduced to the Assembly at the 86th plenary meeting of its seventy-seventh session, on 30 June, by the President of the Council for the month of June (United Arab Emirates). See also part IV, sect. I.F.

Council agreed that the responsibilities of Chairs of all of the subsidiary bodies of the Council during the month of January should devolve to the President for the month of January.⁶⁶

The presidency of the Council continued the practice of holding wrap-up sessions with the wider membership of the United Nations. Most of the wrap-up sessions were held in accordance with the note by the President dated 27 December 2019,⁶⁷ following the "Toledo-style" format, whereby members of the Council presented jointly the activity of the Council for the month as a panel and in an interactive manner.⁶⁸ In December, as President of the Council for the month, Ecuador held a joint wrap-up session with Albania, Brazil, Gabon, Ghana and the United Arab Emirates, the five outgoing elected members of the Council, to provide a briefing to the wider membership on the Council's activities during the month and reflect on the outgoing members' two-year tenure.⁶⁹ Council members also continued to submit, in their national capacities, monthly assessments providing an overview of the work of the Council during their presidencies.⁷⁰

Consistent with the note by the President dated 12 July 2021,⁷¹ in 2023, some Council presidencies continued the practice of circulating written monthly commitments providing a list of priorities and measures to enhance the effectiveness, efficiency and transparency of the Council. In some cases, Council members would circulate those commitments as official documents of the Council,⁷² whereas in other cases these would be circulated among Council members on an informal basis. In both cases, monthly commitments would be circulated at the beginning of the month indicating the working methods' priorities of each presidency, focusing, inter alia, on the following: convening of briefings on the provisional programme of work and wrap-up sessions for the wider membership, establishing a good balance between public and private meetings and informal consultations, requesting speakers to deliver their statements in five minutes or less in public meetings, encouraging interactivity and dialogue in informal consultations, enhancing transparency of consultations through the use of elements to the press,

⁷¹ S/2021/647.

⁶⁶ See <u>S/2023/615</u>, para. (b). See also part IX, sect. I.

⁶⁷ <u>S/2019/994</u>.

⁶⁸ See, for example, <u>S/2023/978</u>, <u>S/2023/763</u>, <u>S/2023/1064</u>, <u>S/2023/910</u> and <u>S/2024/137</u>.

⁶⁹ See <u>S/2024/337</u>.

⁷⁰ As at the time of writing, 10 of the 12 monthly presidencies had submitted monthly assessments for 2023: <u>S/2023/978, S/2023/763, S/2023/1026, S/2023/1064, S/2023/910, S/2023/622, S/2024/151, S/2024/370, S/2024/137</u> and <u>S/2024/337</u>.

⁷² See, for example, <u>S/2023/401</u> and <u>S/2023/649</u>.

strengthening the participation of civil society in Council meetings and ensuring zero tolerance for any reprisals against them, regularly seeking the views of affected Member States and regional and subregional organizations on the Council's provisional programme of work, and enhancing coordination with other principal organs of the United Nations and the Peacebuilding Commission.

Moreover, in March, the delegations of Malta, Mozambique, Switzerland and the United Arab Emirates launched a statement of joint pledges related to climate and peace and security, and were later joined by Albania, France, Gabon, Ghana, Japan, the United Kingdom and the United States, as well as Guyana and Slovenia as incoming Council members, in which they pledged to focus on the implications of climate change for international peace and security amongst the priorities of their respective terms as members of the Council, including through their presidencies, in order to advance a systematic, responsive, pragmatic, comprehensive, and evidence-based approach to climate and peace and security. In that context, in a letter dated 31 December,⁷³ the representative of the United Arab Emirates transmitted the joint pledges related to climate and peace and security, as well as the transcripts of the four joint press stakeouts organized by the various signatories in 2023.

Council presidencies also continued to implement and further build upon the joint working methods commitments entitled "Security Council Presidency Trio for Women, Peace and Security", originally developed by the delegations of Ireland, Kenya and Mexico in September 2021.⁷⁴ In a letter dated 29 December, the representative of Albania submitted an updated statement of shared commitments on women and peace and security on behalf of 15 signatories and a compilation of their joint press stakeouts held in 2023.⁷⁵ Among the priorities outlined in the document, the signatories committed to: (i) the full, equal and meaningful participation of women in meetings of the Council; (ii) including gender perspectives in Council meetings and products; and (iii) transparency in advancing the women and peace and security agenda in the Council.

Following previous practice, and in accordance with the note by the President dated 30 August 2017,⁷⁶ the introduction to the annual report of the Council to the General Assembly for

⁷³ See <u>S/2023/1081</u>.

⁷⁴ For more information, see *Repertoire*, *Supplements* 2020-2022, part II.

⁷⁵ See <u>S/2023/1080</u>.

⁷⁶ <u>S/2017/507</u>, annex, para. 127.

2022 was prepared under the coordination of the President of the Council for the month of July 2022 (Brazil).

In 2023, Council presidencies continued to bring to the attention of the Council emerging and evolving issues related to international peace and security by organizing meetings under thematic items, sometimes adding new sub-items or proposing new topics. In most cases, Council presidencies transmitted concept notes in their national capacities to guide the discussion.⁷⁷ Additionally, in a letter dated 28 August,⁷⁸ the representative of Albania transmitted a concept note for the annual open debate on the Council's working methods which was held on 5 September under the item entitled "Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)".

B. Discussions concerning the presidency of the Security Council

In 2023, the role of the presidency was discussed in multiple instances in communications and meetings of the Council.

Communications

During the period under review, the representative of the Russian Federation submitted two communications to the Secretary-General and the President of the Council, in relation to the presidency of the Council. In a letter dated 28 February,⁷⁹ the representative of the Russian Federation referred to a meeting held on 7 February, noting that the presidency had decided to

⁷⁷ See, for example, the concept note on the sub-item entitled "The rule of law among nations" ($\frac{S/2023/1}{1}$, annex), circulated by the representative of Japan prior to a high-level meeting held on 12 January (see S/PV.9241 and S/PV.9241 (Resumption 1)); the concept note on the sub-item entitled "Sea-level rise – implications for international peace and security" (S/2023/79, annex), circulated by the representative of Malta prior to a high-level meeting held on 14 February (see S/PV.9260 and S/PV.9260 (Resumption 1)); the concept note on the sub-item entitled "League of Arab States" (S/2023/407, annex), circulated by the representative of the United Arab Emirates prior to a meeting held on 8 June (see S/PV.9343); the concept note on the sub-item entitled "Artificial intelligence: opportunities and risks for international peace and security" (S/2023/528, annex), circulated by the representative of the United Kingdom prior to a high-level meeting held on 18 July (see <u>S/PV.9381</u>); the concept note on the sub-item entitled "Women's participation in international peace and security: from theory to practice" (S/2023/733, annex), circulated by the representative of Brazil prior to a high-level meeting held on 25 and 26 October (see S/PV.9452, S/PV.9452 (Resumption 1) and S/PV.9452 (Resumption 2)); and the concept note on the sub-item entitled "Transnational organized crime, growing challenges and new threats" (S/2023/933, annex), circulated by the representative of Ecuador prior to a high-level meeting held on 7 December (see S/PV.9497 and S/PV.9497 (Resumption 1)). ⁷⁸ See <u>S/2023/630</u>. See also <u>S/PV.9410</u> and <u>S/PV.9410 (Resumption 1)</u>. An analytical summary of the debate was circulated after the meeting by the representative of Albania $(\frac{S}{2023})$. ⁷⁹ See S/2023/155.

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invite the Coordinator of the Organisation for the Prohibition of Chemical Weapons Investigation and Identification Team as a briefer, although a number of Council members did not accept the legitimacy of that structure. Further, the representative pointed to the 9269th meeting held on 24 February under the item entitled "Maintenance of peace and security of Ukraine" and stated that the presidency had unilaterally and without valid reasoning decided to place the Minister of Foreign Affairs of Ukraine to speak before Council members, granting him a privileged position that foreign ministers from other regions did not enjoy. Additionally, the representative of the Russian Federation indicated that at the same meeting, a minute of silence had been announced by one of the delegations admitted under rule 37 of the provisional rules of procedure, rather than by the presidency, and noted that it was the sole prerogative of the President to initiate joint actions of the Council and that all relevant initiatives, especially from non-members of the Council, were subject to the ruling of the President. The representative of the Russian Federation further objected to the number of delegations from the States members of the European Union invited to speak under rule 37 at the meeting held on 24 February. In addition, in a letter dated 29 September,⁸⁰ the representative of the Russian Federation objected to the approach taken by the presidency of Albania at the 9421st meeting to have the President of Ukraine, invited under rule 37, speak before the members of the Council, although many of them had also been represented at the level of Head of State.

Moreover, in a letter dated 11 September,⁸¹ the representative of the Islamic Republic of Iran objected to the monthly assessment issued by the United Kingdom for the month of July 2023,⁸² in part relating to the meeting held on 6 July concerning the implementation of resolution <u>2231 (2015)</u> and underscored that the assessment by the United Kingdom should by no means be construed as a consensus document of the Council or regarded as the conclusion of the meeting, but rather as an assessment delivered in the national capacity of the United Kingdom.

In a letter dated 17 March addressed to the President of the Council,⁸³ the representative of Finland transmitted the report of the twentieth annual workshop for newly elected members of the Council, held on 17 and 18 November 2022. In the report, it was noted that one member had pointed to the members' difficulty in agreeing on press elements to reflect the substance of

⁸⁰ See S/2023/722.

⁸¹ See <u>S/2023/663</u>.

⁸² See <u>S/2023/622</u>.

⁸³ See <u>S/2023/206</u>.

closed consultations, leaving Presidents of the Council unable to speak on behalf of the organ following consultations. Similarly, several speakers lamented the Security Council's inability to agree on such products as press elements, statements to the press and statements by the President. Further, the report indicated that one speaker had said that Presidents of the Council could advance women and peace and security issues without joining the commitments shared by other members, for example, by ensuring the participation of several female briefers during their presidencies.

Furthermore, in a letter dated 26 July addressed to the President of the Council,⁸⁴ the representative of the United Kingdom referred to the letter dated 25 July, circulated to Council members for their information, in which the Permanent Mission of Morocco expressed concern about the informal circulation to Council members of a letter from a representative of the Frente POLISARIO. While taking note of the concerns expressed, the representative of the United Kingdom underscored that the circulation of the letter from a representative of the Frente POLISARIO had been done informally, for transparency and information purposes only and without a formal communication by the Presidency, in accordance with the practice of the Council. The representative of the United Kingdom added that as President of the Council, her delegation had attempted to take a consistent approach throughout July and underscored that the informal circulation of the letter could not be interpreted in any way as indicative of a position on the status of the author of the letter.

Meetings

In 2023, the role of the presidency was discussed at several meetings of the Council. For example, at a meeting held on 7 February under the item entitled "The situation in the Middle East", two Council members addressed the approach taken by the presidency concerning the invitations extended to briefers under rule 39 of the provisional rules of procedure.⁸⁵ The representative of the Russian Federation raised questions about the position taken by the presidency to invite the Coordinator of the Organisation for the Prohibition of Chemical Weapons Investigation and Identification Team as a separate briefer along with the Head of the

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⁸⁴ See <u>S/2023/556</u>.

⁸⁵ See S/PV.9255.

Organisation for the Prohibition of Chemical Weapons, viewing the matter as being in stark contrast with the practice adopted by the Council, which presupposed the search for consensus. At the same meeting, the representative of China expressed reservations on the choice of briefers and regretted that the President had not conducted extensive consultations with Council members in that regard.

In addition, at a meeting held on 27 April under the item entitled "Security Council <u>resolutions 1160 (1998)</u>, <u>1199 (1998)</u>, <u>1203 (1998)</u>, <u>1239 (1999)</u> and <u>1244 (1999)</u>", speakers discussed the impartiality and the role of the presidency with regard to the use of languages other than the six official languages of the United Nations.⁸⁶

Furthermore, at a meeting held on 6 July under the item entitled "Non-proliferation", the representative of the Russian Federation objected to the approach taken by the United Kingdom presidency concerning an invitation extended to a Member State under rule 37 of the provisional rules of procedure.⁸⁷ In addition, at a meeting held on 17 July under the item entitled "Maintenance of peace and security of Ukraine", the representative of the Russian Federation stated that the President of the Council had shown disregard for the procedures and practices of the Council, putting the national position and the interests of the North Atlantic Treaty Organization above the duties of the President of the Council, who was supposed to be the guardian of its procedures with a balanced and impartial approach.⁸⁸ Further, at a meeting held on 26 July under the item entitled "Threats to international peace and security", the representative of the Russian Federation expressed disagreement with the approach by the presidency to inviting briefers to that meeting.⁸⁹

In another instance, at a meeting held on 25 August under the item entitled "Nonproliferation/Democratic People's Republic of Korea", the representative of the Russian Federation maintained that while the presidency had requested an open briefing on the Democratic People's Republic of Korea in its national capacity, together with several other Council members, it had not consulted with Council members on the need for such a discussion and its format.⁹⁰

⁸⁶ See <u>S/PV.9312</u>. For further details on the discussion, see also sect. IX on languages.

⁸⁷ See <u>S/PV.9367</u>. For further details on the discussion, see also sect. VII on participation.

⁸⁸ See S/PV.9380.

⁸⁹ See <u>S/PV.9385</u>. For further details, see sect. VII on participation.

⁹⁰ See S/PV.9406.

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Moreover, at a meeting held on 30 August under the item entitled "The situation in Mali", at which the Council had before it draft resolution S/2023/638, submitted by France and the United Arab Emirates, and draft resolution S/2023/639, submitted by the Russian Federation, respectively, several Council members requested the presidency to grant their request for consultations to be held prior to the vote.⁹¹ Prior to the adoption of the agenda, the representative of the Russian Federation asked the presidency to hold consultations before the vote and the representative of China noted that some Member States were still making diplomatic efforts and that the voting should not be imposed. In response, the President took note of the positions expressed by the Russian Federation and China and announced that the vote would proceed as scheduled. The representative of the Russian Federation then enquired if his delegation understood correctly that the President was refusing the request of Member States to conduct consultations, in response to which the President stated that members were prepared to proceed with the voting and that consultations would be held after that. Taking the floor on behalf of the African members of the Council, the representative of Mozambique strongly advised the presidency to allow for some more time for the requested consultations for an additional exchange of views on the matter. After the President announced that it was still his intention to proceed to the voting, the representative of the Russian Federation requested a procedural vote on conducting consultations, after which the meeting was suspended twice and consultations were held prior to the vote, without a procedural vote taking place.

The role of the President of the Council was also discussed in greater detail at the annual open debate on the working methods of the Council held on 5 September under item entitled "Implementation of the note by the President of the Security Council ($\frac{S}{2017}$)" (case 3).

Case 3

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

On 5 September, at the initiative of Albania, which held the presidency of the Council for the month and whose representative held the Chair of the Informal Working Group on Documentation and other Procedural Questions, the Council held an open debate under the item entitled "Implementation of the note by the President of the Security Council ($\frac{S}{2017}$)" and

⁹¹ See <u>S/PV.9408</u>.

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the sub-item entitled "Working methods of the Security Council".⁹² In their discussions, members and non-members of the Council exchanged views on different aspects of the work of the President of the Council, including its engagement with the wider membership and other principal organs of the United Nations, the preparation of monthly assessments and the practice of circulating monthly working methods commitments.⁹³

Concerning the engagement of the Council presidency with the wider membership, speakers addressed various modalities. Speaking in his capacity as the Chair of the Informal Working Group on Documentation and other Procedural Questions, the representative of Albania noted that the reporting on the work of each presidency at the meetings of the Informal Working Group had made those members holding that responsibility more aware of their fundamental role in implementing the working methods agreed upon by the Council and had facilitated the sharing of best practices among Council presidencies.⁹⁴ The representative of Austria held the view that the monthly wrap-up meetings of presidencies were an important moment to engage with the wider membership and in that regard, encouraged presidencies to organize them in a Toledostyle format, inviting other members of the Council to engage with the wider membership alongside the outgoing presidency. On behalf of the Accountability, Coherence and Transparency group, the representative of Norway expressed support for verbal reporting and dialogue with the broader membership, including through monthly wrap-up sessions, as well as for a consistent practice of Council Presidents issuing formal invitations and publishing meeting announcements in the Journal of the United Nations and on the Council's programme of work. Delivering a statement on behalf of the Nordic and Baltic States, the representative of Denmark welcomed the presidencies' regular interactive wrap-in and wrap-up sessions. Similarly, the representative of Liechtenstein welcomed the well-established practice of the Council presidency of holding wrap-up sessions at the end of each month and encouraged States to make use of that opportunity for interactive exchange with the Council.

On engagement with other organs, the representative of Sierra Leone acknowledged the efforts in the increase of consultations between the Presidents of the General Assembly and the Council. The representative of Poland called for regular consultations among the Presidents of

⁹² A concept note was circulated by a letter dated 28 August 2023 (S/2023/630).

⁹³ See <u>S/PV.9410</u> and <u>S/PV.9410</u> (Resumption 1).

⁹⁴ See S/PV.9410.

the two organs and noted that a close link between them should be fostered to enhance the overall effectiveness of the United Nations system.⁹⁵

Participants also discussed the monthly assessments of Council presidencies, with some also focusing on the monthly programmes of work. The representative of Norway stated that the Council should ensure the timely completion of monthly assessments by all Council presidencies, adding that as they were undertaken in a national capacity, they could be more analytical and did not require unanimity among Council members.⁹⁶ Regretting the decrease in the number of monthly assessments published in 2022, the representative of Slovakia suggested that monthly assessments could be further formalized, for greater transparency, and the implementation of working methods could be assessed by each presidency. The representative of Singapore viewed the monthly assessment reports as an important tool of communication and information flow from the Council to the wider membership.⁹⁷

Several speakers also discussed the importance of the monthly working methods commitments circulated by Council members at the beginning of their presidencies. Speaking on behalf of the elected members, the representative of Ecuador called on all Council Presidents to disseminate and implement their working methods commitments and commended the efforts of Council Presidents, on the initiative of Japan, to revitalize interactive discussions in consultations.⁹⁸ On behalf of the Accountability, Coherence and Transparency group, the representative of Norway welcomed the use of digital programmes of work and the public distribution of monthly working methods commitments by presidencies.

V. Secretariat

Note

⁹⁵ See <u>S/PV.9410 (Resumption 1)</u>.

⁹⁶ See <u>S/PV.9410</u>.

⁹⁷ See S/PV.9410 (Resumption 1).

⁹⁸ See S/PV.9410.

Section V covers the practice of the Council concerning the functions and powers of the Secretary-General in connection with meetings of the Council, in relation to rules 21 to 26 of its provisional rules of procedure.⁹⁹

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

⁹⁹ For specific instances in which the Secretary-General was requested or authorized by the Council to carry out other functions in accordance with Article 98, see part VI.

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.

During the period under review and in accordance with previous practice, the Secretary-General and senior officials of the Secretariat continued to attend Council meetings and provide oral briefings and written reports to the Council, as requested. The Council continued to request briefings by senior officials from the Secretariat.

The various functions of the Secretariat were addressed in several communications of the Council, in particular with respect to its role under resolution <u>2231 (2015)</u>, on the nuclear programme of the Islamic Republic of Iran.

For example, in a letter dated 18 May addressed to the Secretary-General and the President of the Council,¹⁰⁰ the representative of the United Kingdom reported that her country had seized components from medium-range ballistic missiles that it assessed were being smuggled from the Islamic Republic of Iran to the Houthis, and that it had received on loan from Ukraine two examples of Iranian one-way attack unmanned aerial vehicles recovered from the battlefield in Ukraine, indicating that their export from the Islamic Republic of Iran was in violation of resolution 2231 (2015). The representative further noted that the United Kingdom had invited the Secretariat team responsible for monitoring the implementation of resolution 2231 (2015) to inspect the evidence, and as the team had not been able to visit the United Kingdom in time for the upcoming mandated report of the Secretary-General on the implementation of resolution 2231 (2015), its delegation shared a document setting out the relevant evidence in the annex to the letter. Further, in a letter dated 22 May addressed to the

¹⁰⁰ See S/2023/362.

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Secretary-General and the President of the Council,¹⁰¹ the representatives of France, Germany and the United Kingdom expressed their deep concern at the transfer of unmanned aerial vehicles from the Islamic Republic of Iran to the Russian Federation in violation of resolution <u>2231</u> (2015), noting that the Islamic Republic of Iran had continued its transfers to the Russian Federation for use in its "war of aggression" against Ukraine. In the letter, the representatives restated their desire for an investigation by the United Nations Secretariat team for monitoring the implementation of resolution <u>2231 (2015)</u> and stood ready to support their work on an impartial investigation.

In reference to the above two communications, by a letter dated 23 May addressed to the Secretary-General and the President of the Council,¹⁰² the representative of the Russian Federation held the view that the invitation by France, Germany and the United Kingdom to the Secretariat team for monitoring the implementation of resolution 2231 (2015) to conduct an investigation, was a "blatant and explicit" attempt to give instructions to the Secretariat in violation of paragraph 2 of Article 100 of the Charter and in contradiction with the note by the President of the Council entitled "Security Council tasks under Security Council resolution 2231 (2015)" dated 16 January 2016 (S/2016/44). The representative further urged the Secretariat to strictly abide by its mandate, adding that the Russian Federation would regard any non-mandated activity by the Secretariat, including inspections on the ground, as deliberate provocations aimed at undermining the implementation of resolution 2231 (2015) and the process of restoration of the Joint Comprehensive Plan of Action. In response to the same letters cited above, by a letter dated 24 May addressed to the Secretary-General,¹⁰³ the representative of the Islamic Republic of Iran rejected the claims made by France, Germany and the United Kingdom and noted that the recurrent and unwarranted call for the Secretariat to investigate the alleged violations of resolution 2231 (2015) lacked a legal basis. In that regard, the Islamic Republic of Iran had objected to such an illicit request and reiterated its call to the Secretariat to diligently fulfil its mandate. Similar allegations were raised in several other communications circulated from June to October by various Member States.¹⁰⁴

¹⁰¹ See <u>S/2023/368</u>.

¹⁰² See <u>S/2023/373</u>.

¹⁰³ See <u>S/2023/376</u>.

¹⁰⁴ See S/2023/398, S/2023/404, S/2023/418, S/2023/428, S/2023/429, S/2023/440, S/2023/496, S/2023/610, S/2023/628, S/2023/683 and S/2023/736.

At the end of the year, in a letter dated 15 December addressed to the Secretary-General,¹⁰⁵ the representative of the Islamic Republic of Iran shared the views and observations regarding the sixteenth report of the Secretary-General on the implementation of resolution <u>2231</u> (2015),¹⁰⁶ noting, inter alia, that the Islamic Republic of Iran had warned about any engagement by the Secretariat outside of its mandate. According to the letter, several paragraphs of the report of the Secretary-General indicated continued unauthorized engagement by the Secretariat in activities to examine allegations regarding the implementation of annex B to the resolution. The representative of the Islamic Republic of Iran viewed such activities as contrary to the mandate of the Secretariat regarding the implementation <u>2231</u> (2015), which was limited to the administrative support of the Council. The representative further noted that the Council had never requested any additional task and stated that the Secretariat lacked the necessary technical capacity and expertise for such activities.

Moreover, the functions of the Secretariat were also raised in communications submitted in relation to the alleged violations of the Disengagement of Forces Agreement and breaches of Israeli sovereignty. In two subsequent letters dated 13 June and 28 July addressed to the Secretary-General and the President of the Council,¹⁰⁷ the representative of Israel asserted that despite the clear visibility of the Syrian violations of the Alpha line and armed presence in the area of separation and the fact that the Israeli Defence Forces kept the United Nations Disengagement Observer Force (UNDOF) regularly informed of them, those violations continued to be excluded from the reports of the Secretariat. Similar points were made by the representative of Israel in a letter dated 28 September,¹⁰⁸ informing of alleged Lebanese violations of resolution <u>1701 (2006)</u>, the vast majority of which he affirmed continued to be excluded from the reports of the Secretariat, despite their visibility and frequency.

In addition, the role of the Secretariat was addressed in a number of communications concerning the alleged acts of aggression against the territory of the Syrian Arab Republic and violations of its sovereignty. In that regard, for example, by a letter dated 19 February addressed to the Secretary-General and the President of the Council,¹⁰⁹ the representative of the Syrian

¹⁰⁵ See <u>S/2023/992</u>.

¹⁰⁶ See <u>S/2023/975</u>.

¹⁰⁷ See <u>S/2023/434</u>. See also <u>S/2023/565</u>.

¹⁰⁸ See <u>S/2023/718.</u>

¹⁰⁹ See <u>S/2023/123</u>.

Arab Republic, having drawn the attention of the Secretary-General and the Council to what he described as the targeting by Israel of Syrian civilian objects, expressed the expectation that the Secretariat and the Council would condemn the acts of aggression by Israel and take measures to deter such acts, hold accountable and punish the perpetrators and ensure that such acts did not recur.¹¹⁰

The role of the Secretariat with respect to the implementation of resolution <u>2231 (2015)</u> was further discussed at several meetings held under the item entitled "Non-proliferation".¹¹¹

VI. Conduct of business

Note

Section VI covers the practice of the Council concerning the conduct of business at its meetings, in relation 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.

¹¹⁰ Similar letters were circulated in March and April, see <u>S/2023/181</u>, <u>S/2023/214</u> and <u>S/2023/245</u>. ¹¹¹ See S/PV.9367 and S/PV.9511. For a detailed overview of the discussion, see part VI, sect. II.

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.

In 2023, no explicit reference was made to rules 27, 29 and 30 in the meetings of the Council. The President of the Council continued to request speakers to limit their statements in Council meetings in accordance with the note by the President dated 30 August 2017 which, as a general rule, encourages all participants, both members and non-members of the Council, in Council meetings to deliver their statements in five minutes or less.¹¹² For example, at a meeting held on 18 January, before giving the floor to non-Council members, the President reminded all

¹¹² S/2017/507, annex, para. 22.

speakers to limit their statements to no more than three minutes and noted that flashing lights on the collars of the microphones would prompt speakers to bring their remarks to a close.¹¹³ Following previous practice, during the period under review, joint statements were delivered by Council members,¹¹⁴ and non-Council members invited to participate in Council meetings.¹¹⁵

According to the note by the President dated 30 August 2017, as a general practice, the speaking order for meetings of the Council is established by a draw. In addition, the President of the Council delivers his or her national statement last of all Council members.¹¹⁶ However, in certain cases, the speaking order is established by the use of a sign-up sheet, and the President may make his or her national statement before the other members take the floor.¹¹⁷ In certain cases, the President may adjust the list of speakers and inscribe first the delegation or delegations responsible for the drafting process in order to allow them to make an introductory or explanatory presentation.¹¹⁸ When an unscheduled or emergency meeting is convened, the President may adjust the list of speakers so that the delegation that requested the meeting can speak before other Council members in order to present the rationale for convening the

¹¹³ See <u>S/PV.9246</u> and <u>S/PV.9246 (Resumption 1)</u>. See also, for example, <u>S/PV.9260</u> and <u>S/PV.9260 (Resumption 1)</u>; <u>S/PV.9276</u> and <u>S/PV.9276 (Resumption 1)</u>; <u>S/PV.9309</u> and <u>S/PV.9309 (Resumption 1)</u>; <u>S/PV.9366</u> and <u>S/PV.9366 (Resumption 1)</u>; <u>S/PV.9448</u> and <u>S/PV.9448 (Resumption 1)</u>; <u>S/PV.9482</u> and <u>S/PV.9482 (Resumption 1)</u>; and S/PV.9509 and S/PV.9509 (Resumption 1).

¹¹⁴ In a number of instances, the representatives of Gabon, Ghana and Mozambique delivered joint statements on behalf of the three African members of the Council (referred to as the "A3") (see, for example, <u>S/PV.9238</u> and <u>S/PV.9368</u>). In several instances, Council members delivered joint statements as co-penholders on a particular issue (see, for example, <u>S/PV.9314</u> and <u>S/PV.9383</u>). At two meetings, the representative of Ecuador delivered a statement on behalf of the 10 elected members of the Council (see <u>S/PV.9237</u> and <u>S/PV.9410</u>); while in one of those instances the representative of Brazil delivered a statement on behalf of Switzerland and Brazil at the same meeting (see <u>S/PV.9237</u>). The representative of Malta also delivered a joint statement on behalf of the 10 elected members of the Council at one meeting (see <u>S/PV.9453</u>).

¹¹⁵ For example, at a meeting held on 26 January under the item entitled "Peacebuilding and sustaining peace", the representative of Palau spoke on behalf of the 12 members of the Pacific small island developing States (see <u>S/PV.9250 (Resumption1)</u>); at a meeting held on 13 June under the item entitled "Threats to international peace and security", the representative of Germany spoke on behalf of the 66 members of the Group of Friends on Climate and Security (see <u>S/PV.9345</u>); at a meeting held on 30 October under the item entitled "The situation in the Middle East, including the Palestinian question", the representative of Jordan spoke on behalf of the Arab Group (see <u>S/PV.9462</u>). ¹¹⁶ S/2017/507, annex, paras. 24 and 25.

¹¹⁷ Ibid. For example, at a meeting held on 12 January under the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security", the representative of Japan (President of the Council) took the floor and delivered his national statement after the briefers but before the other members of the Council (see <u>S/PV.9241</u>); at a meeting held on 25 October under the item entitled "Women and peace and security", the representative of Brazil (President of the Council) took the floor and delivered his national statement after the briefers but before the other members of the Council (see <u>S/PV.9241</u>); at a meeting held on 25 October under the item entitled "Women and peace and security", the representative of Brazil (President of the Council) took the floor and delivered his national statement after the briefers but before the other members of the Council (see <u>S/PV.9452</u>).

¹¹⁸ <u>S/2017/507</u>, annex, para. 26. For example, at a meeting held on 30 October under the item entitled "The situation concerning Western Sahara", the representative of the United States, as penholder of resolution <u>2703 (2023)</u>, which was adopted at the meeting, took the floor first after the vote to provide explanatory remarks (see <u>S/PV.9460</u>).

meeting.¹¹⁹ The President may also inscribe first the Chairs of the subsidiary bodies of the Council when they present their work, as was the case on several occasions during the period under review.¹²⁰

According to established practice and the note by the President dated 30 August 2017, the list of speakers was adjusted according to protocol when high-level officials were representing Council members at a meeting.¹²¹ In 2023, consistent with past practice under these items and in accordance with the note by the President dated 30 August 2017, non-members of the Council having a direct interest in the matter under consideration spoke before Council members in meetings held under the items entitled "Security Council resolutions <u>1160 (1998)</u>, <u>1199 (1998)</u>, <u>1203 (1998)</u>, <u>1239 (1999)</u> and <u>1244 (1999)</u>" and "The situation in the Middle East, including the Palestinian question".¹²² Furthermore, in 2023, an online live list of speakers for open debates was introduced with a view to improving the efficiency of Council meetings, in particular with regard to time management and facilitating the participation of the wider membership.¹²³ The live list of speakers was used for the first time at an open debate held on 30 March under the presidency of Mozambique and in connection with the item entitled "Peace and security in Africa".¹²⁴

The Council continued to use videoconferencing technology to facilitate participation at its in-person meetings.¹²⁵

¹¹⁹ <u>S/2017/507</u>, annex, para. 26. For example, at a meeting held on 29 December under the item entitled "Maintenance of peace and security of Ukraine", the representative of Albania, having requested the Council meeting with several other delegations, delivered a statement after the briefer but before the other members of the Council (see <u>S/PV.9523</u>).

 $^{^{120}}$ S/2017/507, annex, para. 27. For example, at a meeting held on 18 April under the item entitled "The situation in Libya", the representative of Japan spoke before the other members of the Council and provided a briefing to the Council in his capacity as Chair of the Committee pursuant to resolution <u>1970 (2011)</u> concerning Libya (See S/PV.9306).

¹²¹ <u>S/2017/507</u>, annex, paras. 29 and 30. For example, at a meeting held on 30 March under the item entitled "Peace and security in Africa", the President of Mozambique (President of the Council) took the floor after the briefers but before the other Council members (see <u>S/PV.9299</u>); at a meeting held on 3 May under the item entitled "Peacebuilding and sustaining peace", the Federal Councillor and Head of the Federal Department of Foreign Affairs of Switzerland (President of the Council) took the floor after the briefers but before the other Council members (see <u>S/PV.9315</u>); and, at a meeting held on 15 December under the item entitled "Small arms", the Minister for Foreign Affairs and Human Mobility of Ecuador (President of the Council) took the floor after the briefers but before the other Council members (see <u>S/PV.9509</u>). At a meeting held on 22 June under the item entitled "The situation in Somalia", the President of Somalia took the floor after the briefers but before the members of the Council (see <u>S/PV.9356</u>). For more information on high-level meetings, see sect. I. A above.

¹²² <u>S/2017/507</u>, annex, para. 33. See also, for example, <u>S/PV.9312</u> and <u>S/PV.9387</u>.

¹²³ See <u>S/2023/1014</u>.

¹²⁴ See <u>S/PV.9299</u> and <u>S/PV.9299 (Resumption 1)</u>. See also <u>S/2023/1026</u>.

¹²⁵ <u>S/2017/507</u>, annex, para. 60.

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 a 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, the Council continued to invite non-members of the Council to participate in its meetings. The invitations were extended by the President of the Council at the beginning of or during Council meetings, either under the "relevant provisions" of the Charter without an explicit reference to a specific Article or rule of the provisional rules of procedure, or under rule 37 or rule 39. Specifically, Member States continued to be invited under rule 37, while representatives of the Secretariat, other United Nations organs, specialized agencies, funds and programmes, regional and other intergovernmental organizations, or other invitees, including representatives of non-governmental organizations and civil society, were invited under rule 39. While Member States requested invitations in letters addressed to the President, in most cases these were not circulated as documents of the Council. In addition, in 2023, the President requested written advice from the Peacebuilding Commission under rule 39 of the provisional rules of procedure in connection with a number of Council meetings.

During the period under review, in accordance with the notes by the President dated 30 August 2017 and 27 December 2019, the Council invited newly elected members to observe all meetings of the Council and informal consultations of the whole, including consultations on Council outcome documents from 1 October, for the three months immediately preceding their term of membership.¹²⁶

The present section is divided into four subsections, namely: A. Invitations extended under rule 37; B. Invitations extended under rule 39; 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 of the Charter and provisional rules of procedure, all States, whether Members of the United Nations or not, can be invited to participate in Council meetings when: (a) the interests of a Member State are "specially affected" (Article 31 of the Charter 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 of the Charter); and (c) a Member State of the United Nations brings a matter to the attention of the Council in accordance with Article 35 (1) of the Charter (rule 37).¹²⁷

Consistent with previous practice, Member States invited under rule 37 of the provisional rules of procedure continued to speak on occasion in other capacities. For example, at a private meeting held on 13 March under the item entitled "The situation in Myanmar", the Minister for Foreign Affairs of Indonesia participated under rule 37 in her capacity as Chair of the Association of Southeast Asian Nations (ASEAN).¹²⁸ In addition, there were several instances of representatives of Member States participating under rule 37 who delivered statements on behalf of groups of states.¹²⁹

¹²⁶ S/2017/507, annex, paras. 140 and 141, and S/2019/993.

¹²⁷ For more details on the referral of a dispute or situation to the Council by States, see sect. I.A above and part VI, sect. I.A.

¹²⁸ See <u>S/PV.9279</u>. In addition, the representatives of the Philippines and Viet Nam, albeit not as Chairs, also spoke on behalf of the Association of Southeast Asian Nations (ASEAN) at meetings held on 12 January under the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security" (see <u>S/PV.9241 (Resumption 1)</u>) and on 25 October under the item entitled "Women and peace and security" (see <u>S/PV.9452 (Resumption 1)</u>), respectively.

¹²⁹ For example, at a meeting held on 12 January under the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security", the representative of Luxembourg spoke on behalf of the Benelux countries (Belgium, Luxembourg and the Netherlands) and the representative of Denmark spoke on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden) (see <u>S/PV.9241</u> and <u>S/PV.9241 (Resumption 1)</u>); at a meeting held on 24 April under the item entitled "Maintenance of international peace and security", the representative of Azerbaijan spoke on behalf of the 120 member States of the Movement of

In 2023, an invitation extended to a Member State to participate in a Council meeting under rule 37 led to a procedural vote on one occasion. On 6 July, at the meeting held under the item entitled "Non-proliferation", the representative of the Russian Federation asked the President of the Council to clarify the basis for the proposal that the representative of Ukraine be invited to participate in that meeting; for, unlike Iran and Germany, Ukraine was not a party to the Joint Comprehensive Plan of Action.¹³⁰ In response, the President of the Council stated that following receipt of Ukraine's request to participate in that meeting under rule 37, the President had consulted all Council members and had accepted Ukraine's request on the basis that a clear majority of Council members had expressed support. The representative of the Russian Federation expressed disagreement with the approach and requested that the question of the participation of the representative of Ukraine be put to a vote. Taking the floor, the representative of the United States urged Council members to vote to allow the representative of Ukraine to speak under rule 37, noting that it would be "unconscionable" to deny Ukraine the opportunity to speak at the meeting when it was experiencing the devastating effects of Iran's violation of resolution 2231 (2015) first-hand. The President of the Council affirmed that the presidency had followed a long-established procedure on the issue of rule 37 participation. In view of the comments made by Council members, the proposal to invite the representative of Ukraine to participate in the meeting was put to a vote and adopted by majority.¹³¹

Furthermore, during the period under review, a number of Member States requested the circulation of their own individual or joint statements with other Member States in connection with meetings in which they did not participate.¹³²

Non-Aligned Countries, and the representative of the Bolivarian Republic of Venezuela spoke on behalf of the Group of Friends in Defence of the Charter of the United Nations (see <u>S/PV.9308 (Resumption 1)</u>); at a meeting held on 27 July under the item entitled "The situation in the Middle East, including the Palestinian question", the representative of Bangladesh spoke on behalf of Organization of Islamic Cooperation, the representative of Malaysia spoke on behalf of the Exercise of the Inalienable Rights of the Palestinian People, and the representative of Yemen spoke on behalf of the Group of Arab States and (see <u>S/PV.9387</u> and <u>S/PV.9387</u> (Resumption 1)).

¹³⁰ See <u>S/PV.9367</u>.

¹³¹ For: Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Switzerland, United Arab Emirates, United Kingdom, United States; *against*: China, Russian Federation; *abstaining*: Mozambique.

 $^{^{132}}$ For example, in a letter dated 30 May, the representative of Estonia transmitted a joint statement by Estonia, Latvia and Lithuania in connection with the meeting of the Council held on the same day under the item entitled "Threats to international peace and security" (see <u>S/2023/387</u>); in a letter dated 25 July, the representative of Mauritania transmitted a joint statement on behalf of the Organization of Islamic Cooperation Group in connection with the meeting of the Council to be held on 27 July under the item entitled "The situation in the Middle East, including the Palestinian question" (see <u>S/2023/552</u>); in a letter dated 31 October, the representative of Denmark

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 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 a representative of a State, for example, as Chair of the Peacebuilding Commission or Chairperson-in-Office of the Organization for Security and Cooperation in Europe.¹³³

In 2023, a total of 479 invitations were extended under rule 39, in comparison with 445 in 2022 and 354 in 2021 (see figure V).

Figure V

Invitations under rule 39, totals, 2014-2023

transmitted a statement on behalf of the Nordic States (Denmark, Finland, Iceland, Norway and Sweden) in connection with the meeting of the Council held on the same day under the item entitled "Maintenance of peace and security of Ukraine" (see <u>S/2023/828</u>); in a letter dated 30 November, the representative of the Islamic Republic of Iran transmitted a statement by the Minister of Foreign Affairs of the Islamic Republic of Iran in connection with the meeting of the Council held on 29 November under the item entitled "The situation in the Middle East, including the Palestinian question" (see S/2023/939).

¹³³ For example, at meetings held on 26 January, 13 and 19 April, and 11 October, respectively under the items entitled "Peacebuilding and sustaining peace" (see <u>S/PV.9250</u>), "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 (<u>S/2016/53</u>)" (see <u>S/PV.9303</u>), "The situation in the Great Lakes region" (see <u>S/PV.9307</u>) and "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 (<u>S/2016/53</u>)" (see <u>S/PV.9303</u>), "The situation in the Great Lakes region" (see <u>S/PV.9307</u>) and "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 (<u>S/2016/53</u>)" (see <u>S/PV.9434</u>), the representatives of Bangladesh and Croatia were invited under rule 39 and provided briefings to the Council in their capacity as Chair of the Peacebuilding Commission; at a meeting held on 20 September under the item entitled "Maintenance of international peace and security" (see <u>S/PV.9421</u> and <u>S/PV.9421 (Resumption 1)</u>), the representative of North Macedonia was invited under rule 39 to participate in his capacity as Chairperson-in-Office of the Organization for Security and Cooperation in Europe.



Of the 479 invitees under rule 39, a total of 285 were men and 194 were women. As shown in figure VI, in recent years, both the total number and the percentage of women invited to participate in Council meetings under rule 39 has increased, with a slight decrease observed in 2023 (40.5 per cent) compared to 2022 (45.6 per cent). Moreover, in 2023, as part of their monthly working methods commitments, several presidencies of the Council continued to place specific emphasis on ensuring the participation of women briefers in the meetings of the Council.¹³⁴

Figure VI Invitees under rule 39, sex-disaggregated, 2014-2023

¹³⁴ For more information on the monthly working methods commitments of Council presidencies, see sect. IV above.


For the purposes of this part of the *Repertoire*, invitations extended under rule 39 are classified according to four main categories, namely:¹³⁵ (a) officials of the United Nations system; (b) invitees from international organizations other than the United Nations; (c) officials representing regional intergovernmental organizations; and (d) representatives of other entities such as non-governmental and civil society organizations. As shown in figure VII, invitations under rule 39 were most often extended to officials of the United Nations system and non-governmental and civil society organizations. The number of civil society representatives increased from 89 in 2022 to 110, which was the highest number of invitees recorded in this category. In terms of sex-disaggregated data for each category, of the 272 invitations to United Nations officials, 154 (56.6 per cent) were extended to men and 118 (43.4 per cent) to women. Of the 84 invitations to officials representing regional intergovernmental organizations, 69 (82.1

¹³⁵ In earlier Supplements, separate categories were used for invitees of the Secretariat and Council subsidiary bodies and those representing other United Nations organs, subsidiary bodies or agencies. Since the *Repertoire Supplement 2016-2017*, these two categories have been subsumed under the category "United Nations system".

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per cent) were extended to men and 15 (17.9 per cent) to women. Of the 13 invitations to representatives of international organizations other than the United Nations, 7 (53.8 per cent) were extended to men and 6 (46.2 per cent) to women. Finally, of the 110 invitations to representatives of other entities such as non-governmental organizations and civil society, 55 were extended to both men and women (50 per cent each).

Figure VII



Breakdown of invitations under rule 39, by category, 2014-2023

In 2023, there were no changes to the procedure for extending invitations under rule 39 to participate in meetings of the Council. There were, however, two instances wherein invitations extended to participate in a Council meeting pursuant to rule 39 were put to a vote.

On 17 March, at a meeting held under the item entitled "Maintenance of peace and security of Ukraine", at the request of the United States, the Council voted on the proposal to invite a briefer under rule 39, which was not adopted, having failed to receive the required

number of votes.¹³⁶ Requesting a procedural vote, the representative of the United States noted that it was not appropriate for the Council to invite, in any capacity, someone who purported to be the ombudsperson of the so-called Donetsk People's Republic and urged Council members to vote against inviting the proposed briefer. She also called on all Council members to act consistent with the relevant General Assembly resolutions and not support the proposed briefer's participation in the meeting.¹³⁷ In response, the representative of the Russian Federation held the view that the briefer proposed by his delegation fully met the criteria set out in rule 39 of the Council's provisional rules of procedure and called on Council members to support the proposal. Additionally, the representative of Albania expressed opposition to extending an invitation to the briefer proposed by the Russian Federation, noting that allowing her participation would have set a dangerous precedent. Following the vote, the representative of the Russian Federation stated that the outcome gave his delegation a reason to think about how it should consider requests under rule 39 in the future. Explaining their votes, the representatives of Ecuador and Switzerland indicated that their delegations had voted against the proposal to invite the proposed briefer because they believed it was imperative to consider General Assembly resolution ES-11/4 in making that decision. The representative of Ecuador added that his delegation's vote was without prejudice to its position of openness towards the inclusion of diverse speakers from interested delegations, regardless of their origin or political position and from whatever territory under full or partial occupation. The representative of Switzerland further explained that, in General Assembly resolution ES-11/4, all States were called upon to refrain from any action or contact that could be interpreted as recognizing a change in the status of the Ukrainian regions declared annexed by the Russian Federation.

Further, on 26 July, the proposal to invite a civil society briefer in accordance with rule 39 to participate in the meeting on "Threats to international peace and security" was put to a vote at the request of the Russian Federation and was rejected, having failed to obtain the required number of votes.¹³⁸ Asking the floor on a point of order, the representative of the Russian Federation expressed disagreement with the approach of the President of the Council to limit the number of briefers due to time constraints and held the view that the British presidency was

¹³⁶ See S/PV.9286.

¹³⁷ See also part IV, sect. I.C.

¹³⁸ See S/PV.9385.

preventing the representative of the Ukrainian Orthodox Church to participate in Council discussions despite its announced commitment to protecting representatives of civil society as a vital aspect of its working methods. In response, the President said that the presidency had not refused either of the non-United Nations briefers proposed by the Russian Federation and instead had offered the Russian delegation a choice of which one it had wanted to speak, adding that the presidency had made it clear that the Russian delegation could send a written contribution from the other in a letter to the Council if it had wanted both of their contributions to be considered. The President further noted that there was nothing in the provisional rules of procedure that gave a Council member the right to unilaterally demand its preferred line-up of briefers in full. He also noted that, as with every presidency, he was balancing different and competing pressures the desire to bring civil-society voices to the Council, alongside the need to maintain a workable programme that allowed Council members the time for discussion. In this regard, he clarified that the presidency was not objecting to a specific briefer but simply asking that the Russian Federation limit itself to one briefer, not two, and send in a written contribution from the second. He added that it was not unreasonable and that it was important to maintain the policy of the presidency on the matter. Taking the floor again, the representative of the Russian Federation requested that the invitation to Bishop Gedeon be put to a procedural vote, adding that, in protest against the attempts by the United Kingdom to prevent their guest from speaking, the Russian Federation would not speak at the subsequently scheduled meeting.¹³⁹

Invitations extended under rule 39 were also discussed in communications submitted to the Council. For example, in a letter dated 8 September addressed to the President of the Council,¹⁴⁰ the representative of the Sudan objected to the announced participation of the Special Representative of the Secretary-General and Head of the United Nations Integrated Transition Mission in the Sudan (UNITAMS) at a Council meeting scheduled for 13 September, noting that if he was to participate, the Sudan would distance itself from the meeting and would not participate in it.

During the period under review, the Chair of the Peacebuilding Commission submitted written advice in response to the invitation by the President of the Council to do so under rule 39

¹³⁹ At the 9386th meeting held on 26 July under the item entitled "Maintenance of peace and security of Ukraine", the representative of the Russian Federation did not speak (see <u>S/PV.9386</u>). ¹⁴⁰ See <u>S/2023/659</u>. See also <u>S/PV.9417</u>.

of the provisional rules of procedure in connection with a number of meetings held under regionspecific and thematic items.¹⁴¹

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 9).

Invitations to representatives of the Holy See and the State of Palestine to participate in meetings of the Council were routinely extended "in accordance with the provisional rules of procedure and the previous practice in this regard", without specification of any rules.

Table 9

Invitee	Meeting record and date	Item
Holy See	<u>S/PV.9260</u> , 14 February <u>S/PV.9276</u> , 7 March <u>S/PV.9392</u> , 3 August <u>S/PV.9421</u> , 20 September <u>S/PV.9451</u> , 24 October	Threats to international peace and security Women and peace and security Maintenance of international peace and security Maintenance of international peace and security The situation in the Middle East, including the Palestinian question
State of Palestine	S/PV.9236, 5 January S/PV.9246, 18 January S/PV.9263, 20 February S/PV.9290, 22 March S/PV.9309, 25 April S/PV.9361, 27 June S/PV.9387, 27 July S/PV.9439, 16 October S/PV.9443, 18 October S/PV.9443, 18 October S/PV.9451, 24 October S/PV.9462, 30 October S/PV.9472, 10 November S/PV.9472, 15 November S/PV.9484, 22 November S/PV.9489, 29 November S/PV.9498, 8 December S/PV.9499, 8 December S/PV.9499, 22 December S/PV.9520, 22 December	The situation in the Middle East, including the Palestinian question

Invitations not expressly extended under rule 37 or rule 39, 2023

¹⁴¹ For more information on the Peacebuilding Commission, see part IX, sect. VII.

<u>S/PV.9241</u>, 12 January <u>S/PV.9276</u>, 7 March <u>S/PV.9366</u>, 5 July Promotion and strengthening of the rule of law Women and peace and security Children and armed conflict

D. Discussions relating to participation

During the period under review, when non-members of the Council were invited to participate in a meeting, Council members generally spoke before Member States invited under rule 37 of the provisional rules of procedure and before those not expressly invited under any rule, except on some occasions when parties directly involved in the matter under consideration took the floor before Council members.¹⁴² The practice of the Council with regard to invitees under rule 39 was less consistent, and the order of speakers depended on whether or not they were participating to provide a briefing to the Council.

In 2023, Council members raised issues of concern regarding invitations to Member States pursuant to rule 37 of the provisional rules of procedure at several meetings.

For example, on 24 February, at a meeting held under the item entitled "Maintenance of peace and security of Ukraine", speaking before the adoption of the agenda, the representative of the Russian Federation asked the President of the Council to clarify the basis on which the presidency proposed to give the floor to the Minister for Foreign Affairs of Ukraine before Council members.¹⁴³ In response, the President noted that the debate was being held on the one-year anniversary of the beginning of the war in Ukraine, adding that the presidency saw value in allowing the Minister for Foreign Affairs of Ukraine to take the floor before Council members as per paragraph 33 of the note by the President dated 30 August 2017.¹⁴⁴ In his further statement, the representative of the Russian Federation cited examples from recent practice in which high-level representatives of Member States, including Ukraine, spoke after Council members and emphasized that his delegation had nothing against the statement to be made by the Minister for Foreign Affairs of Ukraine, with the prevailing practice under rule 37.¹⁴⁵

¹⁴² For more information on the order of speaking, see sect. VI above.

¹⁴³ See <u>S/PV.9269</u>. In connection with the position of the Russian Federation, see also letter dated 28 February from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council (<u>S/2023/155</u>). ¹⁴⁴ S/2017/507.

<u>S/2017/307</u>.

¹⁴⁵ See <u>S/PV.9269</u>.

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He further held the view that the approach of inviting an unprecedented number of delegations from 12 member States of the European Union would not add value to the discussion and would degrade the value of the debate and damage the reputation of the Council. Taking note of the additional points raised by the representative of the Russian Federation, the President recalled instances in which the Foreign Minister of Serbia had spoken before Council members and with regard to the list of speakers under rule 37 pointed out that the presidency had taken note that all those requests had come from Foreign Ministers who had taken the time to travel to New York to be at the United Nations on that anniversary, which indicated that they felt that their countries were directly impacted by the war.

Further, at a meeting held on 17 July under the item entitled "Maintenance of peace and security of Ukraine", the representative of the Russian Federation expressed his delegation's principled disagreement with the approach of the President of the Council to inviting delegations to participate in the meeting under rule 37, asserting that the President of the Council had unilaterally decided to give the representative of eight member States of the European Union and the North Atlantic Treaty Organization and their allies the opportunity to speak, as well as the representative of the European Union itself, despite the fact that it was the regular practice of the Council to invite no more than three delegations to take part in the meetings on Ukraine under rule 37.¹⁴⁶

Additionally, at a meeting held on 20 September under the item entitled "Maintenance of international peace and security" in connection with Ukraine, the representative of the Russian Federation raised the question of the basis on which the President of the Council proposed to give the President of Ukraine the floor before the members of the Council, many of whom were also represented at the level of Head of State or Government, as well as the basis on which the President of the Council invited the Minister for Foreign Affairs of North Macedonia in his capacity as Chairperson-in-Office of the Organization for Security and Cooperation in Europe.¹⁴⁷ In response, the President of the Council recalled that paragraph 33 of the note by the President dated 30 August 2017¹⁴⁸ stated that when non-members were invited to speak to the Council,

¹⁴⁶ See <u>S/PV.9380</u>.

¹⁴⁷ See <u>S/PV.9421</u>. In connection with the position of the Russian Federation, see also letter dated 29 September from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council (<u>S/2023/722</u>). ¹⁴⁸ S/2017/507.

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those who had a direct interest in the outcome of the matter under consideration might speak prior to Council members, if appropriate, and held the view that inviting the President of Ukraine to speak before Council members was amply in line with that provision. The President of the Council further recalled that the Russian Federation had raised the same issue in February and had been assured by the then President of the Council that ample precedents existed of non-Council member States taking the floor before Council members, further affirming that the speaking order of the meeting was in full conformity with the guidelines and practices of the Council. Taking the floor again, the representative of the Russian Federation stressed that his delegation did not object to the participation of the President of Ukraine in the meeting, adding that it needed to happen in line with the rules of procedure and existing practice, according to which countries invited under rule 37 spoke after Council members, especially when there were both members of the Council and other representatives represented at the level of Head of State or Government.

In 2023, matters concerning participation in Council meetings pursuant to rule 39 were also raised in meetings of the Council. For example, at a meeting held on 22 February under the item entitled "The situation in Somalia", the representative of Malta expressed disappointment that the conditions had not been conducive to the safe participation of a civil society representative to brief the Council on women and peace and security issues and noted that her delegation remained firm in the belief that the voice of civil society needed to be heard, and that more needed to be done to enable the safe participation of civil society briefers without fear of reprisals, harassment or abuse.¹⁴⁹ For those reasons, the representative of Malta circulated as a document of the Council the statement that would have been delivered on behalf of the Somali Gender Equity Movement, a non-partisan sociopolitical global movement made up of 9,000 diverse Somali women inside the country and in the diaspora who had united to advocate for gender equity in Somalia.¹⁵⁰ Furthermore, at a meeting held on 10 May under the item entitled "The situation in Bosnia and Herzegovina", the representative of Mr. Christian Schmidt, invited under rule 39, in his capacity as High Representative for Bosnia and Herzegovina, noting that the

¹⁴⁹ See <u>S/PV.9267</u>.

¹⁵⁰ See <u>S/2023/137</u>.

Council had not approved him for that position.¹⁵¹ Additionally, at a meeting held on 22 May under the item entitled "Reports of the Secretary-General on the Sudan and South Sudan", the representative of Switzerland regretted that the conditions in the Sudan had not allowed civil society to participate safely in the meeting.¹⁵² In connection with the same item, at a meeting held on 9 August, the representative of the United States stated that her delegation had expected the Special Representative of the Secretary-General for the Sudan to brief the Council, adding that it was unacceptable that the Sudanese Government had warned that it would close the United Nations Integrated Transition Assistance Mission in the Sudan (UNITAMS) if the Special Representative had participated in that briefing.¹⁵³

Participation in Council meetings was also discussed in greater detail during the annual open debate on the working methods of the Council held on 5 September under the item entitled "Implementation of the note by the President of the Security Council ($\frac{S/2017/507}{507}$)" (case 4).

Case 4

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

On 5 September, at the initiative of Albania, which held the presidency of the Council for the month and whose representative held the Chair of the Informal Working Group on Documentation and other Procedural Questions, the Council held an open debate under the item entitled "Implementation of the note by the President of the Security Council (S/2017/507)" and the sub-item entitled "Working methods of the Security Council".¹⁵⁴ In their discussions, members and non-members of the Council exchanged views on the importance and modalities of participation in Council meetings, with a focus on the wider membership and civil society representatives.¹⁵⁵

Addressing the topic of the participation of wider membership of the United Nations in Council meetings, some speakers advocated a more inclusive approach to the acceptance of rule

¹⁵¹ See S/PV.9319. For more information on the discussion, see also part I, sect. 19. A.

¹⁵² See <u>S/PV.9326</u>.

¹⁵³ See <u>S/PV.9394</u>.

¹⁵⁴ A concept note was circulated by a letter dated 28 August 2023 (S/2023/630).

¹⁵⁵ See <u>S/PV.9410</u> and <u>S/PV.9410 (Resumption 1)</u>.

37 requests in Council meetings,¹⁵⁶ while some specifically called on the Council to ensure participation of non-Council members on matters and situations directly affecting them or which were of great importance to them.¹⁵⁷ The representative of Slovakia expressed appreciation for the recently improved application of rule 37 and called for the continuation of that practice.¹⁵⁸ The representative of Romania noted that the presence of a wide range of voices in Council meetings should be ensured through the application of rules 37 and 39.¹⁵⁹ Noting that it was essential to ensure that non-members of the Council had a meaningful avenue for influencing the discussions on subjects that directly concerned them, the representative of Poland stated that Article 35 of the Charter and rule 37 of the Council's provisional rules of procedure provided the foundations for that participation, adding that any endeavours to stifle the diversity of the debates must be prevented. The representative of Indonesia held the view that promoting greater participation by the wider membership would enable the Council to gain broader perspectives and promote transparency,¹⁶⁰ while the representative of Pakistan stated that the Council should adopt guidelines to facilitate the participation of non-members in its deliberations under rules 37 and 39.¹⁶¹

Speakers also reflected on the participation of briefers under rule 39 of the provisional rules of procedure, in particular representatives of civil society, with several expressing support for their participation or expressing the view that it was valuable or important.¹⁶² More specifically, the representative of the United Kingdom noted that the Council should hear from genuine experts, including civil society, who could enrich its deliberations.¹⁶³ The representative of the Russian Federation held the view that the issue of inviting briefers to Council meetings to speak on specific topics had become a sore point and pointed to what he described as attempts to censor the participation of briefers who did not meet certain "Western criteria". Expressing support for the Council to continue to invite civil society briefers, the representative of China held the view that recent experiences had brought to light the need to improve quality control

 ¹⁵⁶ See <u>S/PV.9410</u>, Norway (on behalf of the Accountability, Coherence and Transparency group), Denmark (on behalf of the Nordic and Baltic States), Germany, Slovakia; and <u>S/PV.9410 (Resumption 1)</u>, Romania and Poland.
¹⁵⁷ See <u>S/PV.9410</u>, Germany; and <u>S/PV.9410 (Resumption 1)</u>, Poland and Singapore.

¹⁵⁸ See <u>S/PV.9410</u>.

¹⁵⁹ See <u>S/PV.9410 (Resumption 1)</u>.

¹⁶⁰ See <u>S/PV.9410</u>.

¹⁶¹ See <u>S/PV.9410 (Resumption 1)</u>.

¹⁶² See <u>S/PV.9410</u>, China, Ecuador (on behalf of the 10 elected members), Chile, Italy, Germany; and <u>S/PV.9410</u> (<u>Resumption 1</u>), Romania, Australia and Syrian Arab Republic.

¹⁶³ See <u>S/PV.9410</u>.

concerning the briefings themselves in order to deliver genuine added value. Noting that presidencies should should r the responsibility in that regard, the representative of China expressed concern about the fact that some members seemed to care only about bringing different voices to the Council without considering how to reach consensus, while also neglecting the concerns of the Governments of the countries involved. Speaking on behalf of the 10 elected members, the representative of Ecuador stated that the perspectives of civil society added value to the Council's deliberations and should be supported and sustained. Stressing the importance of the consensus when inviting civil society speakers, the representative of Ecuador noted that the Council must take responsibility for their suitability and safety and must condemn all cases of reprisals. To that end, the elected members encouraged discussions, including on how to promote best practices, in particular the possibility of discussing guidelines. The representative of Liechtenstein asserted that for factual accounts and informed assessments of situations of concern to the Council, it was important to hear relevant experts, including women and civil society briefers and briefers who might not speak in an official United Nations language as long as interpretation was provided. He added that if the standard of relevant expertise was not being met, members should be willing to employ a procedural vote. Asserting that there had been examples of exploitation of the invitations extended to representatives of civil society who contributed to the dissemination of disinformation, the representative of the Syrian Arab Republic proposed that the Council adopt a binding code of conduct on the participation of civil society representatives and non-governmental organizations in its open meetings.¹⁶⁴

Several speakers also pointed out that it was important to ensure the safe and meaningful participation of civil society briefers and their protection from reprisals.¹⁶⁵ Additionally, speakers encouraged greater participation of women¹⁶⁶ and the youth in the work of the Council.¹⁶⁷ Regarding the modalities of participation, the representative of Slovakia encouraged drawing on good practices developed during the COVID-19 pandemic in relation to two specific working methods — the virtual participation of briefers, where circumstances required it, and the

¹⁶⁴ See S/PV.9410 (Resumption 1).

¹⁶⁵ See S/PV.9410, Norway (on behalf of the Accountability, Coherence and Transparency group), Denmark (on behalf of the Nordic and Baltic States), Germany; and S/PV.9410 (Resumption 1), Greece and Australia. ¹⁶⁶ See <u>S/PV.9410</u>, Ecuador (on behalf of the 10 elected members), Republic of Korea, Chile, Italy, South Africa; and S/PV.9410 (Resumption 1), Bangladesh.

¹⁶⁷ See S/PV.9410, South Africa.

submission of written statements by non-members of the Council during open debates.¹⁶⁸ The representative of Bahrain stressed the need to convene more objective and interactive consultations and to increase the participation of States that were not Council members in the Council's work, in line with Articles 31 and 32 of the Charter.¹⁶⁹

VIII. Decision-making and voting

Note

Section VIII covers the practice of the Council with regard to decision-making, including voting. Article 27 of the Charter of the United Nations and rule 40 of the provisional rules of procedure govern the voting in the Council. They provide that decisions on procedural matters require an affirmative vote of nine of the 15 Council members, while decisions on substantive matters require an affirmative vote of nine Council members, including all of the permanent members.

The present section also covers rules 31, 32, 34 to 36 and 38 of the provisional rules of procedure, which govern the conduct of business with regard to voting on draft resolutions, amendments and substantive motions.

Article 27

 Each member of the Security Council shall have one vote.
Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.
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.

¹⁶⁸ See <u>S/PV.9410</u>. For more information on procedural developments during the COVID-19 pandemic, see *Repertoire, Supplements 2020* and *2021*, part II. ¹⁶⁹ See S/PV.9410 (Resumption 1).

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.

The present section comprises five subsections, namely: A. Decisions of the Security Council; B. Penholdership and 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. In 2023, rule 31 of the provisional rules of procedure was routinely applied in Council meetings. While there were no instances of withdrawal of draft resolutions or requests for separate voting on parts of a draft resolution, rule 36 was explicitly invoked once, following which votes took place on two sets of amendments to a draft resolution. There were, however, no instances in which rules 32 and 34 were explicitly invoked. In addition, there were instances of competing draft resolutions submitted, which were voted upon in their order of submission pursuant to rule 32, as described in section A below.

A. Decisions of the Security Council

During the period under review, the Council continued to adopt resolutions and statements by the President of the Council at its meetings, in addition to making procedural decisions. Decisions of the Council also took the form of notes by the President and letters from the President, which were not adopted at meetings but were issued as documents of the Council.

In 2023, the Council adopted a total of 50 resolutions, as well as one amendment to a draft resolution, and six presidential statements. The Council also issued 18 notes by the President and 22 letters from the President. Figure VIII shows the total number of resolutions and presidential statements adopted and notes and letters from the President issued during the past decade (2014-2023).

Figure VIII

Resolutions and presidential statements adopted and notes by and letters from the



President issued, 2014-2023

Multiple decisions in one meeting

During 2023, the Council continued the standard practice of adopting a single decision in a meeting, with one exception. At a meeting held on 16 March under the item entitled "The situation in Afghanistan", the Council unanimously adopted resolutions <u>2678 (2023)</u> and <u>2679 (2023)</u>.¹⁷⁰ There were also four instances at which more than one draft resolution was put to a vote at a single meeting and failed to be adopted. On 11 July, at a meeting held under the item entitled "The situation in the Middle East", in connection with the humanitarian situation in the Syrian Arab Republic, the Council failed to adopt two draft resolutions,¹⁷¹ of which one owing to the negative vote of a permanent member of the Council,¹⁷² and the other due to the lack of the

¹⁷⁰ See <u>S/PV.9283</u>. For more information, see part I, sect. 14.

¹⁷¹ See <u>S/PV.9371</u>. For more information, see part I, sect. 21.

¹⁷² See <u>S/2023/506</u>.

requisite number of affirmative votes.¹⁷³ Further, at a meeting held on 30 August under the item entitled "The situation in Mali" and specifically in connection with the mandate renewal of the Panel of Experts established pursuant to resolution <u>2374 (2017)</u>,¹⁷⁴ the Council failed to adopt a draft resolution owing to the negative vote of a permanent member of the Council.¹⁷⁵ A second draft resolution, submitted at the same meeting, was not adopted having failed to obtain the required number of votes.¹⁷⁶ In addition, on 18 October, further to the 7 October attacks by Hamas on Israel, at a meeting held under the item entitled "The situation in the Middle East, including the Palestinian question", at which the President explicitly referred to rule 36 of the provisional rules of procedure,¹⁷⁷ the Council failed to adopt two sets of amendments to a draft resolution due to the lack of the required number of votes.¹⁷⁸ At the same meeting, the Council also failed to adopt a draft resolution owing to the negative vote of a permanent member of the Council failed to adopt a draft resolution owing to the negative vote of two permanent members of the Council failed to adopt a draft resolution owing to the negative vote of two permanent members of the Council failed to adopt a draft resolution owing to the negative vote of two permanent members of the Council failed to adopt a draft resolution owing to the negative vote of two permanent members of the Council,¹⁸¹ and second draft resolution due to the lack of the required number of two sets.¹⁸²

B. Penholdership and sponsorship in accordance with rule 38

A draft resolution may be submitted by any member of the Council. However, in accordance with the note by the President dated 30 August 2017, the members of the Council have supported, where appropriate, the informal arrangement whereby one or more Council members, as penholder(s), initiate and chair the informal drafting process.¹⁸³ In 2023, the Council issued a new note by the President on 1 December¹⁸⁴ further elaborating on the measures contained in the note by the President dated 30 August 2017 relating to this practice. In

¹⁷³ <u>S/2023/507</u>.

¹⁷⁴ See <u>S/PV.9408</u>. For more information, see part I, sect. 11.

¹⁷⁵ See <u>S/2023/638</u>.

¹⁷⁶ See <u>S/2023/639</u>.

¹⁷⁷ See <u>S/PV.9442</u>. For more information, see part I, sect. 22.

¹⁷⁸ See <u>S/2023/775</u> and <u>S/2023/776</u>.

¹⁷⁹ See <u>S/2023/773</u>.

¹⁸⁰ See S/PV.9453. For more information, see part I, sect. 22.

¹⁸¹ See S/2023/792.

¹⁸² See S/2023/795.

¹⁸³ S/2017/507, annex, paras. 78-82.

¹⁸⁴ See S/2023/945.

the new note, members of the Council affirmed that the work of the Council was a collective endeavour and responsibility while supporting the practice of penholdership to initiate and facilitate the informal drafting process, as well as timely initiatives, of the Council, among other and related tasks.¹⁸⁵ Importantly, the note added that the members of the Council encouraged continued efforts, to ensure that the arrangement of penholder or co-penholder reflected openness, a shared responsibility and fair burden-sharing and agreed that any member of the Council should have the opportunity to be a penholder or co-penholder and that any member of the Council might add value as such including but not limited to "those with expertise in and contributions to the subjects, regional perspectives on the subjects, chairing of relevant subsidiary bodies and specific interests".¹⁸⁶

Moreover, recalling paragraphs 78 to 88 of the note by the President dated 30 August 2017,¹⁸⁷ in the new note, the members of the Council encouraged penholders and co-penholders to conduct negotiations in an inclusive and respectful manner by, inter alia, abiding by objectivity and impartiality during the drafting and negotiation process; ensuring, as early as possible in the drafting exercise, an exchange of information among all Council members; informally consulting in an early manner with the broader United Nations membership, in particular the Member States concerned; sharing draft documents as early as possible to provide reasonably sufficient time for consideration by all Council members; informally consulting the Chairs of the subsidiary bodies concerned before circulating an early draft of a document involving the same country or region; building consensus and making every effort to address divergences among Council members; striving to make Council documents, including resolutions, presidential statements and press statements, focused, succinct and action-oriented; and striving to ensure that the silence procedure for draft resolutions was of at least 24 hours and that after draft resolutions were put in blue, at least 24 hours should be allowed for consideration by Council members before drafts were put to a vote.¹⁸⁸ In addition, penholder and copenholders were encouraged to monitor the implementation of Council decisions.¹⁸⁹ In so far as it concerned those members that were not penholders or co-penholders, in the new note, the

¹⁸⁵ See <u>S/2023/945</u>, para. (a).

¹⁸⁶ Ibid., para. (b).

¹⁸⁷ S/2017/507.

¹⁸⁸ See <u>S/2023/945</u>, para. (c).

¹⁸⁹ Ibid., para. (e).

members of the Council encouraged them to strive to provide timely feedback, including written comments, during the negotiation of draft documents and to conduct negotiations in a constructive and respectful manner.¹⁹⁰

In 2023, while permanent members continued to be penholders of the majority of draft resolutions of the Council, for 15 out of 50 resolutions adopted (30 per cent) and for 5 out of 14 draft resolutions and amendments not adopted (36 per cent), one or more elected members of the Council were penholder or co-penholder(s) (see table 10).

Table 10

Draft resolutions for which one or more elected members of the Council acted as penholder or co-penholder, 2023

Draft resolution	Item	Meeting record and date	Resolution	(Co)penholder(s)
<u>S/2023/18</u>	The situation in the Middle East	<u>S/PV.9237</u> 9 January	Resolution <u>2672 (2023)</u>	Brazil and Switzerland
<u>S/2023/196</u>	The situation in Afghanistan	<u>S/PV.9283</u> 16 March	Resolution <u>2678 (2023)</u>	Japan and United Arab Emirates
<u>S/2023/197</u>	The situation in Afghanistan	<u>S/PV.9283</u> 16 March	Resolution <u>2679 (2023)</u>	Japan and United Arab Emirates
<u>S/2023/292</u>	The situation in Afghanistan	<u>S/PV.9314</u> 27 April	Resolution <u>2681 (2023)</u>	Japan and United Arab Emirates
<u>S/2023/388</u>	The situation in Libya	<u>S/PV.9335</u> 2 June	Resolution <u>2684 (2023)</u>	France and Malta
<u>S/2023/427</u>	Maintenance of international peace and security	<u>S/PV.9347</u> 14 June	Resolution <u>2686 (2023)</u>	United Arab Emirates and United Kingdom
<u>S/2023/506</u>	The situation in the Middle East	<u>S/PV.9371</u> 11 July	Not adopted owing to a negative vote by a permanent member	Brazil and Switzerland
<u>S/2023/519</u>	The question concerning Haiti	<u>S/PV.9377</u> 14 July	Resolution <u>2692 (2023)</u>	Ecuador and United States
<u>S/2023/638</u>	The situation in Mali	<u>S/PV.9408</u> 30 August	Not adopted owing to a negative vote by a permanent member	France and United Arab Emirates
<u>S/2023/708</u>	Maintenance of international peace and security	<u>S/PV.9429</u> 29 September	Resolution <u>2698 (2023)</u>	France and Malta

¹⁹⁰ Ibid., para. (d).

Draft resolution	Item	Meeting record and date	Resolution	(Co)penholder(s)
<u>S/2023/709</u>	The question concerning Haiti	<u>S/PV.9430</u> 2 October	Resolution <u>2699 (2023)</u>	Ecuador and United States
<u>8/2023/772</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9439</u> 16 October	Not adopted due to an insufficient number of affirmative votes	Russian Federation and United Arab Emirates
<u>8/2023/773</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9442</u> 18 October	Not adopted owing to a negative vote by a permanent member	Brazil
<u>8/2023/787</u>	The question concerning Haiti	<u>S/PV.9444</u> 19 October	Resolution <u>2700 (2023)</u>	Ecuador and United States
<u>8/2023/816</u>	The situation in Bosnia and Herzegovina	<u>S/PV.9466</u> 2 November	Resolution <u>2706 (2023)</u>	Switzerland
<u>8/2023/876</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9479</u> 15 November	Resolution <u>2712 (2023)</u>	Malta
<u>S/2023/970</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9499</u> 8 December	Not adopted owing to a negative vote by a permanent member	United Arab Emirates
<u>S/2023/999</u>	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	S/PV.9518 21 December	Resolution <u>2719 (2023)</u>	Gabon, Ghana and Mozambique
<u>S/2023/1029</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9520</u> 22 December	Resolution <u>2720 (2023)</u>	United Arab Emirates
<u>S/2023/1056</u>	The situation in Afghanistan	<u>S/PV.9521</u> 29 December	Resolution <u>2721 (2023)</u>	Japan and United Arab Emirates

Pursuant to rule 38 of the provisional rules of procedure, any Member of the United Nations invited in accordance with rule 37 or in application of Article 32 of the Charter to participate in the discussions of the Council may also submit proposals and draft resolutions, but

proposals and draft resolutions may be put to a vote only at the request of a Council member. The Member States that submit a draft resolution become sponsors of the draft resolution. A draft resolution is described as a presidential text if all the Council members agree to be cosponsors. As was the case the year prior, in 2023, no presidential text was tabled, compared with six in 2021.¹⁹¹

During the period under review, the Council considered a total of 60 draft resolutions, 6 of which were co-sponsored by non-members of the Council, as shown in table 11.

Table 11

Draft resolution	Item	Meeting record and date	Resolution	Council member sponsors	Non-Council member co- sponsors
<u>S/2023/212</u>	Threats to international peace and security	<u>S/PV.9295</u> 27 March	Not adopted owing to an insufficient number of affirmative votes	2 Council members (China, Russian Federation)	6 Member States ^a
<u>8/2023/292</u>	The situation in Afghanistan	<u>S/PV.9313</u> 27 April	<u>2681 (2023)</u>	13 Council members ^b	79 Member States ^c
<u>S/2023/708</u>	Maintenance of international peace and security	<u>S/PV.9429</u> 29 September	<u>2698 (2023)</u>	3 Council members (Albania, France, Malta)	26 Member States ^d
<u>S/2023/772</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9439</u> 16 October	Not adopted owing to an insufficient number of affirmative votes	2 Council members (Russian Federation, United Arab Emirates)	24 Member States ^e
<u>S/2023/795</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9453</u> 25 October	Not adopted owing to an insufficient number of affirmative votes	1 Council member (Russian Federation)	2 Member States (Sudan, Venezuela (Bolivarian Republic of))

Draft resolutions co-sponsored by non-members of the Council, 2023

¹⁹¹ For more information on past practice concerning presidential texts, see *Repertoire, Supplement 2008–2009* to *Supplement 2022*, part II.

Draft resolution	Item	Meeting record and date	Resolution	Council member sponsors	Non-Council member co- sponsors
<u>S/2023/970</u>	The situation in the Middle East, including the Palestinian question	<u>S/PV.9499</u> 8 December	Not adopted owing to a negative vote by a permanent member	5 Council members (Brazil, China, Malta, Russian Federation, United Arab Emirates)	97 Member States [/]

^{*a*} Belarus, Democratic People's Republic of Korea, Eritrea, Nicaragua, Syrian Arab Republic and Venezuela (Bolivarian Republic of).

^b Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom and United States.

^c Afghanistan, Antigua and Barbuda, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, the Dominican Republic, Egypt, Estonia, Ethiopia, Fiji, Finland, Gambia (Republic of the), Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mauritania, Montenegro, Morocco, Myanmar, Netherlands (Kingdom of the), New Zealand, Nigeria, Norway, Oman, Paraguay, Poland, Portugal, Qatar, the Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Tunisia, Türkiye, Uruguay and Yemen.

^d Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands (Kingdom of the), Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

^e Bahrain, Bangladesh, Belarus, Djibouti, Egypt, Eritrea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Maldives, Mali, Mauritania, Nicaragua, Oman, Pakistan, Qatar, Saudi Arabia, Sudan, Türkiye, Venezuela (Bolivarian Republic of), Yemen and Zimbabwe.

^f Afghanistan, Andorra, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Cambodia, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, Gambia (Republic of the), Grenada, Guyana, Iceland, Indonesia, Iraq, Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Luxembourg, Malaysia, Maldives, Mauritania, Mexico, Morocco, Namibia, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

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 Council members. On all other matters, that is, substantive or non-procedural matters, an affirmative vote of nine Council members is required, including the concurring votes of the permanent members.

The result of a vote in the Council often does not in itself indicate whether the Council considers the matter voted upon to be procedural or substantive. For example, whether a vote is

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procedural or not 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 as a result of having failed to obtain the nine affirmative votes required. When a proposal is adopted as a result of 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 matter voted upon is considered to be substantive. On certain occasions, in its early years, the Council found it necessary to decide, by vote, the question of 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. However, in recent years, including during the period under review, there have been no instances of the Council deciding to examine the preliminary question. Procedural motions, such as the adoption of the agenda, the extension of invitations to participate in meetings and the suspension or adjournment of a meeting, however, have in recent years been decided upon by the Council with a vote. When such motions were voted upon, the vote was considered procedural.

In 2023, procedural matters were put to a vote on three occasions, compared to two in 2022 and none in 2021. At a meeting held on 17 March under the item entitled "Maintenance of peace and security of Ukraine", Council members voted on the proposal to extend an invitation to a briefer under rule 39 of the provisional rules of procedure, which was not adopted, having failed to receive the required number of votes.¹⁹² At a meeting held on 6 July under the item entitled "Non-proliferation", Council members held a procedural vote on whether to extend an invitation under rule 37 of the provisional rules of procedure to the representative of Ukraine and adopted the proposal.¹⁹³ Additionally, at a meeting held on 26 July under the item entitled "Threats to international peace and security", Council members voted on the proposal to invite a civil society briefer in accordance with rule 39 of the provisional rules of procedure, which failed to obtain the required number of votes.¹⁹⁴

Adoption of resolutions

¹⁹² See S/PV.9286. For further details on the discussion, see sect. 20.

¹⁹³ See S/PV.9367. For further details on the discussion, see sect. 34.

¹⁹⁴ See <u>S/PV.9385</u>. For further details on the discussion, see sect. 36.

During the period under review, 35 out of 50 (70 per cent) resolutions were adopted unanimously, compared with 36 out of 54 (66.7 per cent) in 2022 and 48 out of 57 (84.2 per cent) in 2021. A total of 15 resolutions and one amendment were adopted without a unanimous vote in 2023 (see table 12).

Table 12

Resolutions and amendments adopted without a unanimous vote, 2023

Resolution / amendment	Item	Meeting record and date	Votes in favour	Votes against	Abstentions
<u>2676 (2023)</u>	Reports of the Secretary-General on the Sudan and South Sudan ^a	<u>S/PV.9278</u> 8 March	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	-	2 (China, Russian Federation)
<u>2677 (2023)</u>	Reports of the Secretary-General on the Sudan and South Sudan ^{<i>a</i>}	<u>S/PV.9281</u> 15 March	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	-	2 (China, Russian Federation)
<u>2683 (2023)</u>	Reports of the Secretary-General on the Sudan and South Sudan ^{<i>a</i>}	<u>S/PV.9332</u> 30 May	10 (Albania, Brazil, Ecuador, France, Japan, Malta, Switzerland, United Arab Emirates, United Kingdom, United States)	_	5 (China, Gabon, Ghana, Mozambique, Russian Federation)
<u>2684 (2023)</u>	The situation in Libya ^b	<u>S/PV.9335</u> 2 June	14 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	_	1 (Russian Federation)
<u>2693 (2023)</u>	The situation in the Central African Republic ^c	<u>S/PV.9388</u> 27 July	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	-	2 (China, Russian Federation)

<u>2695 (2023)</u>	The situation in the Middle East ^d	<u>S/PV.9409</u> 31 August	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	_	2 (China, Russian Federation)
<u>2698 (2023)</u>	Maintenance of international peace and security ^e	S/PV.9429 29 September	14 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	_	1 (Russian Federation)
<u>2699 (2023)</u>	The question concerning Haiti [/]	S/PV.9430 2 October	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	_	2 (China, Russian Federation)
<u>2703 (2023)</u>	The situation concerning Western Sahara ^g	<u>S/PV.9460</u> 30 October	13 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Switzerland, United Arab Emirates, United Kingdom, United States)	_	2 (Mozambique, Russian Federation)
<u>2709 (2023)</u>	The situation in the Central African Republic ^c	<u>S/PV.9476</u> 15 November	14 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	_	1 (Russian Federation)
2712 (2023)	The situation in the Middle East, including the Palestinian question ^h	<u>S/PV.9479</u> 15 November	12 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates)	_	3 (Russian Federation, United Kingdom, United States)
<u>2713 (2023)</u>	Peace and security in Africa ⁱ	<u>S/PV.9490</u> 1 December	14 (Albania, Brazil, China, Ecuador, Gabon, Ghana, Japan, Malta, Mozambique, Russian Federation, Switzerland, United Arab Emirates, United Kingdom, United States)	_	1 (France)

<u>2715 (2023)</u>	Reports of the Secretary-General on the Sudan and South Sudan ^{<i>a</i>}	<u>S/PV.9492</u> 1 December	14 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	_	1 (Russian Federation)
<u>S/2023/1023</u>	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security ^j	S/PV.9518 21 December	9 (Albania, Brazil, Ecuador, Japan, Malta, Switzerland, United Arab Emirates, United Kingdom, United States)	_	6 (China, France, Gabon, Ghana, Mozambique, Russian Federation)
<u>2720 (2023)</u>	The situation in the Middle East, including the Palestinian question ^h	S/PV.9520 22 December	13 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom)	_	2 (Russian Federation, United States)
<u>2721 (2023)</u>	The situation in Afghanistan ^k	<u>S/PV.9521</u> 29 December	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	_	2 (China, Russian Federation)
	rmation on the discussion, se rmation on the discussion, se				

^c For more information on the discussion, see part I, seet. 10.

^d For more information on the discussion, see part I, sect. 21.

^{*e*} For more information on the discussion, see part I, seet. 21.

^{*f*} For more information on the discussion, see part I, seet. 57.

^g For more information on the discussion, see part I, sect. 1.

^h For more information on the discussion, see part I, sect. 22.

^{*i*} For more information on the discussion, see part I, sect. 9.

^{*j*} For more information on the discussion, see part I, sect. 38.

^k For more information on the discussion, see part I, sect. 14.

Draft resolutions not adopted

In accordance with to Article 27 (3) of the Charter, a draft resolution on non-procedural matters is not adopted when it fails to obtain the nine affirmative votes required or when a negative vote is cast by a permanent member. In 2023, there were eight instances in which a draft resolution or amendments to a draft resolution were not adopted because of the failure to obtain the nine affirmative votes required, compared with three such instances in 2022 and one in 2021. Furthermore, there were six instances in which a draft resolution or amendment(s) to a

draft resolution were not adopted owing to a negative vote cast by one or more permanent members, compared with four in 2022 and one instance in 2021 (see table 13).¹⁹⁵

Table 13

Draft resolutions and amendments not adopted owing to the negative vote of a permanent member or for lack of the requisite number of votes, 2023

Draft resolution / amendment	Item	Meeting record and date	Votes in favour	Votes against	Abstentions
<u>S/2023/212</u>	Threats to international peace and security ^{<i>a</i>}	<u>S/PV.9295</u> 27 March	3 (Brazil, China, Russian Federation)	_	12 (Albania, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)
<u>S/2023/506</u>	The situation in the Middle East ^b	<u>S/PV.9371</u> 11 July	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)	1 (Russian Federation)	1 (China)
<u>S/2023/507</u>	The situation in the Middle East ^b	<u>S/PV.9371</u> 11 July	2 (China, Russian Federation)	3 (France, United Kingdom, United States)	10 (Albania, Brazil, Ecuador, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates)
<u>S/2023/638</u>	The situation in the Mali ^c	<u>S/PV.9408</u> 30 August	13 (Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab	1 (Russian Federation)	1 (China)

¹⁹⁵ For a list of special reports on the use of the veto issued pursuant to General Assembly resolution <u>76/262</u>, see part I, chap. 12 of the report of the Council to the seventy-eighth session of the General Assembly (<u>A/78/2</u>).

Draft resolution / amendment	Item	Meeting record and date	Votes in favour	Votes against	Abstentions
			Emirates, United Kingdom, United States)		
<u>S/2023/639</u>	The situation in Mali ^c	S/PV.9408 30 August	1 (Russian Federation)	1 (Japan)	13 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Malta, Mozambique, Switzerland, United Arab Emirates, United Kingdom, United States)
<u>8/2023/772</u>	The situation in the Middle East, including the Palestinian question ^d	<u>S/PV.9439</u> 16 October	5 (China, Gabon, Mozambique, Russian Federation, United Arab Emirates)	4 (France, Japan, United Kingdom, United States)	6 (Albania, Brazil Ecuador, Ghana, Malta, Switzerland)
<u>S/2023/775</u>	The situation in the Middle East, including the Palestinian question ^d	<u>S/PV.9442</u> 18 October	6 (Brazil, China, Gabon, Mozambique, Russian Federation, United Arab Emirates)	1 (United States)	8 (Albania, Ecuador, France, Ghana, Japan, Malta, Switzerland, United Kingdom)
<u>S/2023/776</u>	The situation in the Middle East, including the Palestinian question ^d	S/PV.9442 18 October	7 (Brazil, China, Gabon, Mozambique, Russian Federation, Switzerland, United Arab Emirates)	1 (United States)	7 (Albania, Ecuador, France, Ghana, Japan, Malta, United Kingdom)
<u>S/2023/773</u>	The situation in the Middle East, including the Palestinian question ^d	S/PV.9442 18 October	12 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Switzerland, United Arab Emirates)	1 (United States)	2 (Russian Federation, United Kingdom)
<u>8/2023/792</u>	The situation in the Middle East, including the Palestinian question ^d	<u>S/PV.9453</u> 25 October	10 (Albania, Ecuador, France, Gabon, Ghana, Japan, Malta, Switzerland,	3 (China, Russian Federation, United Arab Emirates)	2 (Brazil, Mozambique)

Draft resolution / amendment	Item	Meeting record and date	Votes in favour	Votes against	Abstentions
			United Kingdom, United States)		
<u>S/2023/795</u>	The situation in the Middle East, including the Palestinian question ^d	<u>S/PV.9453</u> 25 October	4 (China, Gabon, Russian Federation, United Arab Emirates)	2 (United Kingdom, United States)	9 (Albania, Brazil, Ecuador, France, Ghana, Japan, Malta, Mozambique, Switzerland)
Oral amendment (to draft resolution S/2023/876, see table 10)	The situation in the Middle East, including the Palestinian question ^d	<u>S/PV.9479</u> 15 November	5 (Brazil, China, Mozambique, Russian Federation, United Arab Emirates)	1 (United States)	9 (Albania, Ecuador, France, Gabon, Ghana, Japan, Malta, Switzerland, United Kingdom)
<u>S/2023/970</u>	The situation in the Middle East, including the Palestinian question ^d	S/PV.9499 8 December	13 (Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Russian Federation, Switzerland, United Arab Emirates)	1 (United States)	1 (United Kingdom)
Oral amendment (to draft resolution <u>S/2023/1029</u> , see table 10)	The situation in the Middle East, including the Palestinian question ^d	S/PV.9520 22 December	10 (Brazil, China, Ecuador, France, Gabon, Ghana, Malta, Mozambique, Russian Federation, United Arab Emirates)	1 (United States)	4 (Albania, Japan, Switzerland, United Kingdom)

^{*a*} For more information on the discussion, see part I, sect. 36.

^b For more information on the discussion, see part I, sect. 21.

^c For more information on the discussion, see part I, sect. 11.

^d For more information on the discussion, see part I, sect. 22.

D. Decision-making without a vote

A procedural or substantive motion may be adopted in the Council without a vote or by consensus. In 2023, there were no instances of a resolution being adopted without a vote. All 50 resolutions were adopted by a show of hands. Statements by the President on behalf of the

Council continued to be adopted by consensus. A total of six statements by the President were adopted during the period under review.¹⁹⁶

Following past practice, during the period under review, notes by and letters from the President were adopted by consensus and issued as documents of the Council. In 2023, the Council issued 18 notes and 22 letters from the President.¹⁹⁷

Notes by and letters from the President are rarely adopted during Council meetings. During the period under review, consistent with past practice, one note by the President, concerning the adoption of the draft annual report of the Council to the General Assembly for the period from 1 January to 31 December 2022, was adopted during a meeting of the Council.¹⁹⁸

E. Discussions concerning the decision-making process

Council members discussed issues pertaining to the decision-making process of the Council at several meetings. For example, the application of Article 27 (3) and the use of the veto was raised at a meeting held on 12 January under the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security".¹⁹⁹ At the meeting, several speakers referred to the initiatives aimed at limiting the use of the veto,²⁰⁰ including General Assembly resolution <u>76/262</u>.²⁰¹ Discussions also revolved around the decision-making process more broadly,²⁰² as well as the full application of Article 27 (3).²⁰³ Similar discussions took place during the meetings held on 26 January and 3 May under the item

¹⁹⁹ See <u>S/PV.9241</u> and <u>S/PV.9241 (Resumption 1)</u>.

¹⁹⁶ For a complete list of presidential statements adopted during the period under review, see part I, chap. 2 of the report of the Council to the seventy-eighth session of the General Assembly ($\underline{A/78/2}$).

¹⁹⁷ For a complete list of notes by the President of the Council issued in 2023, see part I, chap. 14 of the report of the Council to the seventy-eighth session of the General Assembly (A/78/2). For a complete list of letters from the President of the Council issued in 2023, see part I, chap. 3 of the same report.

¹⁹⁸ See <u>S/2023/369</u>, adopted at a meeting held on 30 May (see <u>S/PV.9330</u>). For more information on the annual report of the Council to the General Assembly, see part IV, sect. I.F.

²⁰⁰ See <u>S/PV.9241</u>, Malta, France; and <u>S/PV.9241 (Resumption 1)</u>, Austria, Türkiye, Germany, Uruguay, Slovenia, Mexico and Ireland.

²⁰¹ See <u>S/PV.9241</u>, Malta; and <u>S/PV.9241 (Resumption 1)</u>, Austria, Liechtenstein, Denmark, Slovenia, Luxembourg (on behalf of the Benelux countries), Maldives and Qatar.

²⁰² See <u>S/PV.9241</u>, Brazil; and <u>S/PV.9241 (Resumption 1)</u>, Lebanon, Greece, European Union, Maldives, Eritrea and North Macedonia.

²⁰³ See <u>S/PV.9241 (Resumption 1)</u>, Austria and Liechtenstein.

entitled "Peacebuilding and sustaining peace",²⁰⁴ and on 24 April and 20 October under the item entitled "Maintenance of international peace and security".²⁰⁵

Additionally, at a meeting held on 18 July under the item entitled "Maintenance of international peace and security" and the sub-item entitled "Artificial intelligence: opportunities and risks for international peace and security",²⁰⁶ in his briefing to the Council, the representative of the Institute of Automation at the Chinese Academy of Sciences suggested that the Council consider the possibility of establishing a working group on artificial intelligence for peace and security, working on near-term and long-term challenges, because at the expert level it would be more flexible and scientific to work together, and easier to reach a consensus from a scientific and technical point of view and to provide assistance and support to Council members in their decision-making.²⁰⁷ At the same meeting, the representative of Japan called for considering how the active use of artificial intelligence could enhance the efficiency and transparency of the Council in its decision-making and working methods.

Council members and the wider membership also discussed issues pertaining to the decision-making of the Council, penholdership and the use of the veto by permanent members at the annual open debate on the working methods of the Council held on 5 September under the item entitled "Implementation of the note by the President of the Security Council (S/2017/507)" (case 5).

Case 5

Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)

On 5 September, at the initiative of Albania, which held the presidency of the Council for the month and whose representative held the Chair of the Informal Working Group on Documentation and other Procedural Questions, the Council held an open debate under the item entitled "Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)" and the sub-item entitled "Working methods of the Security Council".²⁰⁸ In their discussions,

²⁰⁴ See S/PV.9250 and S/PV.9250 (Resumption 1); and S/PV.9315 and S/PV.9315 (Resumption 1).

²⁰⁵ See <u>S/PV.9308</u> and <u>S/PV.9308</u> (Resumption 1); and <u>S/PV.9448</u> and <u>S/PV.9448</u> (Resumption 1).

²⁰⁶ For further details on the concept note, see S/2023/528.

²⁰⁷ See <u>S/PV.9381</u>. For further details, see part I, sect. 37.

²⁰⁸ A concept note was circulated by a letter dated 28 August (S/2023/630).

members and non-members of the Council exchanged views on inclusivity and transparency in the decision-making of the Council, including in the context of its reform and through the practice of penholdership, consultations with affected countries, as well as the use of the veto.²⁰⁹

Several speakers underscored the importance of greater transparency and inclusivity in the decision-making process of the Council against the backdrop of the process for its reform. The representative of Chile reiterated the importance of promoting transparency in the decisionmaking process of the Council and accountability for its decisions, adding that the progress in reforming the Council to achieve greater inclusiveness in its decision-making had become more critical than ever to ensuring the authority and effectiveness of the universal multilateral system.²¹⁰ The representative of India held the view that an expansion of the Council in both permanent and elected categories of membership was the only way to bring the Council's decision-making dynamics in line with contemporary geopolitical realities. The representative of the Philippines stated that the Council should aim at increased participation by non-members in its decision-making process, thereby fostering greater transparency and accountability on the part of the Council vis-à-vis non-members. He added that the improvement of the working methods of the Council, particularly with respect to greater transparency and participation in its decisionmaking processes by the wider membership, must be part of an overall agreement on Council reform. The representative of Slovakia encouraged further strengthening of the substantive engagement and information-sharing by the Council with troop- and police-contributing countries in order to disseminate information on the Council's decision-making and incentivize the general membership to support peacekeeping operations. The representative of Argentina asserted that the Council could and should be more transparent and democratic in its relationship with the States Members of the United Nations without affecting the effectiveness of its decision-making. Expressing support for participation of civil society representatives and humanitarian briefers in Council meetings, the representative of Australia held the view that their valuable experiences strengthened the Council's decision-making.²¹¹

In relation to the practice of penholdership, several speakers touched upon the extent of the flexibility and inclusivity of that process. The representative of the United States noted that

²⁰⁹ See <u>S/PV.9410</u> and <u>S/PV.9410 (Resumption 1)</u>.

²¹⁰ See S/PV.9410.

²¹¹ See <u>S/PV.9410</u> (Resumption 1).

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there had been a welcome expansion of the practice of co-penholding, with increasing positive and valuable contributions by elected members of the Council.²¹² In that regard, he cited the successful co-penholding on several files with elected members, noting that it had benefitted the negotiation process and had produced excellent outcomes, including unanimous adoptions. In that context, the representatives of the Russian Federation and China drew particular attention to the need to involve African members of the Council as penholders on African files, and more broadly, to have more non-permanent members serve in that capacity. Concerning the procedure for negotiating draft resolutions, the representative of the Russian Federation also noted that the work was often carried out under time pressure that was artificially created and that did not allow for a comprehensive expert review of the documents. Recalling that the involvement of nonpermanent members facilitated the Council's consensus adoption of many important documents on the issue of Afghanistan, the representative of China noted that penholdership was a responsibility, not a prerogative and that serving as a penholder required objectivity and impartiality and came with, among other things, a duty to prioritize the forging of consensus. The representative of Ecuador pointed to the need to ensure that all interested elected members acted as penholders or co-penholders to ensure inclusive, fair and timely drafting processes, adding that the added value of elected members might include, experience, contributions, regional perspectives, the chairmanship of relevant subsidiary bodies and special interests. Several speakers also touched upon the importance of consultations between penholders and affected countries.²¹³

Participants also discussed the use of the veto power in the Council's decision-making, with several explicitly referencing Article 27 (3).²¹⁴ Many speakers called for limitations or restraints in the use of the veto and, in that regard, called on Member States to join the various initiatives aimed at limiting the recourse to veto.²¹⁵ More specifically, the representative of the Russian Federation noted that the issue of the right of the veto did not fall under the umbrella of

²¹² See <u>S/PV.9410</u>.

²¹³ See <u>S/PV.9410</u>, Russian Federation, Republic of Korea, Norway (on behalf of the Accountability, Coherence and Transparency group), Denmark (on behalf of the Nordic and Baltic States), Egypt; and <u>S/PV.9410 (Resumption 1)</u>, Greece.

²¹⁴ See <u>S/PV.9410</u>, Austria, Norway (on behalf of the Accountability, Coherence and Transparency group),

Denmark (on behalf of the Nordic and Baltic States), Italy, Liechtenstein; and <u>S/PV.9410 (Resumption 1)</u>, Spain and Singapore.

²¹⁵ See <u>S/PV.9410</u>, France, Ecuador (on behalf of the elected members), Republic of Korea, Italy, Germany, Mexico, Philippines, Slovakia; and <u>S/PV.9410 (Resumption 1)</u>, Spain, Singapore and Australia.

the Council's working methods but was rather a cornerstone of the entire Council architecture and a pledge to ensure the Council's ability to arrive at balanced decisions.²¹⁶ The representative of China maintained that the use of the veto was closely related to the imbalance in the Council's composition, adding that many of its members belonged to the same political grouping and often took advantage of its numerical strength to push for votes by skipping extensive consultations. The representative of Cuba stated that the veto power had to be abolished, but if any new permanent members seats were created before that happened, those members should have the same prerogatives and rights as the current ones, including the power of the veto. Several delegations also expressed support for the so-called "veto initiative" in the General Assembly or General Assembly resolution <u>76/262</u>, with some of them describing it as an accountability mechanism for the use of the veto.²¹⁷

IX. Languages

Note

Section IX covers rules 41 to 47 of the provisional rules of procedure of the Council, which relate 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.

²¹⁶ See <u>S/PV.9410</u>.

²¹⁷ See <u>S/PV.9410</u>, United Kingdom, Austria, Denmark (on behalf of the Nordic and Baltic States), Mexico, Slovakia; and <u>S/PV.9410 (Resumption 1)</u>, Spain, Poland, Singapore, Greece and Australia.

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 applied consistently in meetings of the Council. As shown in Table 14, at several meetings, speakers delivered their statements in a language other than the six official languages of the United Nations, as provided in rule 44.

Table 14

Statements delivered in a language other than the six official languages of the United
Nations, 2023

Meeting record and date	Item	Speaker	Category	Language	Interpretation
<u>S/PV.9260</u> 14 February	Threats to international peace and security	Minister for Foreign Affairs and Cooperation of Mozambique	Council member	Portuguese	Provided by the delegation
<u>S/PV.9276</u> and <u>S/PV.9276</u> (<u>Resumption 1)</u> 7 March	Women and peace and security	Minister for Foreign Affairs and Cooperation of Mozambique	Council member	Portuguese	Provided by the delegation
		Minister of Social Assistance, Family and Women's Empowerment of Angola	Rule 37 invitee	Portuguese	Provided by the delegation
<u>S/PV.9299</u> 30 March	Peace and security in Africa	President of Mozambique	Council member	Portuguese	Provided by the delegation
<u>S/PV.9312</u> 27 April	Security Council resolutions <u>1160</u> (1998), <u>1199</u> (1998), <u>1203</u> (1998), <u>1239</u> (1999) and <u>1244</u> (1999)	First Deputy Prime Minister and Minister for Foreign Affairs of Serbia	Rule 37 invitee	Serbian	Provided by the delegation
<u>S/PV.9315</u> 3 May	Peacebuilding and sustaining peace	Prime Minister of North Macedonia	Rule 37 invitee	Macedonian	Provided by the delegation
<u>S/PV.9327</u> 23 May	Protection of civilians in armed conflict	President of Mozambique	Council member	Portuguese	Provided by the delegation
<u>S/PV.9345</u> 13 June	Threats to international peace and security	Minister of State Administration and Public Service of Mozambique	Council member	Portuguese	Provided by the delegation
<u>S/PV.9404</u> 24 August	Maintenance of peace and security of Ukraine	Chief Executive Officer of Save Ukraine	Rule 39 invitee	Ukrainian	No interpretation provided ^a

<u>S/PV.9421</u> and <u>S/PV.9421</u>	Maintenance of international peace	President of Ukraine	Rule 37 invitee	Ukrainian	Provided by the delegation
(<u>Resumption 1</u>) 20 September	and security	Prime Minister of Japan	Council member	Japanese	Provided by the delegation
		President of Portugal	Rule 37 invitee	Portuguese	Provided by the delegation
<u>S/PV.9497</u> 7 December	Threats to international peace and security	Minister for Foreign Affairs and Cooperation of Mozambique	Council member	Portuguese	Provided by the delegation

 a English translation of the remarks delivered in Ukrainian by the Chief Executive Officer of Save Ukraine was subsequently provided in an annex to a letter dated 25 August from the Permanent Representative of the United States addressed to the Secretary-General (<u>S/2023/624</u>).

During the reporting period, the matter of working languages of the Council was addressed in meetings and communications addressed to the Council. For example, at a meeting held on 27 April under the item entitled "Security Council <u>resolutions 1160 (1998)</u>, <u>1199 (1998)</u>, <u>1203 (1998)</u>, <u>1239 (1999)</u> and <u>1244 (1999)</u>", the representative of Kosovo, invited under rule 39 of the provisional rules of procedure, stated that she had wanted to communicate in Albanian since the representative of Serbia had spoken in the language of the majority of his country, adding that the presidency of the Council had denied her request, so she continued in English.²¹⁸ Rejecting that assertion, the representative of the Russian Federation, in his capacity as President of the Council, stated that if she had unequivocally insisted on speaking in Albanian – for which there was precedent, although those speakers had not spoken any of the official United Nations languages – the presidency would have enabled her to do that.

The President of the Council also cited rule 44 and indicated that she did not fall under the category of representative, as she spoke under rule 39, not under rule 37, in contrast to Serbia. He further noted that at 99 per cent of the meetings of the Council, briefers and speakers were invited under rule 39, and none of them insisted on speaking his or her own language if different from one of the six official languages of the United Nations. Referring to precedents where there had been statements under rule 39 in native languages, the President stated that those exceptions had been made for those speakers who did not speak any of the six official languages. Also citing rule 44, the representative of Albania noted that there had been cases in which

²¹⁸ See <u>S/PV.9312</u>.

Part II – Provisional rules of procedure and related procedural developments *Repertoire website:* <u>https://www.un.org/securitycouncil/content/repertoire/structure</u>

another language had been used in the Council by both delegations and that his delegation had gone along with the ruling of the presidency in order not to put the Council in a difficult position.

At a meeting held on 24 August under the item entitled "Maintenance of peace and security of Ukraine", a civil society briefer, invited under rule 39 of the provisional rules of procedure, delivered his statement in Ukrainian without providing interpretation.²¹⁹ The representative of the Russian Federation held the view that it was a violation of the provisional rules of procedure of the Council, specifically, rule 44, noting that Council members had listened to a speech that nobody, apart from those who spoke Ukrainian and Russian, had understood, and yet, the briefer spoke English perfectly well, as had been made clear at the very end of his statement.

Moreover, by a letter dated 31 May, transmitting the working methods commitments of its presidency, the representative of the United Arab Emirates committed to prioritizing multilingualism at all times and noted that the presidency would ensure that sign language interpretation was provided during at least one Council meeting.²²⁰ Furthermore, in a letter dated 22 November addressed to the President of the Council,²²¹ transmitting the monthly assessment of the work of the Council during its presidency in June, the representative of the United Arab Emirates stated that international sign interpretation had been provided at two meetings.²²²

X. Status of the provisional rules of procedure

Note

Section X covers the deliberations of the Council concerning its provisional rules of procedure. Article 30 of the Charter of the United Nations provides that the Council shall adopt its own rules of procedure. Since their adoption by the Council at its first meeting, held on 17 January 1946, the provisional rules of procedure have been amended 11 times, with the last

²²¹ See <u>S/2023/910</u>.

²¹⁹ See <u>S/PV.9404</u>.

²²⁰ See <u>S/2023/401</u>.

²²² See <u>S/PV.9343</u> and <u>S/PV.9354</u>.

amendment being adopted in 1982.²²³ On 27 December 2019, the Council issued a note by the President providing that, in line with the efforts of the United Nations and its Member States to promote the advancement of women and greater gender inclusivity and equality in their policies and practices, the members of the Council confirmed that, as a matter of existing practice, any reference to a male person in the Council's provisional rules of procedure was deemed not to be limited to male persons and also constituted a reference to a female person, unless the context clearly indicated otherwise.²²⁴

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

During the period under review, the question of the status of the provisional rules of procedure, including in connection with Article 30 of the Charter, was raised at the annual open debate on the working methods of the Council, held on 5 September under the item entitled "Implementation of the note by the President of the Security Council (<u>S/2017/507</u>)".²²⁵

At the meeting, the representative of Cuba expressed the view that it was essential to adopt the Council's rules of procedure and to put an end to the provisional status that its rules had had since the creation of the organ. The representative of Thailand stated that while the note by the President of 30 August 2017²²⁶ and the relevant processes were attempting to consolidate the working methods of the Council and allowing flexibility for further adjustment, the Council should continue to work to adopt permanent rules of procedure, for greater predictability and transparency in its work. According to the representative of Sierra Leone, the Council, especially

²²³ 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, held on 9 April, 16 and 17 May and 6 and 24 June 1946; twice in its second year, at its 138th and 222nd meetings, held on 4 June and 9 December 1947; and subsequently at its 468th meeting, on 28 February 1950; 1463rd meeting, on 24 January 1969; 1761st meeting, on 17 January 1974; and 2410th meeting, on 21 December 1982. The provisional rules were issued under the symbols <u>S/96</u> and <u>S/96/Add.1</u>, with subsequent versions being issued as revisions, the latest of which was issued under the symbols <u>S/96/Rev.7</u>.

²²⁴ See S/2019/996.

²²⁵ See <u>S/PV.9410</u> and <u>S/PV.9410 (Resumption 1)</u>.

²²⁶ S/2017/507.

in an enlarged format, should formalize its rules of procedure, which had remained provisional for more than 60 years, in order to improve its transparency and accountability. The representative of South Africa indicated that it had become evident that, while the Council was considered the master of its own procedures and had the latitude to determine its own practices, as provided for by Article 30 of the Charter, the working methods of the Council were essential in ensuring that it was able to conduct its daily engagements in an efficient, transparent, inclusive and effective manner, particularly as its decisions had a direct bearing on the wider membership. The representative of Greece also shared the view of many Member States that the Council should officially adopt its provisional rules of procedure, while the representative of Costa Rica called on the presidency of the Council to prepare a working document that addressed the recommendations of the membership and moved forward on the issue of the provisional nature of its rules of procedure. In her view, that would promote greater stability, transparency and legal certainty and would also strengthen the relationship between the General Assembly and the Council.

Moreover, in a letter dated 28 August addressed to the President of the Council,²²⁷ transmitting a concept note for the open debate on "Working methods of the Security Council", held under the item entitled "Implementation of the note by the President of the Security Council ($\frac{S}{2017}$)" on 5 September, the representative of Albania noted that notwithstanding the autonomy of the Council to determine its rules of procedure under Article 30 of the Charter, many of its working methods had been shaped in response to demands and proposals put forward by the wider membership of the United Nations.

²²⁷ See S/2023/630.