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Part VI

Consideration of the provisions of Chapter VI of the Charter

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Introductory note

Part VI deals with the practice of the Security Council with regard to the peaceful settlement of disputes within the framework of Chapter VI (Articles 33-38) and Articles 11 and 99 of the Charter of the United Nations and is divided in four sections. Section I illustrates how, under Article 35, States had brought any dispute or situation to the attention of the Security Council. This section also touches upon the functions and practice of the General Assembly and the Secretary-General, under Articles 11 (3) and 99 of the Charter, respectively, in calling the attention of the Council to situations which are likely to threaten the maintenance of international peace and security. Section II sets out investigative and fact-finding activities performed by the Council and other bodies that may be deemed to fall under the scope of Article 34, including Security Council missions. Section III provides an overview of the decisions of the Council with regard to the peaceful settlement of disputes. It specifically illustrates recommendations of the Council to the parties to a conflict and its support for the endeavours of the Secretary-General in the peaceful settlement of disputes. Section IV reflects constitutional discussions on the interpretation or application of the provisions of Chapter VI of the Charter and Article 99.

From 2010 to 2011, the Council continued to engage in the peaceful settlement of disputes and dealt with five new situations that had been brought to its attention by Member States: two relating to the Korean peninsula, the situation on the border between Cambodia and Thailand, the situation in Libya and the so-called “flotilla incident” of 31 May 2010 involving the Israeli military operation in international waters against the convoy sailing to Gaza. In addition, the Council acknowledged the investigative and fact-finding activities of the Secretary-General and the Human Rights Council and undertook three missions in 2010 and one in 2011. The Council also adopted a number of decisions within the framework of Chapter VI in which it frequently, under several thematic items, stressed the importance of conflict prevention mechanisms and the Secretary-General’s role in the peaceful settlement of disputes, including his good offices. In dealing with country-specific and regional situations it supported the procedures of settlement such as negotiations, dialogues and peace processes facilitated by the Secretary-General, regional and sub-regional organizations and others. Furthermore, constitutional

discussions during the period under review concerned the roles of the International Court of Justice and the Secretary-General in the pacific settlement of disputes.

Section I

Referral of disputes or situations to the Security Council

Article 11

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Note

Within the framework of the Charter, Article 35 (1) and (2) are generally regarded as the provision on the basis of which Member States and States which are not members of the United Nations may refer disputes to the Security Council. Under Articles 11 (3) and 99, the General Assembly and the Secretary-General, respectively, may call the attention of the Council to situations which are likely to threaten the maintenance of international peace and security. The

practice of the Council in this regard is described below in three sub-sections. Subsection A provides an overview of the referrals of disputes or situations by States to the Security Council under Article 35, including the nature of the subject matter that was referred to and actions requested of the Security Council. Subsections B and C dealt with referrals to the Security Council by the Secretary-General and the General Assembly of matters which were likely to endanger international peace and security, respectively.

During the period under review, by a presidential statement of 16 July 2010 in connection with the maintenance of international peace and security, the Council recalled that in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State might bring to the attention of the Council any matter which was likely to endanger the maintenance of international peace and security.¹ From 2010 to 2011, five new matters were brought to the attention of the Council by Member States: two relating to the Korean peninsula, the situation on the border between Cambodia and Thailand, the situation in Libya and the so-called “flotilla incident” of 31 May 2010. On the other hand, neither the General Assembly nor the Secretary-General explicitly referred matters likely to endanger international peace and security to the Council but the latter did draw the Council’s attention to situations which endangered the maintenance of international peace and security and which had already been under consideration by the Council.

A. Referrals by States

During the period 2010 to 2011, Article 35 of the Charter was not explicitly referred to in any communications of the Security Council. Furthermore, States which were not members of the United Nations did not submit any dispute or situation to the attention of the Council in accordance with Article 35 (2).

All disputes and situations were referred to the Council by means of a communication by Member States addressed to the President of the Council. Communications based on or in response to which the Council convened meetings, either in public or private, under a new

¹ [S/PRST/2010/14](#), third paragraph.

agenda item for the first time, are examined in detail below.² As per previous Supplements, communications by which States merely conveyed information about a dispute or situation, but did not request a Council meeting or other specific Council action, are not included, as such communications cannot be considered as referrals under Article 35. Furthermore, communications referring to disputes or situations considered under the existing agenda items by the Council are in principle excluded. Listed in table 1 below are those communications fulfilling those criteria, organized by agenda item. Listed are also a number of communications in which Member States called for Council action concerning existing situations under consideration by the Council during the review period.³ Among them, two letters⁴ in connection with the situation in the Middle East, including the Palestinian question were included in the table below on an exceptional basis in view of the nature of the matter referred to, i.e., the military operation by Israel in international waters against the convoy sailing to Gaza on 31 May 2010, the so-called “flotilla incident”.

Table 1
Communications bringing disputes or situations to the attention of the Security Council during the period 2010-2011

<i>Communications addressed to the President of the Council</i>	<i>Action requested of the Security Council</i>	<i>Meeting and date</i>
Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters		
Letter dated 4 June 2010 from the representative of the Republic of Korea (S/2010/281)	Consideration of the armed attack on 26 March 2010 by the Democratic People’s Republic of Korea against the Republic of Korea Navy ship Cheonan in the territorial waters of the Republic of Korea, which constitutes a threat to peace and security on the Korean peninsula and beyond. Response in a manner appropriate to the gravity of the military provocation by the Democratic People’s Republic of Korea to	6355 th meeting 9 July 2010

² It should be borne in mind that the designation of a new agenda item does not necessarily imply the existence of a new dispute or situation, as it can simply have been a change in the formulation of the item which has already been before the Council. For more information on agenda, see part II, section II.

³ See, for example, the following letters addressed to the President of the Council: in connection with Security Council [resolutions 1160 \(1998\)](#), [1199 \(1998\)](#), [1203 \(1998\)](#), [1239 \(1999\)](#) and [1244 \(1999\)](#), letters dated 2 July 2010 and 26 July and 13 September 2011 from the representative of Serbia ([S/2010/355](#), [S/2011/456](#) and [S/2011/574](#), respectively) and letter dated 14 September 2011 from the representative of the Russian Federation ([S/2011/575](#)); in connection with the situation in Libya, letter dated 19 March 2011 from the representative of the Libyan Arab Jamahiriya ([S/2011/161](#)).

⁴ Letters dated 31 May 2010 from the representatives of Turkey and Lebanon ([S/2010/266](#) and [S/2010/267](#), respectively).

<i>Communications addressed to the President of the Council</i>	<i>Action requested of the Security Council</i>	<i>Meeting and date</i>
	deter the recurrence of any further provocation by that country.	
Letter dated 6 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council (S/2011/58)		
Letter dated 6 February 2011 from the representative of Cambodia (S/2011/58)	The convening of an urgent meeting to consider aggression by Thailand against the sovereignty and territorial integrity of Cambodia.	6480 th (closed) meeting 14 February 2011
Letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2010/646)		
Letter dated 18 December 2010 from the representative of the Russian Federation (S/2010/646)	The convening of an emergency meeting to consider the escalating tensions in the Korean peninsula.	6456 th (closed) meeting 19 December 2010
Peace and security in Africa^a		
Letter dated 21 February 2011 from the Libyan Arab Jamahiriya (S/2011/102)	The convening of an urgent meeting to discuss the grave situation in Libya and to take the appropriate actions.	6486 th (closed) meeting 22 February 2011
The situation in the Middle East, including the Palestinian question		
Letter dated 31 May 2010 from the representative of Turkey (S/2010/266)	The convening of an emergency meeting to discuss the military intervention by Israel, in international waters, of a multinational convoy of ships carrying humanitarian assistance to Gaza.	6325 th meeting 31 May 2010
Letter dated 31 May 2010 from the representative of Lebanon (S/2010/267)		6326 th meeting 1 June 2010

^a Pursuant to a note of the Security Council dated 16 March 2011 ([S/2011/141](#)), the Council decided that issues pertaining to the Libyan Arab Jamahiriya would, as from 16 March 2011, be considered under the agenda item entitled “The situation in Libya”, under which would be subsumed the earlier consideration by the Council of those issues under the agenda item entitled “Peace and security in Africa”.

1. States referring a situation or dispute

Situations were referred to the Security Council implicitly under the provisions of Article 35 (1) during the two-year review period, most often directly by the affected Member States⁵ and in some instances through third States.⁶ For example, the representative of the Republic of Korea sent a letter to the President of the Council seeking a Council response to an attack allegedly by the Democratic People’s Republic of Korea on 26 March 2010 leading to the sinking of a naval ship from the Republic of Korea.⁷ In the case of the “flotilla incident”, an

⁵ [S/2010/266](#), [S/2010/281](#) and [S/2011/58](#).

⁶ [S/2010/267](#) and [S/2010/646](#).

⁷ [S/2010/281](#).

affected State and a third State, Turkey and Lebanon, respectively, simultaneously referred the matter to the Council.⁸

2. Nature of matters referred to the Security Council

During the two-year period from 2010 to 2011, different matters deemed to threaten peace and security were brought to the attention of Council. In one instance, a description of the sequence of events that had occurred was provided,⁹ while in other instances, the nature of matters referred to the Council briefly highlighted the situation in the relevant communications.¹⁰

Although the Charter provisions setting out the basis on which States may bring matters likely to endanger international peace and security to the attention of the Council form part of Chapter VI of the Charter, the subject matter of communications submitted to the Council and the type of action requested in relation thereto as reflected in table 1 were not limited by the scope of that Chapter. For instance, a communication from the representative of Cambodia described the situation against his country as “Thailand’s aggression against sovereignty and territorial integrity” and a “grave threat to peace and security in the region.”¹¹ In addition, the representative of the Republic of Korea stated that the armed attack by the Democratic People’s Republic of Korea constituted “a threat to peace and security on the Korean peninsula and beyond.”¹² However, the Council did not determine “the existence of any threat to the peace, breach of the peace or act of aggression” (Article 39 of the Charter) in either of the two instances.

3. Action requested of the Security Council

Most communications from Member States bringing situations to the attention of the Council, as reflected in table 1, requested it to convene an urgent or emergency meeting to consider the situation. In one case, the submitting State also called upon the Council to “duly

⁸ [S/2010/266](#) and [S/2010/267](#).

⁹ [S/2011/58](#).

¹⁰ [S/2010/266](#), [S/2010/267](#), [S/2010/281](#) and [S/2011/102](#).

¹¹ [S/2011/58, p. 1](#).

¹² [S/2010/281, p. 1](#).

consider” the matter and “respond in a manner appropriate to the gravity” of the situation.¹³ In another instance, the submitting State requested the Council to “discuss the grave situation” in that country and to “take the appropriate actions”.¹⁴

B. Referrals by the Secretary-General

In his report dated 26 August 2011 on preventive diplomacy, the Secretary-General explicitly referred to his mandate for conflict prevention originating in Article 99 of the Charter. He named the Department of Political Affairs as the main operational arm for the conduct of his good offices. He also reported that the Council had requested the Department to deliver monthly “horizon scanning” briefings that focused on ongoing and emerging conflicts.¹⁵

Furthermore, during the period under review, the Secretary-General, through his letters addressed to the President of the Council, drew the attention of the Council to a number of deteriorating situations under its consideration. For example, concerning the post-electoral crisis following the 28 November 2010 presidential run-off elections in Côte d’Ivoire, by a letter dated 4 April 2011, the Secretary-General drew the Council’s attention to the deteriorating security situation in Abidjan where fighting had escalated between the forces loyal to President Ouattara and military elements who still remained loyal to Mr. Gbagbo.¹⁶ In another instance, by a letter dated 10 March 2011, the Secretary-General conveyed that the situation in Libya had seriously deteriorated with the disproportionate use of force by the Libyan authorities, while informing of his decision to appoint a Special Envoy who would offer his good offices and explore how best to resolve the crisis in Libya in consultation with various stakeholders.¹⁷

C. Referrals by the General Assembly

Under Article 11 (3) of the Charter, the General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

¹³ Ibid.

¹⁴ [S/2011/102](#).

¹⁵ [S/2011/552](#), paras. 12 and 16.

¹⁶ [S/2011/221](#).

¹⁷ [S/2011/126](#).

During the period under review, the General Assembly did not refer any such situations to the Security Council under this Article.¹⁸

¹⁸ For more information, see part IV, sect. I with regard to the relations between the Security Council and the General Assembly.

Section II

Investigation of disputes and fact-finding

Note

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 34 of the Charter of the United Nations expressly provides that the Security Council may investigate any dispute or situation which might lead to international friction or give rise to a dispute. On this basis, the Security Council may determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security. The framework of Article 34 does not exclude the Secretary-General or other organs from performing investigative functions nor does it limit the Council's general competence to obtain knowledge of the relevant facts of any dispute or situation by dispatching a fact-finding or investigative mission. Therefore, this section provides an overview of the practice of the Security Council relating to fact-finding and investigation in accordance with Article 34 and is divided into three subsections: A. Security Council missions; B. Investigative and fact-finding functions of the Secretary-General; and C. Other instances of investigative functions acknowledged by the Security Council.

During the period under consideration, the Council undertook a mission four times to gather first-hand information on the situations it dealt with and acknowledged a number of investigative and/or fact-finding activities initiated by the Secretary-General and the Human Rights Council.

A. Security Council missions

From 2010 to 2011, the Security Council dispatched four missions consisting of all 15 Council members in 2010 to, (i) the Democratic Republic of the Congo; (ii) Uganda and the Sudan; (iii) Afghanistan; and in 2011 to, (iv) Africa (visiting Ethiopia, the Sudan and Kenya). Security Council missions were not expressly charged with investigative tasks, but did serve, inter alia, to form an impression of the respective country-specific or regional situation on the ground under its consideration, such as that relating to Afghanistan, the Democratic Republic of the Congo, Somalia, Sudan and South Sudan, and to review, assess its role and consider the future mandate of relevant peacekeeping and political missions (see table 2 for details regarding Security Council missions).

Furthermore, in his report dated 28 June 2011 on the role of regional and subregional arrangements in implementing the responsibility to protect, the Secretary-General suggested that the Council could make more extensive use of “its broad authority under Article 34 of the Charter” and held that by undertaking several visits or missions each year to see how places of concern were faring, the Council had taken an important step in that direction.¹⁹

Table 2
Security Council missions from 2010 to 2011

<i>Duration</i>	<i>Destination</i>	<i>Composition</i>	<i>Terms of reference</i>	<i>Report</i>	<i>Meeting and date^a</i>
3 to 16 May 2010	Democratic Republic of the Congo	Austria, Bosnia and Herzegovina, Brazil, China, France (leader of mission), Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States	S/2010/187 and S/2010/187/Add.1	S/2010/288	6317 th 19 May 2010
21 to 24 June 2010	Afghanistan	Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey (leader of mission), Uganda, United Kingdom, United States	S/2010/325	S/2010/564	6351 st 30 June 2011 (under the item entitled “The situation in Afghanistan”)

¹⁹ [S/2011/393](#), para. 32.

<i>Duration</i>	<i>Destination</i>	<i>Composition</i>	<i>Terms of reference</i>	<i>Report</i>	<i>Meeting and date</i> ^a
4 to 10 October 2010	Uganda and the Sudan	Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda (co-leader of mission to Uganda), United Kingdom (co-leader of mission to the Sudan), United States (co-leader of mission to the Sudan)	S/2010/509	S/2011/7	6397 th 14 October 2010
19 to 26 May 2011	Africa (Ethiopia, the Sudan and Kenya)	Bosnia and Herzegovina, Brazil, China, Colombia, France (leader of mission to African Union, Addis Ababa), Gabon, Germany, India, Lebanon, Nigeria, Portugal, Russian Federation (co-leader of mission to the Sudan), South Africa (co-leader of the mission to Nairobi), United Kingdom (co-leader of mission to Nairobi), United States (co-leader of mission to the Sudan)	S/2011/319	S/2013/221	6546 th 6 June 2011

^a Unless otherwise indicated, the relevant meeting was held under the agenda item entitled “Security Council mission”.

B. Investigative and fact-finding functions of the Secretary-General

During the two-year period from 2010-2011, the Security Council, in its decisions, acknowledged the investigative or fact-finding functions of the Secretary-General on three occasions. Following the so-called “flotilla incident” of 31 May 2010 involving the Israeli military operation in international waters against a convoy sailing to Gaza, the Council took note of the statement of the Secretary-General on the need to have a full investigation into the matter.²⁰ In dealing with the events of 28 September 2009 in Guinea in which a large number of people had been killed, injured and sexually assaulted during a political rally, the Council commended the work of the International Commission of Inquiry established by the Secretary-

²⁰ [S/PRST/2010/9](#), third paragraph.

General to investigate the facts and circumstances of the events.²¹ The Council also welcomed the intention of the Secretary-General to deploy a United Nations assessment mission to examine the threat of piracy in the Gulf of Guinea,²² (for the full text of all the relevant provisions of the decisions, see table 3).

In addition, case 1 below illustrates the action of the Council in connection with the establishment of a panel of inquiry by the Secretary-General to investigate the “flotilla incident”.

Table 3
Decisions referring to investigative and/or fact-finding activities by the Secretary-General

<i>Decision and date</i>	<i>Provision</i>
Peace and security in Africa	
Resolution 2018 (2011) 31 October 2011	Welcomes the intention of the Secretary-General of the United Nations to deploy a United Nations assessment mission to examine the threat of piracy and armed robbery at sea, in the Gulf of Guinea and explore options on how best to address the problem, and looks forward to receiving the mission’s report with recommendations on the matter (para. 7)
Peace consolidation in West Africa	
S/PRST/2010/3 16 February 2010	The Council commends the work of the International Commission of Inquiry established by the Secretary-General and supported by the Economic Community of West African States and the African Union to investigate the facts and circumstances of the events of 28 September 2009 in Guinea, consistent with its mandate. It takes note positively of the submission by the Commission of its report (sixth paragraph)
The situation in the Middle East, including the Palestinian question	
S/PRST/2010/9 1 June 2010	The Council takes note of the statement of the Secretary-General on the need to have a full investigation into the matter and it calls for a prompt, impartial, credible and transparent investigation conforming to international standards (third paragraph)

Case 1

The situation in the Middle East, including the Palestinian question

In connection with the situation in the Middle East, including the Palestinian question, at the 6325th meeting, held on 31 May 2010 in response to the requests by Turkey and

²¹ [S/PRST/2010/3](#), sixth paragraph.

²² [Resolution 2018 \(2011\)](#), para. 7.

Lebanon,²³ the Assistant Secretary-General for Political Affairs briefed on the military operation by Israel against the convoy sailing to Gaza that had taken place that day and underscored the importance of a full investigation into the incident, as called for by the Secretary-General.²⁴ Characterizing the incident as an attack on the United Nations and its values, the representative of Turkey urged the Council to demand an urgent inquiry into the incident.²⁵ While many speakers called for an investigation into the matter,²⁶ with some calling for the investigation to take place urgently, independently, and/or in line with international standards,²⁷ the representative of the United States called for a credible and transparent investigation and strongly urged the Government of Israel to investigate the incident fully.²⁸ The representative of the United Kingdom also called on the Israeli authorities to provide a full and transparent account of the incident, including the measures at hand to ensure an impartial and comprehensive investigation to ensure no further loss of life.²⁹ On the other hand, the representative of Palestine called for an “independent, impartial international” investigation, in order to punish perpetrators and to release and protect all those detained immediately and unconditionally.³⁰

By a presidential statement of 1 June 2010, the Council took note of the statement of the Secretary-General on the need to have a full investigation into the matter and called for a prompt, impartial, credible and transparent investigation, conforming to international standards.³¹

At the 6363rd meeting, on 21 July 2010, many speakers³² called for an investigation into the “flotilla incident” in accordance with the principles contained in the above-mentioned presidential statement.³³ Furthermore, some called for such an investigation into the incident to

²³ [S/2010/266](#) and [S/2010/267](#).

²⁴ [S/PV.6325](#), p. 3.

²⁵ *Ibid.*, p. 5.

²⁶ *Ibid.*, p. 6 (United Kingdom); p. 7 (Mexico); p. 7 (Brazil); p. 8 (Austria); p. 8 (Japan); p. 9 (Nigeria); p. 9 (United States); p. 10 (France); p. 11 (Bosnia and Herzegovina); p. 12 (Lebanon); and p. 13 (Palestine).

²⁷ *Ibid.*, p. 7 (Brazil); p. 8 (Austria); p. 8 (Japan); p. 9 (Nigeria); p. 10 (France); p. 11 (Bosnia and Herzegovina); and p. 12 (Lebanon).

²⁸ *Ibid.*, p. 9.

²⁹ *Ibid.*, p. 6.

³⁰ *Ibid.*, p. 13.

³¹ [S/PRST/2010/9](#), third paragraph.

³² [S/PV.6363](#), p. 7 (Palestine); p. 11 (Japan); p. 12 (Bosnia and Herzegovina); p. 12 (Lebanon); p. 14 (Mexico); p. 20 (Austria); p. 20 (Turkey); p. 21 (France); p. 22 (Uganda); and p. 23 (China); [S/PV.6363 \(Resumption 1\)](#), p. 3 (Syrian Arab Republic); p. 9 (Tajikistan, on behalf of the Organization of the Islamic Conference); p. 12 (Cuba); p. 17 (Bolivarian Republic of Venezuela); p. 18 (European Union); and p. 21 (Iceland).

³³ [S/PRST/2010/9](#).

be established under the auspices of the Secretary-General and offered their support to the efforts of the Secretary-General in that regard.³⁴

Regarding the inquiry panel established by Israel to investigate the “flotilla incident”, the representative of Malaysia³⁵ said that, as expected, Israel had “exonerated itself” in the “illegitimate” investigation it had conducted and called for the speedy establishment of a United Nations-led investigation pursuant to the presidential statement of 1 June 2010.³⁶ Similarly, the representative of the Bolivarian Republic of Venezuela held that Israel had conducted a “sham” investigation to cover up proof of its reprehensible crime.³⁷ Furthermore, the representative of Lebanon stated that the unilateral investigation by Israel was neither credible, impartial nor transparent and did not conform to the requisite international standards.³⁸ According to the representative of Brazil, the panel established by Israel failed to meet the requirements set forth by the Council and the gravity of the incident, its occurrence in international waters, combined with the involvement of entities and individuals from various countries, required that the investigation be conducted under the auspices of the United Nations.³⁹ In a similar vein, the representative of South Africa stated that the “flotilla incident” had international ramifications and opined that an investigation should therefore be conducted by independent international investigators including representatives from Israel and Turkey as proposed by the Secretary-General.⁴⁰

While agreeing with the right and obligation of the parties involved to establish their own commissions of inquiry, the representative of Mexico⁴¹ emphasized that such an internal commission should complement the establishment of an international commission as outlined in the Council’s presidential statement of 1 June 2010.⁴² In addition, the representative of Nigeria considered it necessary for the Israeli commission to meet international standards of independence and transparency as referred to in the presidential statement, and encouraged Israel

³⁴ [S/PV.6363](#), p. 7 (Palestine); p. 12 (Bosnia and Herzegovina); p. 25 (Egypt, on behalf of the Non-Aligned Movement); p. 27 (Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People); [S/PV.6363 \(Resumption 1\)](#), p. 5 (South Africa); p. 13 (Malaysia); and p. 14 (Nicaragua).

³⁵ [S/PV.6363 \(Resumption 1\)](#), p. 13.

³⁶ [S/PRST/2010/9](#).

³⁷ [S/PV.6363 \(Resumption 1\)](#), p. 17.

³⁸ [S/PV.6363](#), p. 12.

³⁹ *Ibid.*, p. 16.

⁴⁰ [S/PV.6363 \(Resumption 1\)](#), p. 5.

⁴¹ [S/PV.6363](#), p. 14.

⁴² [S/PRST/2010/9](#).

to consider the offer of the Secretary-General to facilitate an impartial and independent investigation of the “flotilla incident”.⁴³

On the other hand, the representative of the United States underlined the capability of Israel to conduct a serious and credible investigation into events that involved its national security and opined that the independent public commission of Israel could meet the standard of a prompt, impartial, credible and transparent investigation.⁴⁴ In addition, the representative of the United Kingdom advocated for the independent public commission by Israel to proceed swiftly, transparently and rigorously with access to all the available evidence.⁴⁵

By a letter dated 2 August 2010 to the President of the Council, the Secretary-General informed Council members that in light of the presidential statement of 1 June 2010⁴⁶ and with the concurrence of Turkey and Israel, he had decided to establish a Panel of Inquiry on the flotilla incident.⁴⁷ The Panel was established as an independent body tasked with making findings about the facts, circumstances and context of the “flotilla incident”, as well as recommending ways of avoiding similar incidents in the future.⁴⁸ While the Panel began its work on 10 August 2010 which it concluded with the submission of its report on 2 September 2011,⁴⁹ the Council did not meet to discuss the report during the period under review.

C. Other instances of investigative functions acknowledged by the Security Council

In 2011, for the first time, in its decisions, the Security Council recognized the work of the Human Rights Council as part of its investigative functions. For example, the Security Council welcomed the decision by the Human Rights Council to dispatch an independent international commission of inquiry to investigate all alleged violations of human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations.⁵⁰ In addition, when welcoming the decision by the Human Rights Council to dispatch an independent international commission of inquiry to investigate the facts and circumstances surrounding the

⁴³ [S/PV.6363](#), p. 24.

⁴⁴ *Ibid.*, p. 10.

⁴⁵ *Ibid.*, p. 18.

⁴⁶ [S/PRST/2010/9](#).

⁴⁷ [S/2010/414](#).

⁴⁸ [S/2011/585](#), para. 44.

⁴⁹ Available from http://www.un.org/News/dh/infocus/middle_east/Gaza_Flotilla_Panel_Report.pdf.

⁵⁰ [Resolution 1970 \(2011\)](#), fifth preambular paragraph.

allegations of serious abuse and violations of human rights committed in Côte d'Ivoire following the 28 November 2010 presidential elections, the Security Council called upon all parties to cooperate with the commission of inquiry and took note of the commission's report⁵¹ following its issuance,⁵² (for the full text of all the relevant provisions of decisions of the Security Council, see table 4).

Furthermore, during the period under review, the Council continued to support the work of the Commission of Inquiry established in February 2009 to investigate the facts and circumstances of the assassination of the former Pakistani Prime Minister Mohtarma Benazir Bhutto by agreeing to extend its mandate.⁵³ In April 2010, the Commission submitted its final report to the Security Council through the Secretary-General.⁵⁴

Table 4

Decisions relating to investigation and inquiry by other bodies of the United Nations acknowledged by the Security Council

<i>Decision and date</i>	<i>Provision</i>
The situation in Côte d'Ivoire	
Resolution 1975 (2011) 30 March 2011	Welcoming Human Rights Council resolution 16/25 of 25 March 2011, including the decision to dispatch an independent international commission of inquiry to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential election of 28 November 2010 (tenth preambular paragraph) Also calls upon all parties to fully cooperate with the independent international commission of inquiry put in place by the Human Rights Council on 25 March 2011 to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential election of 28 November 2010, and requests the Secretary-General to transmit this report to the Security Council and other relevant international bodies (para. 8)
Resolution 2000 (2011) 27 July 2011	Taking note of the report and recommendations of the independent international commission of inquiry established pursuant to Human Rights Council resolution 16/25 of 25 March 2011 (sixteenth preambular paragraph)
The situation in Libya	
Resolution 1970 (2011) 26 February 2011	Welcoming Human Rights Council resolution S-15/1 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated and, where possible, to identify those responsible (fifth preambular paragraph)

⁵¹ [A/HRC/17/48](#).

⁵² [Resolutions 1975 \(2011\)](#), tenth preambular paragraph and para. 8; and [2000 \(2011\)](#), sixteenth preambular paragraph.

⁵³ [S/2010/8](#).

⁵⁴ [S/2010/191](#).

Section III

Decisions of the Security Council concerning the pacific settlement of disputes

Article 33

- 1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.*
- 2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.*

Article 36

- 1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.*
- 2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.*
- 3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.*

Article 37

- 1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.*
- 2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.*

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

Note

Article 33 (1) of the Charter of the United Nations expressly provides the framework for parties to settle their disputes by peaceful means. According to Article 33 (2) of the Charter, the Security Council shall call on the parties to settle their disputes by such peaceful means as provided for in Article 33 (1). The Council may recommend appropriate procedures or methods of adjustment for the settlement of disputes under Article 36 (1). According to Article 36 (2) and (3), the Council should take into consideration procedures for the settlement of the dispute already adopted by the parties and that legal disputes as a general rule be referred by the parties to the International Court of Justice. Article 37 (2) envisages that following a referral, the Council shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate. Lastly, Article 38 provides that the Council may make recommendations to the parties with a view to a pacific settlement of the dispute.

This section examines the decisions of the Security Council from 2010 to 2011 in connection with its efforts aimed at the peaceful settlement of disputes within the framework of Chapter VI of the Charter as described below in three subsections. Subsection A captures the relevant decisions of the Council on thematic issues touching upon the provisions of Chapter VI of the Charter. Subsection B illustrates various ways in which the Council, in dealing with country-specific and regional situations, welcomed, encouraged or supported efforts in the peaceful settlement of disputes. Subsection C provides an overview of the Council's efforts towards the pacific settlement of disputes involving the Secretary-General. Subsection D briefly illustrates various ways in which the Council encouraged and supported efforts by regional organizations in the peaceful settlement of disputes. Those are covered in detail in part VIII of this supplement.

A. Decisions of the Security Council under thematic issues relating to the pacific settlement of disputes

During the two-year period from 2010 to 2011, the Security Council adopted a number of decisions relating to the pacific settlement of disputes under several thematic items dealing with the issues of conflict prevention, preventive diplomacy, the Security Council's effective role in maintaining international peace and security, post-conflict peacebuilding, rule of law, United Nations peacekeeping operations and women and peace and security. Table 5 below sets out relevant provisions of the Council's decisions under thematic issues relating to the pacific settlement of disputes organized in chronological order.

Among those decisions, there were three instances when the Council included explicit references to Chapter VI and Articles 33 to 35 and 99 of the Charter: By a presidential statement of 29 June 2010, the Council reiterated its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter, while emphasizing the key role of the International Court of Justice in adjudicating disputes between States.⁵⁵ In another presidential statement of 16 July 2010, the Council recalled Articles 33 and 34 of the Charter, and reaffirmed its commitment to the settlement of disputes by peaceful means and the promotion of necessary preventive action in response to disputes or situations, the continuation of which was likely to endanger the maintenance of international peace and security. The Council also recalled that in accordance with Articles 99 and 35, the Secretary-General or any Member State might bring to the attention of the Council any matter which was likely to endanger the maintenance of international peace and security.⁵⁶

In other decisions, without explicitly citing Chapter VI or any Articles of the Charter, the Council stressed the importance of early warning, mediation, preventive deployment, practical disarmament, and post-conflict peacebuilding, while noting that those tools were interdependent and complementary components of a comprehensive conflict prevention strategy.⁵⁷ Furthermore, the Council also underlined that the coherent use of preventive diplomacy, peacemaking,

⁵⁵ In connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, see [S/PRST/2010/11](#), second and third paragraphs.

⁵⁶ In connection with maintenance of international peace and security, see [S/PRST/2010/14](#), first and third paragraphs.

⁵⁷ In connection with maintenance of international peace and security, see [S/PRST/2011/18](#), ninth paragraph; and [S/PRST/2010/14](#), fourth paragraph.

peacekeeping and peacebuilding tools was necessary in creating conditions for sustainable peace.⁵⁸ In addition, it supported endeavours aimed at enhancing the preventive capacities of Member States, the United Nations and regional and subregional organizations, while stressing the importance of developing early warning, assessment, mediation and response capabilities of those actors, as well as ensuring sound coordination among them.⁵⁹

During the period under review, the Council also recognized the importance of the peaceful settlement of political disputes in a post-conflict state and of advancing the peace process and peaceful co-existence through inclusive dialogue, national reconciliation and reintegration.⁶⁰ The Council also stressed the role of United Nations peacekeepers in supporting efforts to promote political processes and peaceful settlement of disputes.⁶¹ In addition, the Council, in a number of its decisions, frequently stressed the role of women and the importance of their participation in prevention and resolution of conflicts.⁶²

Turning to the role of the Secretary-General in the pacific settlement of disputes, the Council repeatedly paid tribute to the efforts of the Secretary-General in using his good offices and dispatching his representatives to facilitate durable and comprehensive settlements and encouraged him to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for the purpose of enhancing mediation and its support activities.⁶³ Furthermore, in one decision, the Council underlined the importance of the regular briefings it received on swift and timely preventive efforts by the Organization and further called upon the Secretary-General to continue that good practice.⁶⁴

⁵⁸ In connection with maintenance of international peace and security, see [S/PRST/2010/18](#), fourth and fifth paragraphs.

⁵⁹ In connection with maintenance of international peace and security, see [S/PRST/2010/18](#), seventh paragraph.

⁶⁰ In connection with post-conflict peacebuilding, see [S/PRST/2010/7](#), fourth and sixth paragraphs.

⁶¹ In connection with United Nations peacekeeping operations, see [S/PRST/2010/2](#), third paragraph.

⁶² In connection with women and peace and security, see [resolution 1960 \(2010\)](#), fifteenth preambular paragraph; [S/PRST/2010/22](#), seventh paragraph; and [S/PRST/2011/20](#), thirteenth paragraph. In connection with maintenance of international peace and security, see [S/PRST/2010/14](#), fifth paragraph; [S/PRST/2010/18](#), eighteenth paragraph; and [S/PRST/2011/18](#), thirteenth paragraph. For more information, see also the subsection of part I study on women and peace and security, concerning mainstreaming of women and peace and security provisions in country-specific and thematic decisions.

⁶³ In connection with maintenance of international peace and security, see [S/PRST/2010/18](#), eighth paragraph; and [S/PRST/2011/18](#), seventh paragraph. In connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, see [S/PRST/2010/11](#), fourth paragraph.

⁶⁴ In connection with maintenance of international peace and security, see [S/PRST/2011/18](#), eighth paragraph.

Table 5
Decisions of the Security Council under thematic items relating to the pacific settlement of disputes

<i>Decision and date</i>	<i>Provision</i>
Maintenance of international peace and security: Conflict prevention	
S/PRST/2011/18 22 September 2011	<p>The Council reaffirms its primary responsibility for the maintenance of international peace and security, acting in accordance with the purposes and principles of the Charter of the United Nations. The Council further expresses its determination to enhance the effectiveness of the United Nations in preventing the eruption of armed conflicts, their escalation or spread when they occur, and their resurgence once they end (third paragraph)</p> <p>The Council reaffirms that actions undertaken within the framework of conflict prevention by the United Nations should support and complement, as appropriate, the conflict prevention roles of national Governments (sixth paragraph)</p> <p>The Council pays tribute to the efforts undertaken by the Secretary-General in using his good offices, and dispatching representatives, special envoys and mediators, to help to facilitate durable and comprehensive settlements. The Council encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for the purpose of enhancing mediation and its support activities, and recalls in this regard General Assembly resolution 65/283 of 22 June 2011, as well as the report of the Secretary-General of 8 April 2009. The Council further encourages concerned parties to act in good faith when engaging with prevention and mediation efforts, including those undertaken by the United Nations (seventh paragraph)</p> <p>The Council encourages the Secretary-General to continue improving coherence and consolidation within the United Nations system, with a view to maximizing the impact of swift and timely preventive efforts undertaken by the Organization. The Council underlines the importance of the regular briefings it receives on such efforts and further calls upon the Secretary-General to continue this good practice (eighth paragraph)</p> <p>The Council recalls that a comprehensive conflict prevention strategy should include, inter alia, early warning, preventive deployment, mediation, peacekeeping, practical disarmament, accountability measures as well as post-conflict peacebuilding, and recognizes that these components are interdependent, complementary and non-sequential (ninth paragraph)</p> <p>The Council emphasizes that an effective preventive diplomacy framework requires the active involvement of civil society, especially youth, and other relevant actors, such as academia and the media. The Council also reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts in line with resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) and the statements by its President of 13343 and 26 October 2010 (thirteenth paragraph)</p>
Maintenance of international peace and security: Ensuring the Security Council's effective role in maintaining international peace and security	
S/PRST/2010/18 23 September 2010	<p>The Council welcomes the considerable progress made in refining and strengthening the United Nations preventive diplomacy, peacemaking, peacekeeping and peacebuilding capabilities in recent years, and pledges to continue to contribute to the adaptation of these tools to changing circumstances. The Council also underlines that the relationship between these tools is not always sequential and that it is necessary to use them in a comprehensive, integrated and flexible manner (fourth paragraph)</p> <p>The Council stresses that the comprehensive and coherent use of preventive diplomacy, peacemaking, peacekeeping and peacebuilding tools is important in creating the conditions for sustainable peace. The Council undertakes to provide the necessary political support to ensure this overarching objective (fifth paragraph)</p>

<i>Decision and date</i>	<i>Provision</i>
	<p>The Council calls upon Member States to resolve differences peacefully and draws particular attention to the importance of preventive diplomacy as a cost-effective and efficient way of crisis management and conflict resolution. The Council encourages and reaffirms its support for endeavours aimed at enhancing the preventive capacities of the Member States, the United Nations, and regional and subregional organizations. The Council stresses, in particular, the importance of developing early warning, assessment, mediation and response capabilities of these actors, as well as ensuring a sound coordination among them (seventh paragraph)</p> <p>The Council pays tribute to the efforts undertaken by the Secretary-General in using his good offices, his Representatives, Special Envoys and mediators, as well as by regional and subregional organizations to help to facilitate durable and comprehensive settlements, and undertakes to continue to support their work (eighth paragraph)</p> <p>The Council further commits to following closely existing and potential conflict situations that may affect international peace and security, engaging with parties undertaking preventive efforts, encouraging the steps taken to de-escalate tension and build confidence, and supporting efforts aimed at mobilizing the necessary expertise and capabilities available in and to the United Nations. The Council also recognizes the importance of enhancing efforts, including coordination among bilateral and multilateral donors, to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools (ninth paragraph)</p> <p>The Council recognizes that a comprehensive and integrated strategy for peacemaking, peacekeeping and peacebuilding should involve all relevant actors, taking into account the unique circumstances of each conflict situation. The Council further acknowledges that sustainable peace and security can best be achieved through effective collaboration among all concerned parties on the basis of their expertise (sixteenth paragraph)</p> <p>The Council also reaffirms the important role of women in all aspects of the prevention and resolution of conflicts, as well as in peacekeeping and peacebuilding, and recognizes that a concerted and determined approach that addresses the root causes of conflicts also requires a systematic and comprehensive approach to women and peace and security issues. The Council, in this regard, looks forward to marking the 10th anniversary of resolution 1325 (2000) by taking action on a comprehensive set of indicators on the basis of recommendations of the Secretary-General (eighteenth paragraph)</p>

Maintenance of international peace and security: Optimizing the use of preventive diplomacy tools: Prospects and challenges in Africa

[S/PRST/2010/14](#)
16 July 2010

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations. The Council recalls Articles 33 and 34 of the Charter and reaffirms its commitment to the settlement of disputes by peaceful means and the promotion of necessary preventive action in response to disputes or situations, the continuation of which is likely to endanger the maintenance of international peace and security (first paragraph)

The Council recalls that the prevention of conflict remains a primary responsibility of Member States. As such, actions undertaken by United Nations entities within the framework of conflict prevention must be designed to support and complement, as appropriate, the conflict prevention roles of national Governments (second paragraph)

The Council notes that, consistent with its functions in relation to international peace and security, it seeks to remain engaged in all stages of the conflict cycle and in exploring ways of preventing the escalation of disputes into armed conflict or a relapse into armed conflict, and recalls that, in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State may bring to the attention of the Council any matter which is likely to endanger the maintenance of international peace and security (third paragraph)

The Council recalls that early warning, preventive diplomacy, preventive deployment, mediation, practical disarmament measures and post-conflict peacebuilding are interdependent and complementary components of a comprehensive conflict prevention strategy. The Council notes the importance of creating and maintaining peace through inclusive dialogue, reconciliation and reintegration (fourth paragraph)

Decision and date

Provision

The Council reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts and all related decision-making processes with regard to conflict resolution and peacebuilding, in line with resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) (fifth paragraph)

The Council encourages the development of peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter and reiterates its support for the efforts of regional and subregional organizations, in particular the African Union, the Economic Community of West African States, the Southern African Development Community, the East African Community, the Intergovernmental Authority on Development and the Economic Community of Central African States, as regards conflict prevention. The Council acknowledges the need for closer and more operational cooperation between the United Nations and regional and subregional organizations in Africa to build national and regional capacities in relation to the preventive diplomacy tools of mediation, information-gathering and analysis, early warning, prevention and peacemaking, and in this context the Council recognizes the important role that regional United Nations offices, such as the United Nations Office for West Africa, can play and stresses the valuable contribution of mediation capacities such as the Council of Elders, the Panel of the Wise and the good offices of the Secretary-General and his special envoys, and of regional and subregional organizations, to ensuring the coherence, synergy and collective effectiveness of their efforts (ninth paragraph)

The Security Council underlines the importance of continually engaging the potential and existing capacities and capabilities of the United Nations Secretariat, regional and subregional organizations as well as national Governments in preventive diplomacy efforts, including mediation, and welcomes the promotion of regional approaches to the peaceful settlement of disputes (tenth paragraph)

The Council further reiterates its support for the work of the Peacebuilding Commission and recognizes the need for greater coordination with the Commission. The Council further recognizes the need for greater coherence with all relevant United Nations entities in relation to the most effective use of preventive diplomacy tools at their disposal. The Council recognizes the important role of the United Nations Integrated Peacebuilding Offices in supporting national efforts to prevent conflicts and in addressing cross-border threats. The Council also recognizes the value that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa continues to add to the process of embedding preventive diplomacy practices into the conflict management architecture of the Organization. In this connection, the Council recalls the role of the Special Adviser to the Secretary-General on the Prevention of Genocide in matters relating to the prevention and resolution of conflict. The Council emphasizes the need for the full engagement of all relevant actors, including civil society, to sustain the momentum and perspective for a meaningful preventive diplomacy framework (eleventh paragraph)

Post-conflict peacebuilding

[S/PRST/2010/7](#)
16 April 2010

The Council highlights the importance of the peaceful settlement of political disputes in a post-conflict State and addressing the sources of violent conflict as essential elements for achieving sustainable peace. The Council recognizes the importance of advancing the peace process and peaceful co-existence through inclusive dialogue, reconciliation and reintegration. The Council reaffirms that ending impunity is essential if a society recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future. The Council underlines the importance of holding free, fair and transparent elections for sustainable peace (fourth paragraph)

The Council recognizes the importance of pursuing political stability and security alongside socio-economic development for the consolidation of peace. The Council stresses the importance of delivering early peace dividends, including the provision of basic services, in order to help to instil confidence and commitment to the peace process. The Council recognizes that the reintegration of refugees, internally displaced persons and former combatants, in coordination with security sector reform and disarmament, demobilization and reintegration, should not be seen in isolation, but should be carried out in the context of a broader search for peace, stability and development, with special emphasis on the revival of economic activities. The Council notes in this regard that high levels of

Decision and date

Provision

youth unemployment can be a major challenge to sustainable peacebuilding (sixth paragraph)

The promotion and strengthening of the rule of law in the maintenance of international peace and security

[S/PRST/2010/11](#)
29 June 2010

The Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes between States and the value of its work and calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute (second paragraph)

The Council calls upon States to resort also to other dispute settlement mechanisms, including international and regional courts and tribunals which offer States the possibility of settling their disputes peacefully, contributing thus to the prevention or settlement of conflict (third paragraph)

The Council emphasizes the importance of the activities of the Secretary-General in promoting mediation and in the pacific settlement of disputes between States, recalls in this regard the report of the Secretary-General of 8 April 2009 on enhancing mediation and its support activities, and encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for this purpose (fourth paragraph)

United Nations peacekeeping operations

[S/PRST/2010/2](#)
12 February 2010

The Council underlines that an advanced peace process is an important factor in achieving successful transition from a peacekeeping operation to other configurations of United Nations presence. It also highlights the importance of a host State protecting its population, managing political disputes peaceably and providing for basic services and long-term development (third paragraph)

The Council stresses the importance of considering early peacebuilding in its own deliberations and of ensuring coherence between peacemaking, peacekeeping and peacebuilding to achieve effective transition strategies. The Council looks forward to discussing further the implementation of this integrated approach and requests the Secretary-General to intensify his efforts in this regard (eleventh paragraph)

[S/PRST/2011/17](#)
26 August 2011

The Council stresses the role of the United Nations peacekeepers in supporting efforts to promote political processes and peaceful settlements of disputes. The Council underlines the need for precise, full and effective implementation of mandates and its intention to continue to review and monitor such implementation on a regular basis. The Council recognizes the role of regional organizations in peacekeeping in accordance with Chapter VIII of the Charter (third paragraph)

The Council expresses its commitment to continuing to improve its consideration and reflection of early peacebuilding tasks in the mandates and composition of peacekeeping operations. In this context, the Council notes with appreciation the contribution that peacekeepers and peacekeeping missions make to early peacebuilding and recognizes the need to integrate mission expertise and experience into the development of peacebuilding strategies (tenth paragraph)

Women and peace and security

[S/PRST/2010/22](#)
26 October 2010

The Council notes with grave concern that women and girls are disproportionately affected by conflict, and that women's participation at all stages of peace processes and in the implementation of peace accords remains too low, despite the vital role of women in the prevention and resolution of conflicts and in rebuilding their societies. The Council recognizes the need to facilitate the full and effective participation of women in these areas and stresses that the full and effective participation of women is very important for the sustainability of peace processes (seventh paragraph)

[Resolution 1960 \(2010\)](#)

Recognizing the efforts of the Secretary-General to address the underrepresentation of women in formal peace processes, the lack of mediators and ceasefire monitors with proper training in dealing

<i>Decision and date</i>	<i>Provision</i>
16 December 2010	with sexual violence, and the lack of women as chief or lead peace mediators in United Nations-sponsored peace talks, and encouraging further such efforts (fifteenth preambular paragraph)
S/PRST/2011/20 28 October 2011	<p>The Council welcomes the commitments and efforts of Member States, regional organizations and the Secretary-General to implement its resolutions on women and peace and security. The Council, however, remains concerned about the persistence of gaps and challenges that seriously hinder the implementation of resolution 1325 (2000), including the continued low number of women in formal institutions of conflict prevention and resolution, particularly in preventive diplomacy and mediation efforts (fifth paragraph)</p> <p>The Council recalls the statement by its President of 22 September 2011 on preventive diplomacy, in which it, inter alia, recognized the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterated its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts. The Council recalls General Assembly resolution 65/283 on strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution and the encouragement it contains to promote equal, full and effective participation of women in all forums and at all levels of the peaceful settlement of disputes, conflict prevention and resolution, particularly at the decision-making level (eleventh paragraph)</p> <p>The Council encourages efforts by Member States, the United Nations Secretariat, United Nations field missions, United Nations agencies, funds and programmes, international financial institutions and regional and subregional organizations to, as appropriate, provide support and strengthen the capacities of relevant government institutions and women's organizations engaged in issues related to armed conflict or post-conflict situations. The Council underlines the importance of the participation of women in conflict prevention and resolution efforts, including in the negotiation and implementation of peace agreements, as well as international dialogues, contact groups, engagement conferences and donor conferences in support of conflict resolution. In this regard, the Council reiterates the need to support, as appropriate, local women's peace initiatives, processes for conflict resolution and initiatives that involve women in implementation mechanisms of the peace agreements, including through the local-level presence of United Nations field missions (twelfth paragraph)</p> <p>The Council acknowledges the significant contribution that women can have in conflict prevention and mediation efforts and encourages Member States and international and regional organizations to take measures to increase the number of women involved in mediation efforts and the number of women in representative roles in regional and international organizations. The Council therefore stresses the importance of creating enabling conditions for women's participation during all stages of peace processes and for countering negative societal attitudes regarding full and equal participation of women in conflict resolution and mediation (thirteenth paragraph)</p> <p>The Council encourages negotiating parties and mediation teams to adopt a gender perspective in negotiating and implementing peace agreements and to facilitate increased representation of women in peacebuilding forums. In this regard, the Council requests the Secretary-General and relevant United Nations entities to assist, as appropriate, in enabling regular consultations between women's groups and relevant participants in conflict mediation and peacebuilding processes. The Council also requests the Secretary-General to ensure that regular briefings are provided to his mediators and their teams on gender issues relevant to peace agreement provisions and specific obstacles to full and equal political participation of women (fifteenth paragraph)</p> <p>The Council recognizes the need for more systematic attention to and implementation of women and peace and security commitments in its own work and expresses its willingness to ensure that measures to enhance women's engagement in conflict prevention and resolution and peacebuilding are advanced in its work, including on preventive diplomacy. The Council welcomes the intention of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to incorporate a gender perspective in its work (sixteenth paragraph)</p>

B. Recommendations relating to methods, procedures or terms of the pacific settlement of disputes

Chapter VI of the Charter contains various provisions according to which the Council may make recommendations to the parties to a dispute or situation. According to Article 33 (2) of the Charter, the Council may call on the parties to settle their disputes by such peaceful means as provided for in Article 33 (1). Article 36 (1) states that the Council may “recommend appropriate methods or procedures of adjustment”. Article 37 (2) envisages that the Council may “recommend such terms of settlement as it may consider appropriate”, and Article 38 provides that it may “make recommendations to the parties with a view to a pacific settlement of the dispute”. This subsection provides an overview of recommendations by the Security Council for the peaceful settlement of disputes addressed to the parties, including endorsements of peace agreements and support for peace processes and other mechanisms for conflict resolutions. Select instances of such recommendations found in Council decisions are set out below in table 6, organized by agenda item and in chronological order. In contrast to earlier volumes of the *Repertoire*, resolutions in which the Council had determined threats to international peace and security in accordance with Article 39, including those explicitly adopted under Chapter VII, are not examined here, as those are covered in part VII concerning actions with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter).

During the period under review, the Council often encouraged the parties to participate in dialogues, peace processes and negotiations for the peaceful resolution of the situation, which were facilitated by the United Nations, through the Secretary-General and his representatives, regional and subregional organizations and/or regional leaders. In addition, the Council frequently stressed the importance of implementing peace and ceasefire agreements by the parties, including through their participation in the subsequent peace processes, national reconciliation, consultative processes and/or political dialogues. In some cases, the Council called upon the parties, including non-state actors, to join or expedite the peace process. In this context, with regard to the situation in Darfur, on two occasions, the Council also stated its

willingness to consider measures against any party whose actions undermined the peace on the ground.⁶⁵

In Africa, concerning Guinea, the Council welcomed the Joint Declaration of Ouagadougou of 15 January 2010⁶⁶ and called for its full implementation by all Guinean stakeholders.⁶⁷ With regards to the Central African Republic, the Council welcomed and supported ongoing efforts aimed at national reconciliation based on the Libreville Comprehensive Peace Agreement of 21 June 2008 and called upon the parties to remain committed to the Agreement and the national reconciliation process.⁶⁸ The Council also called upon the politico-military groups to join the political peace process⁶⁹ and all remaining armed groups to join the Agreement without delay.⁷⁰ In that context, the Council welcomed the ceasefire agreements signed on 12 June 2011 between the Government and the Convention des patriotes pour la justice et la paix (CPJP), the last armed group not party to the Agreement, as well as on 8 October 2011 between the armed groups, CPJP and the Union des forces démocratiques pour le rassemblement (UFDR).⁷¹ In Somalia, the Council repeatedly welcomed the consultative process facilitated by the Special Representative of the Secretary-General, and urged all Somali stakeholders to participate constructively in the consultative meetings in line with the spirit of the Djibouti Agreement.⁷² Following the signing of the Kampala Accord on 9 June 2011 by the President of the Transitional Federal Government of Somalia and the Speaker of the Transitional Federal Parliament of Somalia, facilitated by President Museveni and the Special Representative of the Secretary-General for Somalia, the Council welcomed the Accord and called upon its signatories to honour their obligations. It further called upon the transitional federal institutions to build broad-based representative institutions through an inclusive political process.⁷³ Turning to Guinea-Bissau, recalling the events of 1 April 2010 in the country, the Council stressed the need to conduct a genuine and inclusive political dialogue and welcomed

⁶⁵ In connection with reports of the Secretary-General on the Sudan, [S/PRST/2010/24](#), tenth paragraph and [S/PRST/2010/28](#), eighth paragraph.

⁶⁶ [S/2010/34](#), annex.

⁶⁷ [S/PRST/2010/3](#), third and fourth paragraphs.

⁶⁸ [S/PRST/2010/26](#), first paragraph; and [resolution 2031 \(2011\)](#), third preambular paragraph and para. 6.

⁶⁹ [S/PRST/2010/26](#), first paragraph.

⁷⁰ [Resolution 2031 \(2011\)](#), third preambular paragraph.

⁷¹ *Ibid.*, tenth preambular paragraph.

⁷² [S/PRST/2011/6](#), third paragraph; [S/PRST/2011/10](#), fourth and fifth paragraphs; and [S/PRST/2011/13](#), fourth paragraph.

⁷³ [S/PRST/2011/13](#), second and third paragraphs; [resolution 2023 \(2011\)](#), third preambular paragraph.

the efforts by the regional leaders, particularly President Pedro Pires of Cape Verde, to engage in a constructive dialogue with the leadership of that country. The Council further called upon the Government and all political stakeholders to work together to consolidate peace and stability, to use legal and peaceful means to resolve differences and to intensify efforts for such a political dialogue and national reconciliation.⁷⁴ In Burundi, the Council encouraged the efforts of the Government to create a space for all political parties and to continue improving dialogue between all actors, including civil society.⁷⁵ In Sierra Leone, the Council urged the Government to accelerate the promotion of national unity and reconciliation.⁷⁶ In Western Sahara, the Council called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations and to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith.⁷⁷ In connection with reports of the Secretary-General on the Sudan, regarding the Sudan/South Sudan, the Council repeatedly urged the parties to implement the Comprehensive Peace Agreement, underscoring that the full and timely implementation of the Agreement was essential to peace and security in the region.⁷⁸ The Council also requested that the parties refrain from unilateral action and avoid resorting to violence, provocation and inflammatory rhetoric, and stressed the importance of showing restraint and choosing the path of dialogue.⁷⁹ On the situation in Abyei, the Council continuously urged the parties to reach agreement on Abyei, including through negotiations under the auspices of the African Union High-level Implementation Panel,⁸⁰ and expressed its determination that the future status of Abyei should be resolved by negotiations between the parties in a manner consistent with the Comprehensive Peace Agreement and not by the unilateral actions of either party.⁸¹ Furthermore, in dealing with the situation in Blue Nile and Southern Kordofan States, the Council welcomed the start of the popular consultation process in Blue Nile State and stressed the importance of inclusive, timely

⁷⁴ [S/PRST/2010/15](#), eighth paragraph; [resolutions 1949 \(2010\)](#), paras. 4 and 6; and [2030 \(2011\)](#), paras. 4 and 14.

⁷⁵ [Resolutions 1959 \(2010\)](#), fourth preambular paragraph; and [2027 \(2011\)](#), fifth preambular paragraph.

⁷⁶ [Resolution 1941 \(2010\)](#), para. 9.

⁷⁷ [Resolutions 1920 \(2010\)](#), paras. 3 and 4; and [1979 \(2011\)](#), para. 4.

⁷⁸ [S/PRST/2010/24](#), second, fourth, ninth and seventeenth paragraphs; and [S/PRST/2011/3](#), fourth paragraph.

⁷⁹ [S/PRST/2010/24](#), fourth paragraph; [S/PRST/2010/28](#), seventh paragraph; and [S/PRST/2011/12](#), sixth and tenth paragraphs.

⁸⁰ [S/PRST/2010/24](#), fifth paragraph; [S/PRST/2010/28](#), third paragraph; [S/PRST/2011/3](#), sixth paragraph; and [S/PRST/2011/8](#), second paragraph.

⁸¹ [S/PRST/2011/12](#), seventh paragraph.

and credible popular consultation processes in Blue Nile and Southern Kordofan States, in accordance with the Comprehensive Peace Agreement, while calling for all parties to refrain from unilateral action pending the outcome of the negotiations about post-Agreement political and security arrangements.⁸² Turning to Darfur, the Council repeatedly reaffirmed its support for the African Union-United Nations-led peace process for Darfur hosted by Qatar, and strongly urged all rebel movements to join the peace process, particularly the Doha peace process.⁸³ At the same time, recognizing the potential complementary role of a Darfur-led political process to the Doha process, the Council called upon the parties to contribute to the creation of an enabling environment necessary for a Darfur-based political process.⁸⁴

In Asia, following the attack of 26 March 2010 which had led to the sinking of the Republic of Korea naval ship “the Cheonan”, the Council called for appropriate and peaceful measures to be taken against those responsible for the incident, aimed at the peaceful settlement of the issue in accordance with the Charter and all other relevant provisions of international law. The Council also called for full adherence to the Korean Armistice Agreement⁸⁵ and encouraged the settlement of outstanding issues on the Korean peninsula by peaceful means and to resume direct dialogue and negotiation through appropriate channels as soon as possible.⁸⁶ With regard to Nepal, stressing the importance of the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, the Council called upon the Government and the Unified Communist Party of Nepal (Maoist) to implement the agreement reached on 13 September 2010 and called upon all political parties to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise.⁸⁷ On 14 January 2011, the day before the United Nations Mission in Nepal (UNMIN) completed its mandate, the Council called upon the caretaker Government and all political parties to redouble their efforts,

⁸² [S/PRST/2010/24](#), second paragraph; [S/PRST/2011/12](#), sixth paragraph; [S/PRST/2011/8](#), third paragraph; and [S/PRST/2011/12](#), eleventh paragraph.

⁸³ [S/PRST/2010/24](#), tenth paragraph; [S/PRST/2010/28](#), eighth paragraph; [S/PRST/2011/3](#), tenth paragraph; and [S/PRST/2011/8](#), tenth paragraph.

⁸⁴ [S/PRST/2011/8](#), eleventh paragraph. The Doha peace process had resulted in the signing on 14 July 2011 of the Agreement between the Government of the Sudan and the Liberation and Justice Movement for the Adoption of the Doha Document for Peace in Darfur as endorsed by the All Darfur Stakeholders Conference in Doha as the basis for a final settlement of the Darfur conflict (see S/2011/449, enclosure).

⁸⁵ [S/3079](#).

⁸⁶ [S/PRST/2010/13](#), fourth and tenth paragraphs.

⁸⁷ [Resolutions 1909 \(2010\)](#), fourth preambular paragraph and para. 5; [1921 \(2010\)](#), fourth preambular paragraph and para. 5; and [1939 \(2010\)](#), fourth preambular paragraph and paras. 4 and 5.

to continue to work together in a spirit of consensus to fulfill their commitment to the said agreements and to resolve expeditiously the outstanding issues of the peace process, which the Council would continue to support.⁸⁸ Concerning Timor-Leste, the Council urged all parties to continue to work together and engage in political dialogue while welcoming their commitment to foster national dialogue.⁸⁹

In Europe, in connection with Cyprus, throughout the period under review, the Council welcomed the progress in the fully fledged negotiations and the prospect of further decisive progress in the near future towards a comprehensive and durable settlement.⁹⁰ Furthermore, the Council expressly called upon the two leaders to intensify the momentum of the negotiations to reach an enduring, comprehensive and just settlement based on a bicomunal, bizonal federation with political equality and to engage in the process in a constructive and open manner.⁹¹

Finally, in the Middle East, following the “flotilla incident” of 31 May 2010 involving a military operation by Israel in international waters against the convoy sailing to Gaza, the Council underscored that the only viable solution to the Israeli-Palestinian conflict was an agreement negotiated between the parties. The Council voiced concern that the incident had taken place during the proximity talks which it supported and urged all parties to act with restraint.⁹² Regarding Syria, the Council stressed that the only solution to the current crisis was “through an inclusive and Syrian-led political process” with the aim of effectively addressing the legitimate aspirations and concerns of the population.⁹³ Similarly, in Yemen, stressing that the best solution to the current crisis was “through an inclusive and Yemeni-led political process of transition” that met the legitimate demands and aspirations of the Yemeni people for change, the Council noted the signing of the Gulf Cooperation Council (GCC) initiative by some opposition parties and the General People’s Congress as well as the commitment by the President of Yemen to immediately sign the GCC initiative. The Council called upon all parties to commit

⁸⁸ [S/PRST/2011/1](#), second and fourth paragraphs.

⁸⁹ [Resolutions 1912 \(2010\)](#), para. 2; and [1969 \(2011\)](#), fourth preambular paragraph and para. 2.

⁹⁰ [Resolutions 1930 \(2010\)](#), fourth, fifth and sixth preambular paragraphs and para. 2; [1953 \(2010\)](#), fourth and sixth preambular paragraphs and para 1; and [1986 \(2011\)](#), fourth and sixth preambular paragraphs and para. 1.

⁹¹ [Resolutions 1930 \(2010\)](#), para. 3; [1953 \(2010\)](#), fifth preambular paragraph and para. 2; [1986 \(2011\)](#), fifth preambular paragraph and para. 3; and [2026 \(2011\)](#), fifth preambular paragraph and para. 3.

⁹² [S/PRST/2010/9](#), fifth and sixth paragraphs.

⁹³ [S/PRST/2011/16](#), sixth paragraph.

themselves to the implementation of a political settlement based on that initiative.⁹⁴ Concerning Iraq, the Council called upon parties to participate in an inclusive political dialogue and underscored the importance of participation by all communities in Iraq.⁹⁵

Table 6

Decisions on recommendations relating to methods, procedures or terms of the pacific settlement of disputes

<i>Decision and date</i>	<i>Provision</i>
Africa	
Peace consolidation in West Africa (Guinea)	
S/PRST/2010/3 16 February 2010	<p>The Council welcomes the Joint Declaration of Ouagadougou of 15 January 2010, which, consistent with the proposals made on 6 January 2010 by the interim President, General Sékouba Konaté, provides, in particular, for the establishment of a National Unity Government led by a civilian Prime Minister designated by the opposition, the holding of elections within six months, the commitment that the Head of State of the transition, the members of the Conseil National pour la démocratie et le développement, the Prime Minister, the members of the National Unity Government and the defence and security forces in active service will not stand in the forthcoming presidential elections (third paragraph)</p> <p>The Council welcomes further the appointment on 21 January 2010 of Mr. Jean-Marie Doré as Prime Minister and the designation of a National Unity Government on 15 February 2010. It calls upon all Guinean stakeholders to implement the Joint Declaration of Ouagadougou in full and to engage actively in the transition towards the restoration of the normal constitutional order through the holding of elections within six months. It calls upon the international community to bring its support to the Guinean authorities led by interim President Sékouba Konaté and Prime Minister Jean-Marie Doré, including with regard to comprehensive security and justice sector reform, upon request from the Guinean authorities (fourth paragraph)</p>
Reports of the Secretary-General on the Sudan	
S/PRST/2010/24 16 November 2010	<p>The Council reaffirms its strong commitment to the sovereignty, independence, peace and stability of the Sudan and to a peaceful and prosperous future for all Sudanese people, and underlines its support for the full and timely implementation by the Sudanese parties of the Comprehensive Peace Agreement, including the holding of the referendums on the self-determination of the people of Southern Sudan and on the status of Abyei and of the popular consultations in Southern Kordofan and Blue Nile, and for a peaceful, comprehensive and inclusive resolution of the situation in Darfur (second paragraph)</p> <p>The Council recalls that the Sudanese parties have full responsibility for the implementation of the Comprehensive Peace Agreement, reaffirms its support for and encourages their further efforts to that end and welcomes the leadership of the African Union and the support provided by the African Union High-level Implementation Panel on the Sudan, under the leadership of President Thabo Mbeki, and by the Intergovernmental Authority on Development. The Council recognizes the commitment of the parties to the implementation of the Agreement, remains actively seized of the matter and expresses its readiness to act as necessary in support of full implementation of the Agreement by the parties. The</p>

⁹⁴ [Resolution 1816 \(2008\)](#), fifteenth preambular paragraph and para. 4.

⁹⁵ [S/PRST/2010/23](#), second paragraph; [S/PRST/2010/27](#), ninth paragraph; [resolutions 1936 \(2010\)](#), sixth preambular paragraph; and [2001 \(2011\)](#), sixth preambular paragraph.

Decision and date

Provision

Council underlines the importance of close coordination between international actors involved in assisting the Sudanese peace processes (third paragraph)

The Council urges the parties to the Comprehensive Peace Agreement, while working to make unity attractive and recognizing the right to self-determination of the people of Southern Sudan, to take urgent action to implement their commitment, reaffirmed at the high-level meeting on the Sudan, held in New York on 24 September 2010, to ensure peaceful, credible, timely and free referendums that reflect the will of the people of Southern Sudan and Abyei, as provided for in the Agreement. In this regard, the Council welcomes the start of registration for the Southern Sudan referendum on 15 November 2010 and encourages further efforts to ensure that the referendums are held on 9 January 2011 in accordance with the Agreement and as scheduled in the timeline published for the Southern Sudan referendum by the Southern Sudan Referendum Commission. The Council is concerned by the continued delays in releasing to the Commission the full funding needed for preparations to continue to move forward. The Council calls upon the parties and all Member States to respect the outcome of credible referendums, held in accordance with the Agreement, that reflect the will of the people of Southern Sudan and Abyei. It requests all parties to refrain from unilateral action and to implement the Agreement (fourth paragraph)

The Council underlines the importance of the parties to the Comprehensive Peace Agreement making rapid progress on a way forward for Abyei's referendum, on outstanding Agreement issues and on resolving critical post-referendum issues in a peaceful, mutually beneficial manner, including the border, security, citizenship, debts, assets, currency and natural resources. In this context, the Council welcomes progress in the negotiations, led by President Mbeki, towards a 'Framework for Resolving Outstanding Issues Relating to the Implementation of the Comprehensive Peace Agreement and the Future Relations of North and South Sudan', on which agreement was reached on 13 November 2010. The Council urges the parties to resume negotiations on Abyei expeditiously and to reach agreement on all outstanding issues without further delay (fifth paragraph)

The Council underlines the need for the parties to the Comprehensive Peace Agreement to promote calm, including by providing immediate and ongoing reassurance to people of all nationalities in the Sudan, including Southerners in the North and Northerners in the South, that their rights, safety and property will be respected whatever the outcome of the referendums. The Council calls for an immediate end to statements threatening the security of vulnerable populations. The Council also emphasizes that the protection of civilians is primarily the responsibility of the Sudanese authorities. The Council urges the parties to work actively with local leaders to mitigate tensions in Abyei and other border areas (sixth paragraph)

The Council underlines that, whatever the outcome of the referendums, continued cooperation between the parties to the Comprehensive Peace Agreement will remain essential for managing the transition process, implementing the post-referendum arrangements and maintaining peace and prosperity, and stresses the mutual benefits of partnership in this regard. The Council encourages the international community to support these efforts. The Council urges the parties to the Agreement to respect their obligations (ninth paragraph)

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions, and all parties immediately to cease hostilities and engage constructively in negotiations with a view to finding a lasting peace in Darfur. The Council expresses concern about attacks on civilians by militias and calls for all support to such groups to cease. The Council expresses its willingness to consider measures against any party whose actions undermine peace in Darfur (tenth paragraph)

The Council underlines that full and timely implementation of the Comprehensive Peace Agreement is essential to peace and stability in the Sudan and the region and to future cooperation between the Sudan and the international community, and recognizes that enduring cooperation between the parties will be essential for the benefit of all Sudanese people. The Council affirms that the core objective of the international community and all stakeholders in the Sudan is the

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	peaceful coexistence of the people of the Sudan, democratic governance, the rule of law, accountability, equality, respect, human rights, justice and economic development, in particular the establishment of the conditions for conflict-affected communities to build strong, sustainable livelihoods (ninth paragraph)
S/PRST/2010/28 16 December 2010	<p>The Security Council welcomes the reaffirmations by the Sudanese parties of their commitment to full and timely implementation of the Comprehensive Peace Agreement, and reaffirms its strong support for the efforts of the parties in this regard. The Council welcomes the conclusion of a peaceful registration process for the Southern Sudan referendum in the Sudan, and encourages the parties to continue this forward momentum towards peaceful and credible referendums on 9 January 2011 that reflect the will of the people. The Council strongly urges the parties to the Agreement to promptly fulfil their remaining commitments to finance the Southern Sudan Referendum Commission and the Southern Sudan Referendum Bureau (first paragraph)</p> <p>The Council notes with deep concern the absence of an agreement on Abyei. The Council strongly urges the parties to calm rising tensions in Abyei, to urgently reach agreement on Abyei and other outstanding Comprehensive Peace Agreement issues, and to resolve critical post-referendum issues, including the border, security, citizenship, debts, assets, currency and natural resources.[The Council welcomes the work of the African Union High-level Implementation Panel on the Sudan led by the former President of South Africa, Mr. Thabo Mbeki, and its continuing efforts in this regard (third paragraph)</p> <p>The Council underlines that, whatever the outcome of the referendums, continued cooperation between the parties to the Comprehensive Peace Agreement will remain essential. The Council stresses the importance of the parties abiding by the commitments recorded in the statement by the African Union High-level Implementation Panel of 15 November 2010, including to find peaceful solutions to all outstanding matters, to never to resort to war again, and that neither party should take any action, or support any group, that would undermine the security of the other. The Council is deeply concerned about the recent military incidents in the Kiir River Valley and the subsequent displacement of civilians, and urges all parties to exercise restraint, avoiding escalation (seventh paragraph)</p> <p>The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by the Government of Qatar. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions. The Council reiterates the importance of increased participation of women in the Sudanese peace processes. The Council reiterates its deep concern about the increase in violence and insecurity in Darfur, including recently in Khor Abeche, such as ceasefire violations, attacks by rebel groups, increased inter-tribal fighting, attacks on humanitarian personnel and peacekeepers and aerial bombardment by the Government of the Sudan. The Council recalls the importance it attaches to an end to impunity, and to justice for crimes committed in Darfur. The Council reiterates its willingness to consider measures against any party whose actions undermine peace in the Sudan (eighth paragraph)</p>
S/PRST/2011/3 9 February 2011	<p>The Council welcomes the work of the Secretary-General's Panel on the Referenda in the Sudan led by former President Benjamin Mkapa. The Council praises the parties to the Comprehensive Peace Agreement for their commitment to the Agreement, as illustrated by their support for a timely and credible referendum process. The Council underlines that full and timely implementation of the Agreement is essential to peace and stability in the Sudan and the region and to future cooperation between northern and southern Sudan and the international community (fourth paragraph)</p> <p>The Council reaffirms its support for the work of the African Union High-level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki, and notes the commitments made by the parties to the Comprehensive Peace Agreement at the Presidency meeting of 27 January 2011, and encourages them to continue to strive for a timely agreement on the implementation of outstanding Agreement issues. The Council urges the parties to reach quickly an agreement on Abyei and other critical issues, including border demarcation, security arrangements, citizenship, debts, assets, currency, wealth-sharing and natural resource management. The Council welcomes the start of the popular consultation process in Blue Nile State and stresses the importance of inclusive, timely and credible popular consultations processes in Blue Nile and Southern Kordofan States, in accordance with the Agreement (sixth paragraph)</p>

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	<p>The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council welcomes the presence of the Justice and Equality Movement and the Liberation and Justice Movement in Doha, and strongly urges all other rebel movements to join the peace process without further delay or preconditions, and all parties to engage with a view to concluding urgently a comprehensive agreement (tenth paragraph)</p>
S/PRST/2011/8 21 April 2011	<p>The Security Council reaffirms its support for the continued negotiations between the parties to the Comprehensive Peace Agreement, including under the auspices of the African Union High-level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki. Noting that the conclusion of the Comprehensive Peace Agreement interim period on 9 July 2011 is soon approaching, the Council urges the parties, meeting at the highest level, as necessary, to reach agreement on outstanding Agreement issues and post-Agreement arrangements. The Council also encourages the parties to engage with the United Nations on the future of the United Nations presence in the Sudan (first paragraph)</p> <p>The Council reiterates its deep concern over increased tensions, violence and displacement in the Abyei Area. The Council calls upon both parties to implement and adhere to recent security agreements by withdrawing from the Abyei Area all forces other than the Joint Integrated Units and Joint Integrated Police Units allowed under those agreements and to urgently reach an agreement on Abyei's post-Comprehensive Peace Agreement status. The Council affirms that it is the responsibility of the parties to the Agreement, including during their negotiations under the auspices of the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, to reach agreement on the status of Abyei. In this regard, the Council acknowledges the ruling of 22 July 2009 by the Permanent Court of Arbitration at The Hague, which defines the borders of Abyei (second paragraph)</p> <p>The Council welcomes the start of the popular consultations process in Blue Nile State and the rescheduled gubernatorial and state assembly elections on 2 to 4 May 2011 in Southern Kordofan State. The Council expresses its concern about recent violence in Southern Kordofan and underscores the responsibility of all parties to avoid inflammatory rhetoric and to ensure peaceful and credible elections. The Council also stresses the importance of inclusive, timely and credible popular consultations processes, in accordance with the Comprehensive Peace Agreement. The Council urges both parties to reach a security agreement regarding the future of the tens of thousands of troops from the Sudan People's Liberation Army from Southern Kordofan and Blue Nile States. The Council also urges the parties to reach agreement on security arrangements and to determine the future status of Southerners currently serving in the Sudanese Armed Forces (third paragraph)</p> <p>The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, and the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Bassolé. The Council further reaffirms its support for the principles guiding the negotiations. The Council strongly urges all other rebel movements to join the peace process without further delay or preconditions. The Council urges the parties in Doha to make the necessary concessions to quickly reach a ceasefire and political agreement and looks forward to the outcome of the upcoming All Darfur Stakeholders Conference in Doha. The Council believes this conference should be fully representative of all of Darfur's populations and interest groups. The Council reiterates the importance of increased participation of women in the Sudanese peace processes (tenth paragraph)</p> <p>The Council recognizes the potential complementary role that a Darfur-based political process could play to ensure the participation and support of the people of Darfur and better enable them to be involved in the implementation of the outcome of the Doha peace process. The Council is nonetheless concerned that important aspects of the enabling environment necessary for a Darfur-based political process are not in place, including (1) the civil and political rights of participants such that they can exercise their views without fear of retribution, (2) freedom of speech and assembly to permit open consultations, (3) freedom of movement of participants and the African Union-United Nations Hybrid Operation in Darfur, (4) proportional participation among Darfurians, (5) freedom from harassment, arbitrary arrest and intimidation, and (6) freedom from interference by the Government or armed movements. The Council calls upon the Government of the Sudan and the armed movements to contribute to the creation of such an enabling environment for a Darfur-based political process,</p>

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	working closely with the Operation as appropriate, and, in particular, calls upon the Government to fulfil its stated commitment to lift the state of emergency in Darfur (eleventh paragraph)
S/PRST/2011/12 3 June 2011	<p>The Council recalls the commitments made by Vice President Ali Osman Taha and First Vice President Salva Kiir that both parties shall remove any unconditional claims to Abyei in their draft national constitutions and urges the parties to avoid inflammatory rhetoric, especially from the leadership, which undermines the mutual commitment of the parties to resolve all remaining Comprehensive Peace Agreement and post-Agreement issues peacefully through negotiation. The Council again urges both parties to honor these commitments (sixth paragraph)</p> <p>The Council expresses grave concern following the reports about the unusual, sudden influx of thousands of Misseriya into Abyei town and its environs that could force significant changes in the ethnic composition of the area. The Council condemns all unilateral actions meant to create facts on the ground that would prejudice the outcome of negotiations. The Council expresses its determination that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the Comprehensive Peace Agreement and not by the unilateral actions of either party (seventh paragraph)</p> <p>The Council stresses that both parties will have much to gain if they show restraint and choose the path of dialogue, including ongoing high-level negotiations between the parties and negotiations under the auspices of the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, instead of resorting to violence or provocations (tenth paragraph)</p> <p>The Council expresses deep concern about tensions in Blue Nile and Southern Kordofan States. The Council calls for discussions about post-Comprehensive Peace Agreement political and security arrangements for Blue Nile and Southern Kordofan States to resume immediately and for all parties to refrain from unilateral action pending the outcome of those negotiations. The Council stresses that Agreement structures intended to stabilize the security situation in Blue Nile and Southern Kordofan States, specifically the deployment of Joint Integrated Units, should continue until their expiration on 9 July 2011. The Council calls upon both parties to work to reduce tensions and promote calm in this sensitive region. The Council further underscores the need for the parties to respect the mandate of the Mission (eleventh paragraph)</p>

The situation concerning Western Sahara

Resolution 1920 (2010) 30 April 2010	<p>Inviting, in this context, the parties to demonstrate further political will towards a solution (sixth preambular paragraph)</p> <p>Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and the two rounds of informal talks held in Dürnstein, Austria, and in Westchester County, United States of America, and welcoming the progress made by the parties to enter into direct negotiations (seventh preambular paragraph)</p> <p>Welcoming also the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks (tenth preambular paragraph)</p> <p><i>Same provision in resolution 1979 (2011), sixteenth preambular paragraph</i></p> <p>Recognizing that the consolidation of the status quo is not acceptable in the long term, and noting further that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects (eleventh preambular paragraph)</p> <p><i>Same provision in resolution 1979 (2011), seventeenth preambular paragraph</i></p> <p>Welcomes the commitment of the parties to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of the Secretary-General of 14 April 2008 that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations (para. 2)</p> <p>Calls upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the</p>
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	implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008) and 1871 (2009), and the success of negotiations, and affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context (para. 3)
	Also calls upon the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect (para. 4)
	<i>Same provision in resolution 1979 (2011), para. 6</i>
Resolution 1979 (2011) 27 April 2011	Inviting, in this context, the parties to demonstrate further political will towards a solution, including by expanding upon their discussion of each other's proposals (eighth preambular paragraph)
	Taking note of the four rounds of negotiations held under the auspices of the Secretary-General, and the continued rounds of informal talks held in Manhasset, United States of America, and in Mellieha, Malta, and welcoming the progress made by the parties to enter into direct negotiations (ninth preambular paragraph)
	Welcomes the commitment of the parties to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of the Secretary-General of 14 April 2008 that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations (para. 3)
	Calls upon the parties to continue to show political will and to work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009) and 1920 (2010) and the success of negotiations, inter alia, by devoting attention to the ideas set out in paragraph 120 of the report of the Secretary-General of 1 April 2011 (para. 4)
<hr/> The situation in Burundi	
Resolution 1959 (2010) 16 December 2010	Encouraging the efforts of the Government of Burundi to create a space for all political parties and to continue improving dialogue between all actors, including civil society (fourth preambular paragraph)
	<i>Same provision in resolution 2027 (2011), fifth preambular paragraph</i>
<hr/> The situation in Guinea-Bissau	
S/PRST/2010/15 22 July 2010	The Security Council recalls its previous statements and resolutions on Guinea-Bissau and further recalls the events of 1 April 2010. The Council notes the efforts of the Government of Guinea-Bissau towards achieving stability in the country, but expresses concern at the current security situation and threats to constitutional order. The Council stresses the critical importance of the President, Government, political leaders, armed forces and people of Guinea-Bissau meeting their responsibilities to work towards national reconciliation, maintaining stability and constitutional order, fighting impunity and respecting the rule of law (first paragraph)
	The Council acknowledges the plans of the National Assembly to convene a national conference on the theme 'Conflicts in Guinea-Bissau: causes, prevention, resolution and consequences', scheduled for January 2011 and underscores the need to conduct a genuine and inclusive political dialogue aimed at ensuring effective functioning of State institutions and national reconciliation. The Council welcomes, in that regard, efforts made by regional leaders, in particular President Pedro Pires of Cape Verde, to engage in a constructive dialogue with the leadership of Guinea-Bissau (eighth paragraph)
Resolution 1949 (2010) 23 November 2010	Urges the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, and requests the Secretary-General, including through his Special

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	Representative for Guinea-Bissau, to support such efforts (para. 4)
Resolution 2030 (2011) 21 December 2011	<p>Calls upon the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country, to use legal and peaceful means to resolve differences and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, including the national conference on reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)</p> <p>Calls upon all national stakeholders, including political, military and civil society actors, to fully participate in the national conference on reconciliation and to ensure that a follow-up mechanism to implement the recommendations of the national conference is put in place (para. 14)</p>
The situation in the Central African Republic	
S/PRST/2010/26 14 December 2010	The Security Council supports the ongoing efforts aimed at national reconciliation in the Central African Republic and welcomes the progress achieved so far. It calls upon the politico-military groups that have not joined the political peace process to do so (first paragraph)
Resolution 2031 (2011) 21 December 2011	<p>Welcoming ongoing efforts aimed at national reconciliation in the Central African Republic based on the Libreville Comprehensive Peace Agreement of 21 June 2008, calling upon its signatories to remain committed to the Agreement, and calling upon all remaining armed groups to join the Agreement without delay (third preambular paragraph)</p> <p>Welcoming the ceasefire agreement signed between the Government of the Central African Republic and the Convention des patriotes pour la justice et la paix and the ceasefire agreement signed between the Convention des patriotes pour la justice et la paix and the Union des forces démocratiques pour le rassemblement under the auspices of the Government and the National Mediator and with the support of the United Nations, the African Union, the Mission for the Consolidation of Peace in the Central African Republic and the Government of Chad (tenth preambular paragraph)</p> <p>Calls upon the Government of the Central African Republic and all armed groups to remain committed to the national reconciliation process by fully observing the recommendations of the inclusive political dialogue that ended in 2008, and demands that all armed groups cooperate with the Government in the disarmament, demobilization and reintegration process (para. 6)</p>
The situation in Sierra Leone	
Resolution 1941 (2010) 29 September 2010	Urges the Government of Sierra Leone to accelerate the promotion of national unity and reconciliation (para. 9)
The situation in Somalia	
S/PRST/2011/6 10 March 2011	The Council welcomes the work of Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia, to support the Somali people in reaching agreement on post-transitional arrangements in consultation with the international community. It strongly urges the transitional federal institutions to engage in this process in a more constructive, open and transparent manner that promotes broader political dialogue and participation in line with the spirit of the Djibouti Agreement. The Council requests the Secretary-General to assess, in his regular reports delivered to the Council before the end of the transitional period, the respect for these principles. These principles are essential for future cooperation between the international community and the transitional federal institutions. The Council notes that the transitional period will end in August 2011. The Council regrets the decision by the Transitional Federal Parliament to extend its mandate unilaterally and without carrying out necessary reforms and urges the transitional federal institutions to refrain from any further unilateral action (third paragraph)
S/PRST/2011/10 24 June 2011	The Council notes that the transitional period will end in August 2011. It commends the work of the Special Representative to facilitate the consultative process among Somalis in their efforts to reach an agreement on post-transitional arrangements, in consultation with the international community and within the framework of the Djibouti Agreement. In this regard, it welcomes the high-level consultative meeting held in Nairobi on 12 and 13 April 2011. The Council welcomes the participation

<i>Decision and date</i>	<i>Provision</i>
	<p>of a wide range of Somali stakeholders and partners. It deeply regrets the failure of the Transitional Federal Government to participate in this consultative meeting and urges the Transitional Federal Government to engage fully, constructively and without further delay in the consultative process facilitated by the Special Representative, and to support his efforts to move the peace process forward (fourth paragraph)</p> <p>The Council welcomes the upcoming consultative meeting to be held in Mogadishu, which will further the debate generated at the high-level consultative meeting held in Nairobi. The Council urges all Somali stakeholders to participate in this meeting and play a role in finalizing arrangements for ending the transition in August 2011. It calls upon the international community, the United Nations and international organizations to fully support this meeting (fifth paragraph)</p>
<p>S/PRST/2011/13 24 June 2011</p>	<p>The Council welcomes the signing of the Kampala Accord on 9 June 2011, and commends the leadership shown by President Museveni and the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, in facilitating this agreement (second paragraph)</p> <p><i>Same provision in resolution 2023 (2011), third preambular paragraph</i></p> <p>The Council calls upon the signatories to the Kampala Accord to honour their obligations. It takes note of the appointment of the new Prime Minister of the Transitional Federal Government and looks forward to the prompt appointment of a new Cabinet. It calls upon the signatories to ensure cohesion, unity and focus on the completion of the transitional tasks set out in the Djibouti Agreement and the Transitional Federal Charter. It calls upon the transitional federal institutions to build broad-based representative institutions through a political process ultimately inclusive of all, taking into account the need to ensure the participation of women in public life (third paragraph)</p> <p>In this regard, and recalling the Council's meetings with Somali parties in Nairobi on 25 May 2011, the Council calls upon the transitional federal institutions to consult widely with other Somali groups, including local and regional administrations, and to work closely with the countries of the region, regional organizations and the wider international community. It welcomes the upcoming consultative meeting, with the participation of the transitional federal institutions and all Somali stakeholders, which should agree on a road map of key tasks and priorities to be delivered over the next 12 months, with clear timelines and benchmarks, to be implemented by the transitional federal institutions. The Council notes that future support to the transitional federal institutions will be contingent upon completion of these key tasks. The Council urges all Somali stakeholders to participate constructively and responsibly in this meeting (fourth paragraph)</p>

Asia

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

<p>Resolution 1909 (2010) 21 January 2010</p>	<p>Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties (fourth preambular paragraph)</p> <p><i>Same provision in resolution 1921 (2010), fourth preambular paragraph and resolution 1939 (2010), fourth preambular paragraph</i></p> <p>Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008 between the political parties, as requested by the Government of Nepal (fifth preambular paragraph)</p> <p><i>Same provision in resolution 1921 (2010), fifth preambular paragraph and resolution 1939 (2010), fifth preambular paragraph</i></p> <p>Calls upon all political parties in Nepal to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term</p>
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<i>Decision and date</i>	<i>Provision</i>
	solution to enable the country to move to a peaceful, democratic and more prosperous future (para. 5)
	<i>Same provision in resolutions 1921 (2010), para. 5 and 1939 (2010), para. 5</i>
Resolution 1921 (2010) 12 May 2010	Expressing its concern at the recent tensions in Nepal, and calling upon all sides to resolve their differences through peaceful negotiation (seventh preambular paragraph)
Resolution 1939 (2010) 15 September 2010	Calling upon all sides to resolve their differences through peaceful negotiation, and noting in this regard the agreement between the caretaker Government of Nepal and the political parties reached on 13 September 2010, namely (i) documents prepared in the Special Committee will be finalized soon with an understanding to forge ahead on the peace process and the agreed documents will be implemented, (ii) the combatants of the Maoist army will be brought under the Special Committee and their total profile will be submitted to the Special Committee without delay, (iii) the remaining tasks of the peace process will be started from 17 September 2010 and will be completed by 14 January 2011, and (iv) the wish of the parties that the tenure of the United Nations Mission in Nepal shall be extended for four months as the last extension (eighth preambular paragraph)
	Calls upon the Government of Nepal and the Unified Communist Party of Nepal (Maoist) to implement both the agreement reached on 13 September 2010 as well as a timetabled action plan with clear benchmarks for the integration and rehabilitation of Maoist army personnel, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel and its Technical Committee (para. 4)
S/PRST/2011/1 14 January 2011	The Council reaffirms its support for the peace process and calls upon the caretaker Government of Nepal and all political parties to redouble their efforts, to continue to work together in the spirit of consensus to fulfil the commitments that they made in the Comprehensive Peace Agreement and other agreements, and to resolve expeditiously the outstanding issues of the peace process. The Council encourages Nepal to complete its new constitution within the foreseen time frame to help it to build a better, more equitable and democratic future for its people (second paragraph)
	The Council will continue to be supportive of the peace process in Nepal (fourth paragraph)
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	
S/PRST/2010/13 9 July 2010	The Council deplores the loss of life and injuries, expresses its deep sympathy and condolences to the victims and their families and to the people and Government of the Republic of Korea, and calls for appropriate and peaceful measures to be taken against those responsible for the incident aimed at the peaceful settlement of the issue in accordance with the Charter of the United Nations and all other relevant provisions of international law (fourth paragraph)
	The Council calls for full adherence to the Korean Armistice Agreement and encourages the settlement of outstanding issues on the Korean peninsula by peaceful means to resume direct dialogue and negotiation through appropriate channels as early as possible, with a view to avoiding conflicts and averting escalation (tenth paragraph)
The situation in Timor-Leste	
Resolution 1912 (2010) 26 February 2010	Urges all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, advancement of protection of human rights and national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes (para. 2)
Resolution 1969 (2011) 24 February 2011	Taking note of the general stability through further improvements in the political and security situation, and welcoming the strong commitment of the leadership and other stakeholders in Timor-Leste to fostering national dialogue and peaceful and inclusive participation in democratic processes and their ongoing efforts to promote continued peace, stability and unity (fourth preambular paragraph)

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Urges all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, the promotion of protection of human rights and the advancement of national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes (para. 2)

Europe

The situation in Cyprus

[Resolution 1930 \(2010\)](#)

15 June 2010

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, stressing that there now exists a unique opportunity to make decisive progress in a timely fashion, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement (third preambular paragraph)

Commending the political leadership shown by the Greek Cypriot and Turkish Cypriot leaders, and warmly welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008 (fourth preambular paragraph)

Strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant resolutions (fifth preambular paragraph)

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the view of the Secretary-General that a solution is well within reach, and looking forward to decisive progress in the near future, building on the progress made to date, consistent with the hope expressed by the two sides on 21 December 2009 that, if possible, 2010 would be the year of solution (sixth preambular paragraph)

Welcomes also the progress made so far in the fully fledged negotiations, and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created (para. 2)

Urges full exploitation of this opportunity, including by intensifying the momentum of the negotiations, preserving the current atmosphere of trust and goodwill and engaging in the process in a constructive and open manner (para. 3)

[Resolution 1953 \(2010\)](#)

14 December 2010

Welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008 (fourth preambular paragraph)

Same provision in [resolution 1986 \(2011\)](#), fourth preambular paragraph

Expressing concern at the slow pace of progress in recent months, stressing that the status quo is unsustainable and that there now exists a unique opportunity to make decisive progress in a timely fashion, and strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach an enduring, comprehensive and just settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions (fifth preambular paragraph)

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the view of the Secretary-General that a solution is well within reach, and looking forward to decisive progress in the near future building on the progress made to date (sixth preambular paragraph)

Same provision in [resolution 1986 \(2011\)](#), sixth preambular paragraph

<i>Decision and date</i>	<i>Provision</i>
	<p>Welcomes the progress made so far in the fully fledged negotiations and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created (para. 1)</p> <p><i>Same provision in resolution 1986 (2011), para. 1</i></p> <p>Takes note of the recommendations contained in the report of the Secretary-General, and calls upon the two leaders: (a) To intensify the momentum of negotiations and engage in the process in a constructive and open manner, including by developing a practical plan for overcoming the major remaining points of disagreement in preparation for their meeting with the Secretary-General in January 2011; (b) To improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages; (c) To increase the participation of civil society in the process, as appropriate (para. 2)</p>
<p>Resolution 1986 (2011) 13 June 2011</p>	<p>Expressing concern at the continued slow pace of progress, stressing that the status quo is unsustainable, and strongly urging the leaders to increase the momentum of the negotiations, particularly on the core issues, to reach an enduring, comprehensive and just settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions (fifth preambular paragraph)</p> <p><i>Same provision in resolution 2026 (2011), fifth preambular paragraph</i></p> <p>Recalls Security Council resolution 1953 (2010) of 14 December 2010, and calls upon the two leaders: (a) To intensify the momentum of negotiations, engage in the process in a constructive and open manner and work on reaching convergences on the remaining core issues in preparation for their meeting with the Secretary-General in July 2011; (b) To improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages; (c) To increase the participation of civil society in the process, as appropriate (para. 3)</p>
<p>Resolution 2026 (2011) 14 December 2011</p>	<p>Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the Secretary-General's view that a comprehensive settlement can be achieved, looking forward to decisive progress in the near future, leading up to the Secretary-General's meeting with the leaders in January 2012, and echoing the Secretary-General's expectation that "all internal aspects of a settlement will have been resolved by then so that we can move to a multilateral conference shortly thereafter" with the consent of the two sides (sixth preambular paragraph)</p> <p>Welcomes the encouraging progress made so far in the fully fledged negotiations and the prospect of further decisive progress in the coming months towards a comprehensive and durable settlement that this has created (para. 1)</p> <p>Recalls Security Council resolution 1986 (2011) of 13 June 2011, and calls upon the two leaders: (a) To intensify the momentum of negotiations, engage in the process in a constructive and open manner and work on reaching convergences on the remaining core issues in preparation for their meeting with the Secretary-General in January 2012 and for further work in the following months towards a settlement; (b) To improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages; (c) To increase the participation of civil society in the process, as appropriate (para. 3)</p>

Middle East

The situation concerning Iraq

<p>Resolution 1936 (2010) 5 August 2010</p>	<p>Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and to develop a just and fair solution</p>
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<i>Decision and date</i>	<i>Provision</i>
	for the nation's disputed internal boundaries and work towards national unity (sixth preambular paragraph)
S/PRST/2010/23 12 November 2010	The Council welcomes the inclusive political process and representative outcome and encourages Iraq's leaders to rededicate themselves to the pursuit of national reconciliation (second paragraph)
S/PRST/2010/27 15 December 2010	The Council underscores the important role of the Mission in supporting the people and Government of Iraq to promote dialogue, ease tension and encourage a negotiated political agreement to the nation's disputed internal boundaries, and calls upon all relevant parties to participate in an inclusive dialogue to this end (ninth paragraph)
Resolution 2001 (2011) 28 July 2011	Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and to ensure stability and develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity (sixth preambular paragraph)
The situation in the Middle East	
S/PRST/2011/16 3 August 2011	The Council reaffirms its strong commitment to the sovereignty, independence and territorial integrity of the Syrian Arab Republic. It stresses that the only solution to the current crisis in the Syrian Arab Republic is through an inclusive and Syrian-led political process, with the aim of effectively addressing the legitimate aspirations and concerns of the population, which will allow the full exercise of fundamental freedoms for the entire population, including freedom of expression and of peaceful assembly (sixth paragraph)
Resolution 2014 (2011) 21 October 2011	Stressing that the best solution to the current crisis in Yemen is through an inclusive and Yemeni-led political process of transition that meets the legitimate demands and aspirations of the Yemeni people for change (fifteenth preambular paragraph) Demands that all sides immediately reject the use of violence to achieve political goals (para. 3) Reaffirms its view that the signature and implementation as soon as possible of a settlement agreement on the basis of the Gulf Cooperation Council initiative is essential for an inclusive, orderly and Yemeni led process of political transition, notes the signing of the Gulf Cooperation Council initiative by some opposition parties and the General People's Congress, calls upon all parties in Yemen to commit themselves to implementation of a political settlement based upon this initiative, notes the commitment by the President of Yemen to immediately sign the Gulf Cooperation Council initiative and encourages him, or those authorized to act on his behalf, to do so and to implement a political settlement based upon it, and calls for this commitment to be translated into action, in order to achieve a peaceful political transition of power, as stated in the Gulf Cooperation Council initiative and the presidential decree of 12 September 2011, without further delay (para. 4) Urges all opposition groups to commit to playing a full and constructive part in the agreement and implementation of a political settlement on the basis of the Gulf Cooperation Council initiative, and demands that all opposition groups refrain from violence and cease the use of force to achieve political aims (para. 7)
The situation in the Middle East, including the Palestinian question	
S/PRST/2010/9 1 June 2010	The Council underscores that the only viable solution to the Israeli-Palestinian conflict is an agreement negotiated between the parties and re-emphasizes that only a two-State solution, with an independent and viable Palestinian State living side by side in peace and security with Israel and its other neighbours, could bring peace to the region (fifth paragraph) The Council expresses support for the proximity talks and voices concern that this incident took place while the proximity talks are under way and urges the parties to act with restraint, avoiding any unilateral and provocative actions, and all international partners to promote an atmosphere of cooperation between the parties and throughout the region (sixth paragraph)

C. Decisions involving the Secretary-General in the Council's efforts at the pacific settlement of disputes

While Article 99 of the Charter provides that the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security, the Charter does not otherwise describe or define the role of the Secretary-General in relation to matters of peace and security. The Council's efforts, however, aimed at conflict prevention and the peaceful settlements of disputes increasingly required the involvement of the Secretary-General, who, in coordination with the Council or at its request, facilitated peace efforts in various ways.

During the period under review, among instances in which the Council recognized the efforts of the Secretary-General for the pacific settlement of disputes, the Council most frequently expressed support for his good offices, including through his representatives, negotiations under his auspices, and assistance provided to the parties to a dispute. In some cases, the Council expressly requested the Secretary-General to assume an active role in the process of achieving a political settlement. Table 7 below sets out relevant provisions of Council decisions adopted from 2010 to 2011, and is organized by region and in chronological order, and the summary of those provisions is provided below.

In Africa, concerning Côte d'Ivoire, the Council requested the Secretary-General, including through his Special Representative, to facilitate political dialogue between the Ivorian stakeholders in order to ensure peace in Côte d'Ivoire and make them respect the outcome of the presidential elections of 31 October and 28 November 2010.⁹⁶ In Guinea-Bissau, the Council continuously requested the Secretary-General to support the efforts by the Government and all political stakeholders in that country for genuine and inclusive political dialogue and national reconciliation.⁹⁷ Turning to Libya, supporting the efforts by the Special Envoy of the Secretary-General to find a sustainable and peaceful solution to the crisis in the Libyan Arab Jamahiriya, the Council noted the decision of the Secretary-General to send his Special Envoy to the country with the aim of facilitating dialogue which would lead to the political reforms necessary to find

⁹⁶ [Resolution 1962 \(2010\)](#), para. 2.

⁹⁷ [Resolutions 1949 \(2010\)](#), para. 4 and [2030 \(2011\)](#), para. 4.

such solution.⁹⁸ In Somalia, the Council repeatedly requested the Secretary-General, through his Special Representative, to extend his good offices and political support for the efforts to establish lasting peace and stability in the country and to facilitate reconciliation among all Somalis and the peace process in general,⁹⁹ and commended the leadership by the Special Representative of the Secretary-General in facilitating the signing of the Kampala Accord on 9 June 2011.¹⁰⁰ In the Sudan, the Council reiterated its full support for the African Union-United Nations Joint Chief Mediator and the African Union-United Nations-led peace process for Darfur,¹⁰¹ and welcomed the intention of the Secretary-General to develop a road map for the Darfur peace process.¹⁰² The Council also commended the assistance provided to the parties by the Special Envoy of the Secretary-General and the Head of Mission for the United Nations Interim Security Force for Abyei (UNISFA) for the Sudan and South Sudan.¹⁰³ In Western Sahara, while taking note of the negotiation rounds held under the auspices of the Secretary-General, the Council continuously affirmed its support to the work of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara, including the latter's visits to the region, facilitation of negotiations and consultations with the parties.¹⁰⁴

Turning to Asia, in Nepal, the Council echoed the calls by the Secretary-General for all parties to move forward swiftly in the implementation of the agreements reached. Following the decision to terminate the United Nations Mission in Nepal (UNMIN), on 15 January 2011, the Council acknowledged the efforts of his Representative in assisting the people of Nepal as they worked to complete the peace process and welcomed the ongoing engagement of the Secretary-General to support the peace process.¹⁰⁵ Furthermore, in Timor-Leste, the Council reaffirmed its

⁹⁸ [Resolution 1973 \(2011\)](#), para. 2.

⁹⁹ [Resolutions 1910 \(2010\)](#), para. 18; [1964 \(2010\)](#), paras. 4 and 18; [2010 \(2011\)](#), paras. 19 and 27; [S/PRST/2011/10](#), third paragraph.

¹⁰⁰ [S/PRST/2011/13](#), second paragraph.

¹⁰¹ [Resolutions 1935 \(2010\)](#), para. 11; [1945 \(2010\)](#), tenth preambular paragraph; [S/PRST/2010/24](#), tenth paragraph; [S/PRST/2011/3](#), tenth paragraph; and [S/PRST/2011/8](#), tenth paragraph.

¹⁰² [Resolution 2003 \(2011\)](#), para. 9.

¹⁰³ [Resolutions 2024 \(2011\)](#), third preambular paragraph and [2032 \(2011\)](#), eighth preambular paragraph.

¹⁰⁴ [Resolutions 1920 \(2010\)](#), twelfth preambular paragraph and para. 3; and [1979 \(2011\)](#), eighteenth preambular paragraph and para. 5.

¹⁰⁵ [Resolutions 1909 \(2010\)](#), eighth preambular paragraph; [1921 \(2010\)](#), eighth preambular paragraph; and [S/PRST/2011/1](#), first and third paragraphs.

full support for the continued efforts of the Special Representative of the Secretary-General aimed at addressing critical political and security-related issues facing the country.¹⁰⁶

In Europe, in dealing with Cyprus, the Council welcomed the continued efforts of the Special Adviser to and Special Representative of the Secretary-General in assisting the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, as well as the efforts of the Secretary-General to stimulate progress through his meetings with the two leaders.¹⁰⁷

In the Middle East, the Council requested the Secretary-General to continue his good offices, including through visits to Yemen by his Special Adviser.¹⁰⁸

Table 7
Decisions involving the Secretary-General in the Council's efforts at the pacific settlement of disputes

<i>Decision and date</i>	<i>Provision</i>
Africa	
Reports of the Secretary-General on the Sudan	
Resolution 1935 (2010) 30 July 2010	Reiterates that there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of the African Union-United Nations Hybrid Operation in Darfur are essential to re-establishing peace, and reaffirms its full support for the work of the Joint Chief Mediator, Mr. Djibril Yipènè Bassolé, and the African Union-United Nations-led political process for Darfur (para. 11)
Resolution 1945 (2010) 14 October 2010	Commending the efforts of, and reiterating its full support for, the African Union-United Nations Hybrid Operation in Darfur, the African Union-United Nations Joint Chief Mediator for Darfur, the United Nations Secretary-General, the League of Arab States, the African Union High-level Implementation Panel on the Sudan and the leaders of the region to promote peace and stability in Darfur, and expressing its strong support for the political process under the African Union-United Nations-led mediation (tenth preambular paragraph)
S/PRST/2010/24 16 November 2010	The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions, and all parties immediately to cease hostilities and engage constructively in negotiations with a view to finding a lasting peace in Darfur. The Council expresses concern about attacks on civilians by militias and calls for all support to such groups to cease. The Council expresses its willingness to consider measures against any party whose actions undermine peace in Darfur (tenth paragraph)
S/PRST/2011/3 9 February 2011	The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr.

¹⁰⁶ [Resolutions 1912 \(2010\)](#), para. 2; and [1969 \(2011\)](#), para. 2.

¹⁰⁷ [Resolutions 1930 \(2010\)](#), nineteenth preambular paragraph; [1953 \(2010\)](#), seventh and twentieth preambular paragraphs; and [1986 \(2011\)](#), seventh and twentieth preambular paragraphs.

¹⁰⁸ [Resolution 2014 \(2011\)](#), sixth preambular paragraph and para. 11.

<i>Decision and date</i>	<i>Provision</i>
	Djibril Bassolé, and the principles guiding the negotiations. The Council welcomes the presence of the Justice and Equality Movement and the Liberation and Justice Movement in Doha, and strongly urges all other rebel movements to join the peace process without further delay or preconditions, and all parties to engage with a view to concluding urgently a comprehensive agreement (tenth paragraph)
S/PRST/2011/8 21 April 2011	The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, and the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Bassolé. The Council further reaffirms its support for the principles guiding the negotiations. The Council strongly urges all other rebel movements to join the peace process without further delay or preconditions. The Council urges the parties in Doha to make the necessary concessions to quickly reach a ceasefire and political agreement and looks forward to the outcome of the upcoming All Darfur Stakeholders Conference in Doha. The Council believes this conference should be fully representative of all of Darfur's populations and interest groups. The Council reiterates the importance of increased participation of women in the Sudanese peace processes (tenth paragraph)
Resolution 2003 (2011) 29 July 2011	Welcomes the intention of the Secretary-General to develop a road map for the Darfur peace process, and requests the Secretary-General, in this regard, to work in close consultation with the African Union, also consulting, as appropriate, all Sudanese stakeholders and the Implementation Follow-up Commission, and taking into account paragraphs 6, 7 and 8 above, and requests the Secretary-General to report to the Council on the road map in his next ninety-day report (para. 9)
Resolution 2024 (2011) 14 December 2011	Commending the assistance provided to the parties by the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the Head of Mission for the United Nations Interim Security Force for Abyei, Lieutenant General Tadesse Werede Tesfay (third preambular paragraph)
	<i>Same provision in resolution 2032 (2011), eighth preambular paragraph</i>
The situation concerning Western Sahara	
Resolution 1920 (2010) 30 April 2010	Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, and also welcoming his recent visit to the region and ongoing consultations with the parties and neighbouring States (twelfth preambular paragraph)
	Calls upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008) and 1871 (2009), and the success of negotiations, and affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context (para. 3)
Resolution 1979 (2011) 27 April 2011	Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, and welcoming his ongoing consultations with the parties and neighbouring States (eighteenth preambular paragraph)
	Affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context, and welcomes the intensified pace of meetings and contacts (para. 5)
The situation in Côte d'Ivoire	
Resolution 1962 (2010) 20 December 2010	Requests the Secretary-General, including through his Special Representative for Côte d'Ivoire, to facilitate, as appropriate, political dialogue between the Ivorian stakeholders in order to ensure peace in Côte d'Ivoire and respecting the outcome of the presidential election as recognized by the Economic Community of West African States and the African Union (para. 2)
The situation in Guinea-Bissau	

<i>Decision and date</i>	<i>Provision</i>
Resolution 1949 (2010) 23 November 2010	Urges the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)
Resolution 2030 (2011) 21 December 2011	Calls upon the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country, to use legal and peaceful means to resolve differences and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, including the national conference on reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts (para. 4)

The situation in Libya

Resolution 1973 (2011) 17 March 2011	Welcoming the appointment by the Secretary-General of his Special Envoy to the Libyan Arab Jamahiriya, Mr. Abdel-Elah Mohamed Al-Khatib, and supporting his efforts to find a sustainable and peaceful solution to the crisis in the Libyan Arab Jamahiriya (nineteenth preambular paragraph) Stresses the need to intensify efforts to find a solution to the crisis which responds to the legitimate demands of the Libyan people, and notes the decisions of the Secretary-General to send his Special Envoy to the Libyan Arab Jamahiriya and of the Peace and Security Council of the African Union to send its Ad Hoc High-level Committee on Libya to the Libyan Arab Jamahiriya with the aim of facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution (para. 2)
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The situation in Somalia

Resolution 1910 (2010) 28 January 2010	Requests the Secretary-General, through his Special Representative and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia, taking into account the recommendations contained in his report of 31 December 2009 (para. 18) <i>Same provision in resolution 1964 (2010), para. 18</i>
Resolution 1964 (2010) 22 December 2010	Requests the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community (para. 4)
S/PRST/2011/6 10 March 2011	The Council welcomes the work of Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia, to support the Somali people in reaching agreement on post-transitional arrangements in consultation with the international community. It strongly urges the transitional federal institutions to engage in this process in a more constructive, open and transparent manner that promotes broader political dialogue and participation in line with the spirit of the Djibouti Agreement. The Council requests the Secretary-General to assess, in his regular reports delivered to the Council before the end of the transitional period, the respect for these principles. These principles are essential for future cooperation between the international community and the transitional federal institutions. The Council notes that the transitional period will end in August 2011. The Council regrets the decision by the Transitional Federal Parliament to extend its mandate unilaterally and without carrying out necessary reforms and urges the transitional federal institutions to refrain from any further unilateral action (third paragraph)
S/PRST/2011/10 11 May 2011	The Council expresses its support for the work of Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia, the United Nations and the African Union to promote peace and reconciliation in Somalia (third paragraph)
S/PRST/2011/13 24 June 2011	The Council welcomes the signing of the Kampala Accord on 9 June 2011, and commends the leadership shown by President Museveni and the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, in facilitating this agreement (second paragraph)

<i>Decision and date</i>	<i>Provision</i>
Resolution 2010 (2011) 30 September 2011	Requests the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community, including, as appropriate, support to reconciliation and peace efforts at the local level (para. 19)
	Requests the Secretary-General, through his Special Representative for Somalia and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia taking into account the recommendations contained in his report of 31 December 2009, and stresses the importance that the United Nations Political Office for Somalia and other United Nations offices and agencies work transparently and coordinate with the international community (para. 27)

Asia

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Resolution 1909 (2010) 21 January 2010	Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, noting the assessment of the Secretary-General that the United Nations Mission in Nepal is well placed to assist in the monitoring of the management of arms and armed personnel in accordance with the agreement of 25 June 2008 between the political parties, and recognizing the ability of the Mission to assist the parties in this, as requested, in order to achieve a durable solution (eighth preambular paragraph)
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Same provision in [resolution 1921 \(2010\)](#), eighth preambular paragraph

S/PRST/2011/1 14 January 2011	As the United Nations Mission in Nepal completes its preparations for its departure on 15 January 2011, the Security Council expresses its appreciation and thanks to the Representative of the Secretary-General in Nepal, Ms. Karin Landgren, and the Mission team for their efforts in assisting the people of Nepal as they work to complete the peace process (first paragraph)
	The Council welcomes the ongoing engagement of the Secretary-General and United Nations bodies as they continue to be supportive of the peace process and the people of Nepal (third paragraph)

The situation in Timor-Leste

Resolution 1912 (2010) 26 February 2010	Urges all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, advancement of protection of human rights and national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes (para. 2)
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Same provision in [resolution 1969 \(2011\)](#), para. 2

Europe

The situation in Cyprus

Resolution 1930 (2010) 15 June 2010	Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus, with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, expressing its appreciation for the work of Mr. Tayé-Brook Zerihoun as the Special Representative of the Secretary-General in Cyprus, and welcoming the appointment of Ms. Lisa Buttenheim as the new Special Representative of the Secretary-General (nineteenth preambular paragraph)
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<i>Decision and date</i>	<i>Provision</i>
Resolution 1953 (2010) 14 December 2010	Welcoming the efforts of the Secretary-General to stimulate progress during his meeting with the two leaders on 18 November 2010 and his intention to meet with the two leaders in January 2011, and noting his intention to submit to the Council in February 2011 an updated assessment on the state of the process (seventh preambular paragraph) Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, and the efforts of Ms. Lisa Bittenheim as the Special Representative of the Secretary-General in Cyprus (twentieth preambular paragraph) <i>Same provision in resolutions 1986 (2011), twentieth preambular paragraph and 2026 (2011), twentieth preambular paragraph</i>
Resolution 1986 (2011) 13 June 2011	Welcoming the efforts of the Secretary-General to stimulate progress during his meeting with the two leaders on 26 January 2011 and his intention to meet with the two leaders in July 2011, and noting his intention to submit to the Council in July 2011 an updated assessment on the state of the process (seventh preambular paragraph)

Middle East

The situation in the Middle East

Resolution 2014 (2011) 21 October 2011	Welcoming further the continuing efforts of the good offices of the Secretary-General, including the visits to Yemen by the Special Adviser to the Secretary-General on Yemen (sixth preambular paragraph) Requests the Secretary-General to continue his good offices, including through visits by the Special Adviser, and to continue to urge all Yemeni stakeholders to implement the provisions of this resolution, and encourage all States and regional organizations to contribute to this objective (para. 11)
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D. Decisions involving regional and subregional organizations

During the period under review, the Security Council not only called upon the parties to a conflict to cooperate with regional and subregional organizations,¹⁰⁹ but also frequently expressed its support and appreciation for the peace efforts undertaken by regional arrangements, including such efforts by the Secretary-General in conjunction with them.¹¹⁰ Decisions and deliberations of the Council regarding the efforts undertaken by regional arrangements or

¹⁰⁹ See, for example, in connection with peace and security in Africa, [resolution 2023 \(2011\)](#), para. 2; and in connection with the report of the Secretary-General on the Sudan, [resolution 1945 \(2010\)](#), fifth preambular paragraph; and [S/PRST/2011/12](#), para. 8.

¹¹⁰ See, for example, in connection with reports of the Secretary-General on the Sudan, [resolution 1935 \(2010\)](#), eighth preambular paragraph; and [resolution 1945 \(2010\)](#), tenth preambular paragraph; in connection with the situation in Côte d'Ivoire, [resolution 1975 \(2011\)](#), fourth preambular paragraph; and in connection with the situation in Somalia, [S/PRST/2011/10](#), third paragraph.

agencies in the pacific settlement of disputes during the period under review are covered in detail in part VIII of this Supplement.

Section IV

Constitutional discussion bearing on the interpretation or application of the provisions of Chapter VI of the Charter

Note

This section features the main arguments raised in the deliberations of the Security Council with regard to the interpretation of specific provisions of Chapter VI of the Charter and Article 99, concerning the role of the Council and the Secretary-General in the peaceful settlement of disputes, and is divided into two sub-headings: A. Referral of legal disputes to the International Court of Justice in light of Article 36 (3); and B. Utilization of Article 99 by the Secretary-General for pacific settlement of disputes, featuring cases in which relevant constitutional discussions took place during the period under review.

During the period under review, explicit references were made to Articles 33 to 38,¹¹¹ and 99¹¹² as well as Chapter VI of the Charter¹¹³ during deliberations, most of which did not give rise to constitutional discussions.

¹¹¹ In connection with maintenance of international peace and security, [S/PV.6322](#), p. 8 (Russian Federation); [S/PV.6360](#), p. 28 (South Africa); [S/PV.6360 \(Resumption 1\)](#), p. 3 (Morocco); p. 5 (Gambia); and p. 13 (Pakistan); in connection with post-conflict peacebuilding, [S/PV.6299 \(Resumption 1\)](#), p. 34 (Papua New Guinea); in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, [S/PV.6347](#), p. 5 (Under-Secretary-General for Legal Affairs); p. 6 (Mexico); p. 18 (United Kingdom); and p. 19 (Lebanon); [S/PV.6347 \(Resumption 1\)](#), p. 9 (Republic of Korea); p. 15 (Peru); and p. 16 (South Africa).

¹¹² In connection with children and armed conflict, [S/PV.6581 \(Resumption 1\)](#), p. 5 (Pakistan); and p. 6 (Thailand); and in connection with maintenance of international peace and security, [S/PV.6360](#), p. 9 (Brazil).

¹¹³ In connection with implementation of the note by the President of the Security Council, [S/PV.6300](#), p. 21 (Egypt) and p. 28 (Sierra Leone); [S/PV.6300 \(Resumption 1\)](#), p.5 (New Zealand); and p.27 (Pakistan); [S/PV.6672](#), p. 4 (Russian Federation); and pp. 12-13 (India); in connection with maintenance of international peace and security, [S/PV.6360](#), p. 5 (Nigeria); p. 13 (Mexico); p. 23 (Lebanon); and p. 29 (Egypt); [S/PV.6360 \(Resumption 1\)](#), pp. 5-6 (Gambia); p. 6 (Australia); p. 13 (Pakistan); and p. 14 (Sierra Leone); [S/PV.6389](#), pp. 12-13 (Lebanon); and p. 20 (Mexico); [S/PV.6621](#), p. 5 (Colombia); [S/PV.6630](#), p. 6 (India); and [S/PV.6668](#), pp. 11-12 (Colombia); and p. 22 (United Kingdom); in connection with peace and security in Africa, [S/PV.6561](#), p. 12 (Colombia); in connection with protection of civilians in armed conflict, [S/PV.6354 \(Resumption 1\)](#), p. 10 (India); in connection with reports of the Secretary-General on the Sudan, [S/PV.6628](#), p. 4 (Under-Secretary-General for Peacekeeping Operations); in connection with the promotion and strengthening of the rule of law in the maintenance of international peace and security, [S/PV.6347](#), p. 10 (Bosnia and Herzegovina); p. 13 (Nigeria); and p. 28 (Gabon); [S/PV.6347 \(Resumption 1\)](#), p. 8 (Australia); and p. 9 (Republic of Korea); in connection with the question concerning Haiti, [S/PV.6618](#), p. 21 (Haiti); and in connection with United Nations peacekeeping operations, [S/PV.6270 \(Resumption 1\)](#), p.5 (Pakistan); and [S/PV.6603](#), p. 19 (South Africa).

A. Referral of legal disputes to the International Court of Justice in light of Article 36 (3)

Article 36 (3) of the Charter stipulates that the Security Council, in making recommendations under Article 36, should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court. During the period under review, speakers debated the role of the Court in the pacific settlement of disputes and its relations with the Council with regard to legal dispute, in a thematic debate on rule of law (case 2).

Case 2

The promotion and strengthening of the rule of law in the maintenance of international peace and security

In a concept note for the thematic debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security, under the presidency of Mexico, it was underlined that the pacific settlement of disputes, enshrined in Article 33 of the Charter, was not only one of the main purposes of the Organization but also one of the basic principles of adjudicating disputes among States. It further pointed out that many disputes were claims about perceived legal rights, and therefore suggested that the Security Council should strive to help parties resolve their disputes in accordance with the procedures set out in the Charter, emphasizing that legal disputes should be referred to the International Court of Justice as stated in Article 36 (3) of the Charter.¹¹⁴

At the 6347th meeting, on 29 June 2010, the Deputy Secretary-General emphasized the special role of the Court in the peaceful settlement of disputes before intractable conflict and post-conflict situations arose.¹¹⁵ The Under-Secretary-General for Legal Affairs stated that despite all three principal organs of the General Assembly, the Security Council and the Court having a responsibility to contribute to the peaceful settlement of disputes, the fullest use had not been always made of the organic link between those bodies and the procedural means made available to them by the Charter to coordinate and complement their respective plan. In recalling both Articles 33 and 36 (3) of the Charter under which recommendations for the pacific

¹¹⁴ [S/2010/322](#), p. 4.

¹¹⁵ [S/PV.6347](#), p. 3.

settlement of disputes included judicial settlement and referral of legal disputes to the Court, she encouraged the Council to follow up on the invitation by the then-President of the Court in 2006 to bring the tools under those two Articles to life and make them a central policy of the Council.¹¹⁶

Several speakers acknowledged that the Court was an important mechanism in the peaceful settlement of disputes, contributing to the maintenance of international peace and security.¹¹⁷ The representative of Bosnia and Herzegovina, citing Chapter VI of the Charter which referred to the Court as the principal organ for settlement of disputes that were by their nature concerned with supposed legal rights, held that the Council place stronger emphasis on the Court as one of the central tools in maintaining peace and security, since the enforcement of the Court's judgment lay ultimately with the Council.¹¹⁸ In the context of the boundary dispute between his country and Cameroon concerning the Bakassi peninsula, the representative of Nigeria acknowledged that the mechanism of the Court proved to be a crucial part of the pacific dispute settlement armoury of the United Nations under Chapter VI of the Charter.¹¹⁹

The representative of Norway stressed that the Court provided an “underused” opportunity for the peaceful conflict resolution between States and urged the Council to help the parties to a dispute refer their disputes to the Court in order to enhance continuation of a greater utilization of the Court.¹²⁰ Similarly, the representative of Germany recommended that the Council should further encourage States to make use of existing judicial institutions, particularly the Court.¹²¹ The representative of South Africa stated that the Council could recommend to parties to refer their disputes to the Court in the spirit of Article 36 of the Charter, while noting that the referral of a particular dispute to the Court would depend on the consent of the concerned States. He further pointed out that the Council's role in the pacific settlement of disputes was not only limited to encouraging parties to refer their disputes to the Court for

¹¹⁶ Ibid., p. 5.

¹¹⁷ Ibid., p. 10 (Bosnia and Herzegovina); p. 13 (Nigeria); p. 14 (France); p. 16 (Brazil); p. 17 (Austria); p. 18 (United Kingdom); p. 19 (Lebanon); p. 22 (Russian Federation); p. 23 (Japan); p. 25 (United States); p. 26 (Turkey); and [S/PV.6347 \(Resumption 1\)](#), p. 2 (Denmark); p. 10 (Argentina); p. 13 (Norway); p. 14 (Peru); p. 16 (South Africa); and p. 19 (Germany).

¹¹⁸ [S/PV.6347](#), p. 10.

¹¹⁹ Ibid., p. 12.

¹²⁰ [S/PV.6347 \(Resumption 1\)](#), p. 13.

¹²¹ Ibid., p. 19.

adjudication but also in the enforcement of its decisions in accordance with Article 94 (2).¹²² The representative of Mexico expressed the view that the Court's potential had not been fully exploited, though noted the tendency towards more frequent recourse to the Court in recent years through special arrangements between parties.¹²³ The representative of the Russian Federation hoped that the Court would not lose its standing as the standard-bearer of international justice and held that it was a unique organ that had the final say on the most ambiguous international legal issues.¹²⁴

By the presidential statement adopted at the meeting, the Council expressed support for the peaceful settlement of disputes and reiterated its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter. The Council further emphasized the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work, and called upon States that had not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.¹²⁵

B. Utilization of Article 99 by the Secretary-General

Article 99 of the Charter empowers the Secretary-General to bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security. In the discussions on optimizing the use of preventive diplomacy tools, speakers encouraged the Secretary-General to utilize Article 99 and strengthen the effectiveness of his good offices (case 3). Furthermore, in another debate, the Council engaged in discussing the role of the Secretary-General and the Secretariat in conflict prevention, with a particular focus on its early warning mechanisms (case 4).

¹²² Ibid., p. 16.

¹²³ [S/PV.6347](#), p. 8.

¹²⁴ Ibid., p. 23.

¹²⁵ [S/PRST/2010/11](#), second paragraph.

Case 3

Maintenance of international peace and security: Optimizing the use of preventive diplomacy tools: Prospects and challenges in Africa

At the 6360th meeting, on 16 July 2010, on the topic of optimizing the use of preventive diplomacy tools under the item entitled “Maintenance of international peace and security”, the Council adopted a presidential statement in which it recalled that, in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State might bring to the attention of the Council any matter which was likely to endanger the maintenance of international peace and security and stressed the valuable contribution of mediation capacities of, among others, the good offices of the Secretary-General and his special envoys, to ensuring the coherence, synergy and collective effectiveness of their efforts.¹²⁶

Speaking on behalf of the Secretary-General, the Deputy Secretary-General noted that the term ‘preventive diplomacy’ had been first coined by former Secretary-General Dag Hammarskjöld and since his time the good offices of successive Secretaries-General had helped in the peaceful resolution of inter-State wars, civil conflicts, electoral disputes, border disputes and questions of autonomy and independence.¹²⁷

A number of speakers recognized the important role of the good offices of the Secretary-General and his representatives in conflict prevention and resolution.¹²⁸ The representative of Mexico considered it a challenge for the Council to provide all necessary support to strengthen and facilitate ongoing mediation exercises, including the preventive diplomacy efforts of the Secretary-General in his role as a mediator and by offering his good offices to parties engaged in a conflict, as well as through his special representatives and special envoys.¹²⁹ In that regard, the representative of Japan maintained that the Secretary-General’s good offices and preventive diplomacy had frequently proved effective because they could be launched swiftly and flexibly at his initiative and within his authority under the Charter. To ensure the maximum effect, he suggested that the United Nations should expand a reserve of experienced United Nations envoys

¹²⁶ [S/PRST/2010/14](#), third and ninth paragraphs.

¹²⁷ [S/PV.6360](#), pp. 5-6.

¹²⁸ *Ibid.*, pp. 11-12 (Japan); p. 20 (United States); p. 22 (Turkey); p.23 (Lebanon); p. 27 (Austria); p. 28 (South Africa); p. 31 (Germany); [S/PV.6360 \(Resumption 1\)](#), p. 5 (Gambia); p. 9 (Republic of Korea); and p. 10 (Senegal).

¹²⁹ [S/PV.6360](#), p. 13.

and mediators who would act on behalf of the Secretary-General. Noting the importance of drawing the attention of the Council to early warning signs, he further called upon the Secretary-General to provide Council members with a regular political and security briefing focusing on potential risk of eruption of conflicts.¹³⁰ Similarly, the representative of France considered it imperative that the Council received regular briefings, as soon as it considered necessary, from the Secretariat on zones of fragility so as to be in a position to use, as soon as possible and in coordinated manner, all tools available to it to prevent the exacerbation of tense situations, such as mediation, good offices, condemnation and even sanctions.¹³¹ The representative of the United Kingdom shared the view that the Council should hear, as a matter of course, from the Secretary-General and his senior staff when they had visited regions where potential conflict was a concern and that the Council must be ready to draw on the Secretariat's early warning analysis and reporting on emerging conflicts. He further suggested that the Secretary-General should offer regular advice to the Council on potential emerging conflict, a sort of "horizon-scanning" exercise.¹³² The representative of Benin underscored the importance of the regular reports submitted to the Council on the challenges facing some regions in Africa and advocated that there should be an increase in the number of visits by the Secretary-General to countries in precarious situations as he represented the collective conscience of the international community.¹³³

Recognizing the recent active engagement by the Secretary-General and his representatives in resolving regional conflicts, the representative of China held that the Council should continue to support the Secretary-General in his active role.¹³⁴ Other speakers called for the Council to provide additional support to the efforts by the Secretariat in conflict prevention, through such means as fact-finding missions and mediation.¹³⁵ The representative of Brazil maintained that enhanced prevention activities by the Council required a strong capacity in the Secretariat to identify, assess and provide early warning on disputes. In this connection, she called on the Secretary-General to make full use of Article 99 of the Charter and noted that

¹³⁰ Ibid., pp. 11-12.

¹³¹ Ibid., p. 15.

¹³² Ibid., p. 18.

¹³³ [S/PV.6360 \(Resumption 1\)](#), p. 16.

¹³⁴ [S/PV.6360](#), p. 15.

¹³⁵ Ibid., p. 19 (Bosnia and Herzegovina); p. 20 (United States); p. 22 (Turkey); p. 23 (Lebanon); [S/PV.6360 \(Resumption 1\)](#), p. 4 (Morocco); and p. 6 (Australia).

further recourse to fact-finding missions and confidence building measures in the early stages of a dispute might foster its peaceful settlement.¹³⁶

Case 4

Maintenance of international peace and security: Conflict prevention

At the 6621st meeting, on 22 September 2011, on the topic of conflict prevention under the item entitled “Maintenance of international peace and security”, a number of speakers commended the work of the Organization in preventive diplomacy, as reflected in the report of the Secretary-General dated 26 August 2011,¹³⁷ particularly through the good offices of the Secretary-General including the use of his special envoys, utilization of regional offices and early warning mechanisms, as well as the establishment of the Mediation Support Unit within the Department of Political Affairs.¹³⁸

The representative of France pointed out that the concept, means of action and expectations of preventive diplomacy had broadened in scope and held that the assessments undertaken by the Department of Political Affairs and information provided by mediators and Special Representatives of the Secretary-General were invaluable, since they shed light on local complex situations.¹³⁹ The representative of the United States in this context stated that although the United Nations was well-placed to provide early warning of potential concerns, it must work closely with other capable actors such as Governments, regional organizations and non-governmental organizations, based on their comparative advantages, so as to draw upon all sources of information, in view of limits to the United Nations’ knowledge and information-gathering capabilities. She further held that intensive diplomatic efforts by the Secretary-General, his senior envoys and key staff in the field could “pull adversaries back from the brink”, especially when backed by a united international community. She strongly supported the robust use of the Secretary-General’s good offices and special political missions to avert war.¹⁴⁰ The

¹³⁶ [S/PV.6360](#), pp. 9-10.

¹³⁷ [S/2011/552](#).

¹³⁸ [S/PV.6621](#), p. 6 (South Africa); pp. 7-8 (Nigeria); p. 13 (United Kingdom); pp. 13-14 (France); p. 15 (United States); p. 22 (Bosnia and Herzegovina); and pp. 22-24 (Russian Federation).

¹³⁹ *Ibid.*, p. 14.

¹⁴⁰ *Ibid.*, p. 15.

representative of the Russian Federation expressed the view that a significant role belonged to the Secretariat which must be responsible for monitoring and analyzing situations in different regions, forecasting the development of crises, planning and expeditiously informing the Council about potential outbreaks of conflicts. He further agreed with the Secretary-General about the importance of interaction with representatives of civil society, parliaments, business groups and academics in order to keep a hand on the pulse of, and to monitor on a regular basis, the development of potential conflict situations.¹⁴¹

The representative of Colombia opined that the Charter provided all the proper tools to strengthen preventive diplomacy, such as direct negotiations, good offices, mediation, fact-finding, conciliation, arbitration and judicial settlement, as well as the possibility to call upon parties to settle their disputes by pacific means and to suggest and recommend procedures for adjustment. He therefore urged the Council to put those tools provided for in Chapter VI of the Charter into practice as in his opinion it would not be ideal to resort to Chapter VII.¹⁴²

By a presidential statement adopted at the meeting, the Council paid tribute to the efforts undertaken by the Secretary-General in using his good offices, and dispatching representatives, special envoys and mediators, to help to facilitate durable and comprehensive settlements. It encouraged the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for the purpose of enhancing mediation and its support activities.¹⁴³

¹⁴¹ Ibid., pp. 23-24.

¹⁴² Ibid., p. 5.

¹⁴³ [S/PRST/2011/18](http://www.un.org/en/sc/repertoire), seventh paragraph.