

Repertoire of the Practice of the Security Council

SUPPLEMENT 2010-2011

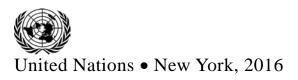




Repertoire of the Practice of the Security Council

Supplement 2010-2011

Volume I





Department of Political Affairs

Repertoire of the Practice of the Security Council

Supplement 2010-2011

Volume I

Note

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

ST/PSCA/1/Add.17

United Nations publication Sales No. E.15.VII.1 ISBN 978-92-1-137045-4

Contents

| Vol | ume I |
|------|--|
| | oduction |
| | mbers of the Security Council, 2010-2011 |
| Par | t I. Consideration of questions under the responsibility of the Security Council for maintenance of international peace and security |
| Intr | oductory note |
| Afr | ica |
| 1. | The situation concerning Western Sahara |
| 2. | The situation in Liberia |
| 3. | The situation in Somalia. |
| 4. | The situation in Burundi |
| 5. | The situation in Sierra Leone. |
| 6. | The situation in the Great Lakes region |
| 7. | The situation concerning the Democratic Republic of the Congo. |
| 8. | The situation in the Central African Republic |
| 9. | The situation in Guinea-Bissau |
| 10. | The situation in Côte d'Ivoire |
| 11. | Central African region |
| 12. | Reports of the Secretary-General on the Sudan |
| 13. | Peace consolidation in West Africa |
| 14. | The situation in Chad, the Central African Republic and the subregion. |
| 15. | Peace and security in Africa. |
| 16. | The situation in Libya. |
| Am | ericas |
| 17. | The question concerning Haiti |
| Asi | a |
| 18. | The situation in Timor-Leste |
| 19. | The situation in Afghanistan |
| 20. | Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council |
| 21. | Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters |

14-65169 iii

| 22. | Federation to the United Nations addressed to the President of the Security Council | | |
|-----|---|--|--|
| 23. | Letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council | | |
| Eur | rope | | |
| 24. | The situation in Cyprus | | |
| 25. | Items relating to the situation in the former Yugoslavia | | |
| | A. The situation in Bosnia and Herzegovina. | | |
| | B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999) | | |
| Mid | ddle East | | |
| 26. | The situation in the Middle East, including the Palestinian question | | |
| 27. | The situation in the Middle East | | |
| 28. | The situation concerning Iraq | | |
| The | ematic issues | | |
| 29. | United Nations peacekeeping operations | | |
| 30. | Items relating to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. | | |
| 31. | Children and armed conflict. | | |
| 32. | Protection of civilians in armed conflict. | | |
| 33. | Women and peace and security | | |
| 34. | Threats to international peace and security caused by terrorist acts | | |
| 35. | Briefings | | |
| 36. | Security Council mission | | |
| 37. | The promotion and strengthening of the rule of law in the maintenance of international peace and security | | |
| 38. | Items relating to non-proliferation. | | |
| | A. Non-proliferation of weapons of mass destruction | | |
| | B. Non-proliferation | | |
| | C. Non-proliferation/Democratic People's Republic of Korea | | |
| 39. | Post-conflict peacebuilding | | |
| 40. | Threats to international peace and security. | | |
| 41. | Maintenance of international peace and security | | |
| 42. | Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security | | |

iv 14-65169

| | Part II. Provisional rules of procedure and related procedural developments | |
|-------|--|-----|
| | Introductory note | 278 |
| I. | Meetings and records | 279 |
| II. | Agenda | 292 |
| III. | Representation and credentials | 303 |
| IV. | Presidency | 304 |
| V. | Secretariat | 306 |
| VI. | Conduct of business | 308 |
| VII. | Participation | 309 |
| VIII. | Decision-making and voting | 318 |
| IX. | Languages | 332 |
| X. | Provisional status of the rules of procedure | 333 |
| | Part III. Purposes and principles of the Charter of the United Nations | |
| | Introductory note | 337 |
| I. | The principle of equal rights and self-determination of peoples under Article 1, paragraph 2 | 338 |
| II. | Prohibition of the threat or use of force under Article 2, paragraph 4 | 343 |
| III. | Obligation to refrain from assisting the target of enforcement action under Article 2, paragraph 5 | 348 |
| IV. | Non-intervention in the internal affairs of States by the United Nations under Article 2, paragraph 7 | 349 |
| | Part IV. Relations with other United Nations organs | |
| | Introductory note | 355 |
| I. | Relations with the General Assembly | 356 |
| II. | Relations with the Economic and Social Council | 375 |
| III. | Relations with the International Court of Justice | 378 |
| | Part V. Consideration of the functions and powers of the Security Council | |
| | Introductory note | 383 |
| I. | Primary responsibility of the Security Council for the maintenance of international peace and security under Article 24. | 384 |
| II. | Obligation of Member States to accept and carry out Security Council decisions under Article 25 | 394 |
| III. | Responsibility of the Security Council to formulate plans to regulate armaments under Article 26 | 395 |

14-65169 v

| | Part VI. Consideration of the provisions of Chapter VI of the Charter | |
|-------|--|-----|
| | Introductory note | 39 |
| I. | Referral of disputes or situations to the Security Council | 40 |
| II. | Investigation of disputes and fact-finding | 40 |
| III. | Decisions of the Security Council concerning the pacific settlement of disputes | 40 |
| IV. | Constitutional discussion bearing on the interpretation or application of the provisions of Chapter VI of the Charter | 44 |
| Index | | |
| | Volume II | |
| | Introduction | vii |
| | Members of the Security Council, 2010-2011. | Х |
| | Part VII. Actions with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter) | |
| | Introductory note | 45 |
| I. | Determination of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39 of the Charter | 45 |
| II. | Provisional measures to prevent the aggravation of a situation in accordance with Article 40 of the Charter. | 46 |
| III. | Measures not involving the use of armed force in accordance with Article 41 of the Charter | 470 |
| IV. | Measures to maintain or restore international peace and security in accordance with Article 42 of the Charter | 530 |
| V. | Provision of armed forces in accordance with Articles 43 to 45 of the Charter | 54 |
| VI. | Role and composition of the Military Staff Committee in accordance with Articles 46 and 47 of the Charter | 549 |
| VII. | Obligations of Member States under Article 48 of the Charter | 55 |
| VIII. | Obligations of Member States under Article 49 of the Charter | 56 |
| IX. | Special economic problems of the nature described in Article 50 of the Charter | 568 |
| X. | Right of self-defence in accordance with Article 51 of the Charter | 56 |
| | Part VIII. Regional arrangements | |
| | Introductory note | 57: |
| I. | Consideration of the provisions of Chapter VIII under thematic items | 57 |
| II. | Recognition by the Security Council of the efforts of regional arrangements in the pacific settlement of disputes | 59 |
| III. | Regional peacekeeping operations | 60 |
| IV | Authorization by the Security Council of enforcement action by regional arrangements | 61 |

vi 14-65169

| V. | Reporting by regional arrangements on their activities in the maintenance of international peace and security | 621 |
|-------|---|-----|
| | Part IX. Subsidiary organs of the Security Council: committees, tribunals and other bodies | |
| | Introductory note | 626 |
| I. | Committees | 627 |
| II. | Working groups | 704 |
| III. | Investigative bodies | 707 |
| IV. | Tribunals | 707 |
| V. | Ad hoc commissions | 712 |
| VI. | Special advisers, envoys and representatives | 712 |
| VII. | Peacebuilding Commission. | 716 |
| VIII. | Subsidiary organs of the Security Council proposed but not established | 722 |
| Annex | | |
| | Documents relating to committees, tribunals and other bodies | 723 |
| | Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions | |
| | Introductory note | 736 |
| I. | Peacekeeping operations | 737 |
| II. | Political and peacebuilding missions | 847 |
| Annex | | |
| | Documents relating to peacekeeping operations and political and peacebuilding missions | 908 |
| Index | | I |

14-65169 **vii**

Introduction

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

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

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

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

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

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

Chapter I Provisional rules of procedure of the Security Council (Articles 28, 30, 98; rules 1-5, 13-36, 40-67 of the rules of procedure)

Chapter II Agenda (rules 6-12 of the rules of procedure)

Chapter III Participation in the proceedings of the Security Council (Articles 31,

32, 35 (1); rules 37-39 of the rules of procedure)

Chapter IV Voting (Article 27; rule 40 of the rules of procedure)

Chapter V Subsidiary organs of the Security Council

Chapter VI Relations with other United Nations organs

viii 14-65169

| Chapter VII | Practice relative to recommendations to the General Assembly regarding membership in the United Nations |
|--------------|---|
| Chapter VIII | Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (overview by agenda item) |
| Chapter IX | Decisions taken by the Security Council in the exercise of its other functions and powers |
| Chapter X | Consideration of the provisions of Chapter VI of the Charter |
| Chapter XI | Consideration of the provisions of Chapter VII of the Charter |
| Chapter XII | Consideration of the provisions of other Articles (Articles 1 (2), 2 (4), 2 (5), 2 (6), 2 (7), 24, 25, 52-54, 102, 103) |
| From 2008 on | wards, the 10 parts of the Repertoire cover the following topics: |
| Part I | Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (by agenda item) |
| Part II | Provisional rules of procedure and related procedural developments |
| Part III | Purposes and principles of the Charter of the United Nations (Chapter I of the Charter) |
| Part IV | Relations with other United Nations organs |
| Part V | Consideration of the functions and powers of the Security Council (Chapter V of the Charter) |
| Part VI | Consideration of the provisions of Chapter VI of the Charter |
| Part VII | Actions with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter) |
| Part VIII | Regional arrangements (Chapter VIII of the Charter) |
| Part IX | Subsidiary organs of the Security Council: committees, tribunals and other bodies |
| Part X | Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions |

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

14-65169 ix

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

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

X 14-65169

Members of the Security Council, 2010-2011

2010 Austria 2011 Bosnia and Herzegovina

Bosnia and Herzegovina Brazil
Brazil China

China Colombia

France France

Gabon Gabon

Japan Germany

Lebanon India

Mexico Lebanon
Nigeria Nigeria
Russian Federation Portugal

Turkey Russian Federation

Uganda South Africa

United Kingdom of Great Britain

and Northern Ireland

United States of America

United Kingdom of Great Britain

and Northern Ireland

United States of America

14-65169 **xi**