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**Part VIII**

**Regional arrangements**

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## **Introductory note**

### *Article 52*

- 1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.*
- 2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.*
- 3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.*
- 4. This Article in no way impairs the application of Articles 34 and 35.*

### *Article 53*

- 1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.*

2. *The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.*

*Article 54*

*The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.*

Chapter VIII of the Charter provides the constitutional basis for the involvement of regional arrangements in the maintenance of international peace and security.<sup>1</sup> While Article 52 encourages the involvement of regional arrangements in the pacific settlement of disputes prior to the Council’s consideration, Article 53 allows the Council to utilize regional arrangements for enforcement action under its authority and with its explicit authorization. Finally, Article 54 stipulates that regional arrangements should inform the Council of their activities at all times.

The practice of the Security Council under Chapter VIII of the Charter is described in the following five sections: Section I captures relevant decisions and debates involving Chapter VIII under agenda items of thematic nature; Section II illustrates various ways in which the Council, in dealing with specific situations under its consideration, encouraged, supported and otherwise reacted to efforts by regional organizations in the peaceful settlement of disputes, or called upon the parties in conflict to cooperate with regional organizations, within the framework of Article 52 of the Charter; Section III deals with Council practice relating to peacekeeping operations deployed by regional and other international organizations, ranging from its involvement in the pacific settlement of disputes (Article 52), authorization under Chapter VII of the Charter, including the use of force (Article 53), to reporting requirements (Article 54); Section IV depicts instances where the Council authorized enforcement action by regional organizations other than in the context of regional peacekeeping operations; and

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<sup>1</sup> Chapter VIII of the Charter refers to “regional arrangements and agencies”. The *Repertoire* follows the practice of the Council in its synonymous use of these terms with regional and subregional organizations as well as other international organizations.

finally Section V covers the modalities and mechanisms of reporting by regional arrangements to the Security Council.

## Section I

### Consideration of the provisions of Chapter VIII of the Charter under thematic items

#### Note

This section examines the practice of the Security Council from 2010 to 2011 under agenda items of thematic nature (“thematic items”) in cooperating with regional organizations in the maintenance of international peace and security within the framework of Chapter VIII of the Charter. The section is organized under two headings: A. Decisions adopted under thematic items relating to Chapter VIII of the Charter and B. Discussions under thematic items concerning the interpretation and application of Chapter VIII of the Charter.

#### A. Decisions adopted under thematic items relating to Chapter VIII of the Charter

From 2010 to 2011, the Security Council adopted a number of decisions under thematic items, which included provisions that could be considered to fall within the framework of Chapter VIII of the Charter (see table 1).

The Council referred explicitly to Chapter VIII of the Charter in several presidential statements under the following items: (i) cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security,<sup>2</sup> (ii) maintenance of international peace and security;<sup>3</sup> (iii) peace and security in Africa;<sup>4</sup> and (iv) United Nations peacekeeping operations.<sup>5</sup> In those decisions, the Council recalled that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, “consistent with Chapter VIII”, could improve collective security while reiterating its primary

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<sup>2</sup> [S/PRST/2010/1](#), second paragraph.

<sup>3</sup> [S/PRST/2010/14](#), ninth paragraph; [S/PRST/2010/18](#), seventeenth paragraph; and [S/PRST/2011/18](#), eleventh paragraph.

<sup>4</sup> [S/PRST/2010/21](#), second, fourth and seventh paragraphs.

<sup>5</sup> [S/PRST/2011/17](#), third paragraph.

responsibility under the Charter for the maintenance of international peace and security;<sup>6</sup> encouraged the development of peaceful settlement of local disputes through regional arrangements “in accordance with Chapter VIII”;<sup>7</sup> and recognized the role of regional organizations in peacekeeping “in accordance with” Chapter VIII.<sup>8</sup>

Furthermore, the Council recognized that in deploying peacekeeping operations authorized by the Council, the African Union was contributing towards the maintenance of international peace and security “in a manner consistent with the provisions of Chapter VIII”<sup>9</sup> and affirmed its commitment to strengthening its partnership with the Peace and Security Council of the African Union “consistent with Charter VIII” in conflict prevention, peacekeeping and peacebuilding, among others.<sup>10</sup>

In addition, in other decisions adopted during the period under review, without explicitly mentioning Chapter VIII, the Council frequently referred to the role played by regional arrangements in various fields including conflict prevention and resolution, peacemaking, peacekeeping and post-conflict peacebuilding. Frequently, it stressed the importance to promote partnership and cooperation between the United Nations and regional and subregional organizations in order to ensure the coherence, synergy and collective effectiveness of their efforts in those fields.<sup>11</sup>

Furthermore, the Council, in a number of decisions, recognized the contribution of regional and subregional organizations in the pacific settlement of local disputes and conflict prevention.<sup>12</sup> For example, in a presidential statement of 13 January 2010 concerning cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, the Council considered that

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<sup>6</sup> [S/PRST/2010/1](#), first paragraph; and [S/PRST/2010/21](#), second paragraph.

<sup>7</sup> [S/PRST/2010/14](#), ninth paragraph; and [S/PRST/2011/18](#), eleventh paragraph.

<sup>8</sup> [S/PRST/2011/17](#), third paragraph.

<sup>9</sup> [S/PRST/2010/21](#), fourth paragraph.

<sup>10</sup> [S/PRST/2010/18](#), seventeenth paragraph; and [S/PRST/2010/21](#), seventeenth paragraph.

<sup>11</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PRST/2010/1](#), third paragraph. In connection with maintenance of international peace and security, see [S/PRST/2010/14](#), ninth paragraph; [S/PRST/2010/18](#), seventh paragraph; [S/PRST/2011/4](#), eleventh paragraph; and [S/PRST/2011/18](#), eleventh paragraph. In connection with post-conflict peacebuilding, see [S/PRST/2010/7](#), twelfth paragraph; and [S/PRST/2010/20](#), sixth paragraph. In connection with United Nations peacekeeping operations, see [S/PRST/2010/2](#), ninth paragraph.

<sup>12</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PRST/2010/1](#), fifth paragraph. In connection with maintenance of international peace and security, see [S/PRST/2010/14](#), ninth and tenth paragraphs; and [S/PRST/2010/18](#), seventh and eighth paragraphs.



regional and subregional organizations were well positioned to understand the root causes of many conflicts and other challenges and underlined the importance of utilizing the existing and potential capacities of those organizations, including by encouraging countries in the region to resolve differences peacefully through dialogue, reconciliation, consultation, negotiation, good offices, mediation and judicial settlement of disputes.<sup>13</sup>

Among several references to peacekeeping efforts by regional arrangements,<sup>14</sup> in a presidential statement of 22 October 2010 in connection with peace and security in Africa, the Council welcomed the continuing important efforts and enhancing peacekeeping role of the African Union and its subregional organizations, consistent with Council resolutions and decisions, to prevent, mediate and settle conflict on the African continent.<sup>15</sup> In the same presidential statement, it also reiterated that regional organizations had the responsibility to secure human, financial, logistical and other resources for their organizations and expressed its determination to continue working, in accordance with its responsibilities under the Charter, towards a more predictable and sustainable solution to the funding challenges as observed by the Secretary-General in his progress report<sup>16</sup> on support to African Union peacekeeping operations authorized by the United Nations.<sup>17</sup> At the same time, the Council reiterated the need for further enhancement of regular interaction, coordination and consultations between the United Nations and the African Union on matters of mutual interest.<sup>18</sup>

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<sup>13</sup> [S/PRST/2010/1](#), fifth paragraph.

<sup>14</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PRST/2010/1](#), sixth paragraph. In connection with peace and security in Africa, see [S/PRST/2010/21](#), third fifth, eleventh, twelfth, thirteenth and fourteenth paragraphs.

<sup>15</sup> [S/PRST/2010/21](#), third paragraph.

<sup>16</sup> [S/2010/514](#).

<sup>17</sup> [S/PRST/2010/21](#), eleventh and thirteenth paragraphs.

<sup>18</sup> *Ibid.*, eighth paragraph.

Table 1

**Decisions adopted under thematic items containing provisions relating to Chapter VIII of the Charter**

<i>Decision and date</i>	<i>Provision</i>
<b>Central African region: impact of illicit arms trafficking on peace and security</b>	
<a href="#">S/PRST/2010/6</a> 19 March 2010	<p>The Council calls upon the States of the subregion to strengthen efforts to establish mechanisms and regional networks among their relevant authorities for information-sharing to combat the illicit circulation of and trafficking in small arms and light weapons. The Council also stresses the need for the States of the subregion to strengthen their cooperation, including through regional and subregional organizations, in particular the African Union, in order to identify and take appropriate measures against individuals and entities that engage in illegal trafficking in small arms and light weapons in the Central African subregion (eighth paragraph)</p> <p>The Council encourages the Economic Community of Central African States to assist Central African countries in ensuring the effective implementation of arms embargoes imposed by the Council and, in this context, to establish measures such as inquiries into illicit arms trafficking routes, follow-up of possible violations and cooperation in border monitoring, in consultation with the countries concerned. In this regard, the Council encourages the committees in charge of monitoring arms embargoes in Central African countries and neighbouring countries, consistent with their mandates, to continue to include in their annual reports a substantive section on the implementation of arms embargoes and on possible violations of the measures reported to the committees, with recommendations, as appropriate, for strengthening the effectiveness of arms embargoes. This information could also be shared with the International Weapons and Explosives Tracking System of the International Criminal Police Organization (INTERPOL) (tenth paragraph)</p>
<b>Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security</b>	
<a href="#">S/PRST/2010/1</a> 13 January 2010	<p>The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional and subregional organizations, in accordance with the Charter of the United Nations and the relevant statutes of the regional and subregional organizations (first paragraph)</p> <p>The Council recalls the purposes and principles of the Charter, reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and further recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, consistent with Chapter VIII of the Charter, can improve collective security (second paragraph)</p> <p>The Council expresses its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding, and to ensure the coherence, synergy and collective effectiveness of their efforts. In this regard, it welcomes the strong cooperation initiatives already existing between the United Nations and regional organizations (third paragraph)</p> <p>The Council commends the ongoing efforts and contributions made by the Secretariat to consolidate partnerships with regional and subregional organizations and welcomes the convening of the Secretary-General's retreat with heads of regional and other organizations on 11 and 12 January 2010. The Council expresses its intention to hold informal interactive dialogues with regional and subregional organizations in the future (fourth paragraph)</p> <p>The Council reaffirms its commitment to the peaceful settlement of disputes,</p>

<i>Decision and date</i>	<i>Provision</i>
	<p>acknowledges the important contribution of regional and subregional organizations to the peaceful settlement of local disputes and preventive diplomacy, as they are well positioned to understand the root causes of many conflicts and other security challenges. The Council underlines the importance of utilizing the existing and potential capabilities of regional and subregional organizations in this regard, including by encouraging countries in the region to resolve differences peacefully through dialogue, reconciliation, consultation, negotiation, good offices, mediation and judicial settlement of disputes. The Council is resolved to strengthen United Nations support for the peaceful settlement of disputes through improved interaction and cooperation with regional and subregional organizations (fifth paragraph)</p> <p>The Council invites the Secretariat and all regional and subregional organizations that have a capacity for peacekeeping to enhance their working relations and to further explore how their collaboration could better contribute to the fulfilment of United Nations mandates and goals, so as to ensure a coherent framework for peacekeeping. The Council underlines the importance of regional and subregional organizations enhancing their peacekeeping capabilities and the value of international support to their efforts, in particular to the African Union, in terms of the 2006 United Nations-African Union Ten-Year Capacity-Building Programme for the African Union (sixth paragraph)</p> <p>The Council recognizes the role that regional and subregional organizations can play in post-conflict peacebuilding, recovery, reconstruction and development processes and affirms the importance of interaction and cooperation between the Peacebuilding Commission and regional and subregional organizations. The Council encourages the Commission to continue to work in close consultation with regional and subregional organizations, with a view to ensuring more consistent and integrated strategies for post-conflict peacebuilding and recovery (seventh paragraph)</p> <p>The Council recognizes the need for close cooperation with regional and subregional organizations, as appropriate, for the coherent and effective implementation of its resolutions, including those on thematic issues applicable to a wide range of conflict situations (eighth paragraph)</p> <p>The Council encourages the Secretariat and regional and subregional organizations to further explore information-sharing on their respective capabilities and lessons learned in maintaining international peace and security and to continue to compile best practices, in particular in the field of mediation, good offices and peacekeeping. The Council also encourages the strengthening of cooperation and dialogue among regional and subregional organizations in this regard (ninth paragraph)</p>
<b>Maintenance of international peace and security: conflict prevention</b>	
<p><a href="#">S/PRST/2011/18</a> 22 September 2011</p>	<p>The Council encourages the peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter. The Council acknowledges the efforts undertaken to strengthen operational and institutional cooperation between the United Nations and regional and sub-regional organizations for conflict prevention, and in this regard reiterates the need to continue strengthening strategic dialogue, partnerships, and more regular exchange of views and information at the working level, with the aim of building national and regional capacities in relation to the preventive diplomacy tools of, inter alia, mediation, information gathering and analysis, early warning, prevention and peacemaking (eleventh paragraph)</p>
<b>Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security</b>	
<p><a href="#">S/PRST/2010/18</a> 23 September 2010</p>	<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>

<i>Decision and date</i>	<i>Provision</i>
	<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 reiterates its commitment to strengthening its strategic partnerships with and support to regional and subregional organizations, consistent with Chapter VIII of the Charter, in conflict prevention, peacemaking, peacekeeping and peacebuilding. The Council also underlines that it should continue to strengthen its partnerships with all other relevant players both at the strategic level and on the ground, in particular the General Assembly, the Economic and Social Council, the Peacebuilding Commission, international financial institutions, such as the World Bank, and civil society (seventeenth paragraph)</p>
<b>Maintenance of international peace and security: moving forward with security sector reform: prospects and challenges in Africa</b>	
<a href="#">S/PRST/2011/19</a> 12 October 2011	<p>The Council notes that the bulk of the international community's assistance in the area of security sector reform takes place in and is directed to countries in Africa. At the same time, a number of African countries are becoming important providers of such assistance. The Council welcomes this intra-African collaboration and emphasizes that there is a need to expand the consideration given to African perspectives on security sector reform. This includes enhancing cooperation with regional and subregional organizations, as well as sharing knowledge and experience with women and members of civil society. Focusing security sector reform efforts on the needs and priorities of populations in post-conflict countries will considerably enhance the legitimacy, viability and sustainability of such support (second paragraph)</p> <p>The Council recognizes the importance of regional frameworks as a foundation for multilateral security sector reform efforts. In this regard, the Council welcomes the partnership between the United Nations and the African Union in developing a continental security sector reform policy framework, for its implementation. The Council encourages other regions to consider establishing such partnerships in order to better facilitate the exchange of lessons learned and best practices, as well as develop regional frameworks for security sector reform support, reflecting the participation of regional and subregional organizations. The Council also recognizes the support provided by bilateral actors, as well as regional actors, including the European Union, to security sector reform efforts in Africa and other initiatives in the area of security sector reform in Africa carried out by organizations such as the Economic Community of West African States and the Community of Portuguese-speaking Countries (fifth paragraph)</p> <p>The Council recognizes the important role that the United Nations has played in supporting national efforts to build sustainable security institutions, and commends the efforts of the United Nations, in particular the Department of Peacekeeping Operations of the Secretariat, including the Security Sector Reform Unit and the United Nations Inter-Agency Security Sector Reform Task Force, in further strengthening a comprehensive United Nations approach to security sector reform, through the development of guidance and civilian capacities, coordination mechanisms and collaboration with regional and subregional organizations, in particular the African Union (ninth paragraph)</p>
<b>Maintenance of international peace and security: optimizing the use of preventive diplomacy tools: prospects and challenges in Africa</b>	
<a href="#">S/PRST/2010/14</a> 16 July 2010	<p>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-</p>

<i>Decision and date</i>	<i>Provision</i>
	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)
<b>Maintenance of international peace and security: the interdependence between security and development</b>	
<a href="#">S/PRST/2011/4</a> 11 February 2011	The Council encourages close cooperation within the United Nations system and with regional, subregional and other organizations on the ground and at Headquarters in order to properly engage in conflict and post-conflict situations, in accordance with its responsibilities under the Charter, and expresses its willingness to consider ways to improve such cooperation (eleventh paragraph)
<b>Peace and security in Africa</b>	
<a href="#">S/PRST/2010/21</a> 22 October 2010	The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional organizations, in particular the African Union, in accordance with the Charter of the United Nations and the relevant statutes of the regional organizations (first paragraph)
	The Council reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security and consistent with Chapter VIII of the Charter can improve collective security (second paragraph)
	The Council welcomes the continuing important efforts and enhanced peacekeeping role of the African Union and its subregional organizations, consistent with Council resolutions and decisions, to prevent, mediate and settle conflicts on the African continent, and, taking into account the increasing importance of conflict prevention, notes with appreciation the positive efforts made towards peace and security in Africa (third paragraph)
	The Council recognizes that, in deploying peacekeeping operations authorized by the Council, the African Union is contributing towards the maintenance of international peace and security, in a manner consistent with the provisions of Chapter VIII of the Charter (fourth paragraph)
	The Council recalls the statement by its President of 26 October 2009, in which it requested the Secretary-General to submit a progress report on United Nations support to the African Union when it undertakes peacekeeping operations authorized by the United Nations, following his report of 18 September 2009, which detailed ways in which effective support could be provided by the United Nations, including an assessment of the recommendations contained in the report of the African Union-United Nations panel on modalities for support to African Union peacekeeping operations (fifth paragraph)
	The Council reaffirms the importance of and its commitment to strengthening its partnership with the Peace and Security Council of the African Union, consistent with Chapter VIII of the Charter, by reviewing the degree of cooperation between them with regard to conflict prevention and resolution, peacekeeping, peacebuilding, including the maintenance of constitutional order, the promotion of human rights, democracy and the rule of law in Africa, as stressed in the communiqués of their members, including that of 9 July 2010 (seventh paragraph)
	The Security Council reiterates the need for further enhancement of regular interaction, coordination and consultation between the United Nations and the African

<i>Decision and date</i>	<i>Provision</i>
	Union on matters of mutual interest. The Council welcomes in this regard the inaugural meeting of the United Nations-African Union Joint Task Force on Peace and Security, held in New York on 25 September 2010, and encourages the Task Force to focus on strategic and country-specific issues on the continent of interest to both organizations (eighth paragraph)
	The Council welcomes the establishment, on 1 July 2010, of the United Nations Office to the African Union, which integrates the mandates of the former United Nations Liaison Office to the African Union, the African Union Peacekeeping Support Team, the United Nations Planning Team for the African Union Mission in Somalia, and the support elements of the African Union-United Nations Hybrid Operation in Darfur Joint Support and Coordination Mechanism, as a concrete step in the strengthening of cooperation between the United Nations Secretariat and the African Union Commission (ninth paragraph)
	The Council underscores the importance of expediting the implementation, in close consultation with other international partners, of the 2006 United Nations-African Union Ten-year Capacity-building Programme for the African Union focusing mainly on peace and security, in particular the operationalization of the African Standby Force and the Continental Early Warning System. The Council supports the ongoing efforts to strengthen the African Peace and Security Architecture and reiterates its call for the international community, particularly donors, to fulfil their commitments as endorsed in the 2005 World Summit Outcome (tenth paragraph)
	The Council reiterates that regional organizations have the responsibility to secure human, financial, logistical and other resources for their organizations, including through contributions by their members and support from partners. The Council welcomes the valuable financial support provided by the African Union's partners towards its peacekeeping operations, including through the African Peace Facility, and calls upon all partners to render more support (eleventh paragraph)
	The Council reaffirms its resolution 1809 (2008), in which it recognizes the need to enhance the predictability, sustainability and flexibility of financing for regional organizations when they undertake peacekeeping under a United Nations mandate (twelfth paragraph)
	The Council notes the observation of the Secretary-General in his report that, while the African Union is taking critical measures to enhance its institutional capacity to undertake peacekeeping operations with the support of United Nations and key partners, the issue of securing sustainable, predictable and flexible financing remains a key challenge. The Council expresses its determination to continue working, in accordance with its responsibilities under the Charter, towards a more predictable and sustainable solution to these funding challenges (thirteenth paragraph)
	The Council notes the continuing efforts of the African Union to enhance its institutional capacity to enable it to effectively plan, manage and deploy peacekeeping operations (fourteenth paragraph)
	The Council, in this regard, calls upon the African Union to work towards the implementation of a long-term and comprehensive capacity-building strategic framework in consultation with the United Nations and other international partners (fifteenth paragraph)
<b>Post-conflict peacebuilding</b>	
<a href="#">S/PRST/2010/7</a> 16 April 2010	The Council emphasizes the need for the United Nations system to strengthen strategic partnership with other international, regional and subregional organizations, as well as financial institutions, in particular by promoting coherence and coordination among their plans and programmes. In this connection, the Council looks forward to further strengthening of the cooperation between the United Nations and the World Bank at both the headquarters and the field levels, and to the Secretary-General including in his follow-up report details of the steps that have been taken in generating more timely, predictable and accountable responses for the key peacebuilding sectors as requested (twelfth paragraph)
<a href="#">S/PRST/2010/20</a> 13 October 2010	The Council welcomes and encourages more coordinated, coherent and integrated peacebuilding efforts, which includes forging stronger partnerships among Member



<i>Decision and date</i>	<i>Provision</i>
	States, regional and subregional organizations, the World Bank and other international financial institutions, other multilateral partners, civil society and the private sector with a focus on delivering greater impact and results on the ground (sixth paragraph)
<a href="#">S/PRST/2011/2</a> 21 January 2011	The Council stresses its willingness to make greater use of the advisory role of the Peacebuilding Commission. The Council notes the potential role that the Commission can play in helping to achieve critical peacebuilding objectives, including the development of viable and accountable institutions in the countries on its agenda. The Council also stresses the importance of focused and well-defined partnerships among the United Nations, development agencies, bilateral partners and all other relevant actors, in particular regional and subregional organizations and the international financial institutions, to implement national strategies aimed at effective institution-building which are based on the achievement of results and mutual accountability (fifth paragraph)
<b>United Nations peacekeeping operations</b>	
<a href="#">S/PRST/2010/2</a> 12 February 2010	The Council recognizes the contribution of regional and subregional organizations to transition. The Council calls upon all Member States and subregional, regional and international partners to promote coherence and coordination of their peacebuilding plans and programmes with those of the United Nations peacekeeping operation and the wider United Nations presence on the ground (ninth paragraph)
<a href="#">S/PRST/2011/17</a> 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 United Nations Charter (third paragraph)
<b>Women and peace and security</b>	
<a href="#">S/PRST/2010/22</a> 26 October 2010	The Council reiterates its request to Member States and international, regional and subregional organizations to take measures to increase the participation of women in conflict prevention, conflict resolution and peacebuilding, including in decision-making roles in post-conflict governance institutions, appointed and elected. The Council urges the Secretary-General to appoint more women as mediators and special representatives and envoys to pursue good offices on his behalf (sixteenth paragraph)
<a href="#">S/PRST/2011/20</a> 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 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, international and regional organizations to take measures to increase the numbers of women involved in mediation efforts and the numbers of women in representative roles in</p>

<i>Decision and date</i>	<i>Provision</i>
	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)

## **B. Constitutional discussions under thematic items concerning interpretation and application of Chapter VIII of the Charter**

From 2010 to 2011, there were numerous occasions in which speakers in Council deliberations under thematic items referred explicitly to Chapter VIII<sup>19</sup> as well as Articles 52<sup>20</sup> and 54,<sup>21</sup> while many did not give rise to a constitutional discussion. The most prominent discussions, featured in the following three case studies, were in the context of

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<sup>19</sup> In connection with briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), see [S/PV.6268](#), p. 5 (Chairman-in-Office of OSCE); p. 6 (Russian Federation); p. 9 (Austria); p. 9 (China); p. 11 (Bosnia and Herzegovina); p. 12 (Nigeria); p. 12 (Gabon); and p. 13 (Mexico); [S/PV.6481](#), p. 2 (Chairperson-in-Office of OSCE); p.7 (Germany); p. 7 (Russian Federation). In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PV.6257](#), p. 4 (Secretary-General); p. 5 (Secretary-General of LAS); p. 7 (Commissioner for Peace and Security of the African Union Commission); p. 8 [Viet Nam on behalf of the Association of Southeast Asian States (ASEAN)]; p. 11 (Secretary-General of the Collective Security Treaty Organization); pp. 11-12 (Acting head of the European Union delegation to the United Nations); p. 13 [Deputy Secretary-General of the North Atlantic Treaty Organization (NATO)]; p. 16 [Secretary for Political Affairs of the Organization of American States (OAS)]; p. 16 [Secretary-General of the Organization of the Islamic Conference (OIC)]; p. 18 (Head of the External Cooperation Department of OSCE); p. 20 (Australia on behalf of the Pacific Islands Forum); [S/PV.6306](#), p. 7 (United Kingdom); p. 8 (Turkey); p. 9 (Russian Federation); p. 10 (Japan); p. 15 (Gabon); and p. 15 (Lebanon); [S/PV.6477](#), p. 9 (Russian Federation); p. 10 (South Africa); p. 14 (Lebanon); and p. 15 (India). In connection with the implementation of the note by the President of the Security Council (S/2006/507), see [S/PV.6300](#), p. 4 (Russian Federation); and [S/PV.6300 \(Resumption 1\)](#), p. 26 (Qatar); [S/PV.6672](#), p. 11 (Lebanon); p. 12 (India); and [S/PV.6672 \(Resumption 1\)](#), p. 2 (Mexico). In connection with maintenance of international peace and security: see [S/PV.6322](#), p. 8 (Russian Federation); [S/PV.6360](#), p. 17 (Russian Federation); p. 21 (Turkey); [S/PV.6360 \(Resumption 1\)](#), p. 10 (Senegal); p.11 (Burkina Faso); and p.5 (Benin); [S/PV.6389](#), p. 9 (Nigeria); and p. 15 (Russian Federation); [S/PV.6621](#), p. 5 (Colombia); p. 9 (Gabon); and p. 23 (Russian Federation). In connection with peace and security in Africa, see [S/PV.6409](#), pp. 3-4 (Secretary-General); pp. 6-7 (Commissioner for Peace and Security of the African Union); p. 12 (Bosnia and Herzegovina); p. 15 (France); p. 20 (Gabon); p. 21 (Lebanon); p. 22 (Mexico); p. 27 (Algeria); p. 28 (South Africa); p. 31 (Portugal); p.35 (Ethiopia); and p. 36 (Sudan); [S/PV.6561](#), p. 5 (South Africa); p. 11 (Bosnia and Herzegovina); p. 12 (Colombia); p. 12 (India); p. 14 (Lebanon); p. 15 (Portugal); and p. 16 (Russian Federation); and [S/PV.6633](#), p. 23 (Benin). In connection with post-conflict peacebuilding, see [S/PV.6299 \(Resumption 1\)](#), p. 21 (Solomon Islands); and [S/PV.6472 \(Resumption 1\)](#), p. 27. (Argentina). In connection with United Nations peacekeeping operations: see [S/PV.6270](#), p. 22 (Russian Federation); [S/PV.6370](#), p. 26 (Lebanon); and p. 28 (Russian Federation); [S/PV.6603](#), p. 7 (Portugal); p. 20 (South Africa); and [S/PV.6603 \(Resumption 1\)](#), p. 18 (Uganda).

<sup>20</sup> [S/PV.6299](#), p. 34; and [S/PV.6569](#), p. 6 and p. 11.

<sup>21</sup> [S/PV.6257](#), p. 29; [S/PV.6477](#), p. 15; and [S/PV.6481](#), p. 11 and p. 12.



cooperation with regional organizations in peacemaking, peacekeeping and post-conflict peacebuilding (case 1); the issue of financing of regional peace-keeping operations authorized by the Council (case 2); and relations with the Organization for Security and Cooperation in Europe (OSCE) (case 3).

## Case 1

### **Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security**

In the concept paper for the debate concerning cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, it was stated that while the Charter of the United Nations had assigned primary responsibility for the maintenance of international peace and security to the Security Council, in Chapter VIII of the Charter, the founding Members of the United Nations had also encouraged the development of pacific settlement of local disputes through regional arrangements.<sup>22</sup>

At the 6257<sup>th</sup> meeting, on 13 January 2010, providing concrete examples of cooperation with regional organizations in peacemaking, peacekeeping and post-conflict peacebuilding, many speakers recognized the comparative advantages of regional organizations in dealing with local conflicts and their complementary roles in maintaining international peace and security.<sup>23</sup> A number of speakers also called for the further strengthening of such cooperation by, for example, developing common goals and establishing a clear division of labour.<sup>24</sup> In that context, the Commissioner for Peace and Security of the African Union Commission pointed out that a major challenge for regional organizations and the United Nations was to develop shared, adequate and effective responses to events and situations on which they sometimes took different

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<sup>22</sup> [S/2010/9](#).

<sup>23</sup> [S/PV.6257](#), p. 7 (Commissioner for Peace and Security of the African Union Commission); pp. 8-9 (Viet Nam, on behalf of the Association of Southeast Asian Nations (ASEAN)); p. 13 (Deputy Secretary-General of the North Atlantic Treaty Organization (NATO)); pp. 15-16 (Secretary for Political Affairs of the Organization of American States (OAS)); p. 20 (Australia, on behalf of the Pacific Islands Forum (PIF)); p. 22 (Uganda); pp. 24-25 (Mexico); p. 26 (United States); p. 27 (Austria); pp. 28-29 (Russian Federation); pp. 29-31 (Japan); pp. 32-33 (Brazil); p. 36 (Gabon); pp. 37-38 (Bosnia and Herzegovina); p. 38 (Lebanon); and p. 39 (China).

<sup>24</sup> *Ibid.*, p. 13 (Deputy Secretary-General of NATO); p. 23 (United Kingdom); p. 24 (Mexico); p. 27 (Austria); p. 28 (Russian Federation); p. 31 (Japan); p. 35 (Turkey); and p. 38 (Bosnia and Herzegovina).

positions, as seen in the cases of unconstitutional changes of government, religious extremism and terrorism as well as in situations where the regional consensus decisions by organizations such as the African Union were not universally supported.<sup>25</sup>

In terms of the framework within the Charter for cooperation between the United Nations and regional organizations, the Secretary-General stated that more could and had to be done as Chapter VIII of the Charter had foreseen a world in which regional organizations and the United Nations would work together on all continents, consistent with the principles of the Charter, in conflict prevention, management and resolution, while the Council had made ample use of its authority to engage in global and regional partnerships.<sup>26</sup> The representative of the League of Arab States (LAS) proposed a more in-depth interpretation of Chapter VIII on the basis of lessons learned and past experience of cooperation with regional and subregional organizations, in view of the unprecedented growth of the role of regional organizations and the lack of coherent policies and planning in addressing crises.<sup>27</sup> The Commissioner for Peace and Security of the African Union Commission was of the opinion that Chapter VIII had proved very flexible and adaptable in dealing with new realities not envisaged in 1945 and he encouraged such creativity so that the United Nations and regional organizations could make gains in effectiveness.<sup>28</sup>

The representative of Brazil held that the Charter had laid the foundations for cooperation with regional organizations, which was never an abdication by the Council of its primary responsibility for maintaining international peace and security and was rather an effective means by which the Council could discharge its responsibility.<sup>29</sup> The representative of the Russian Federation argued that the leading role of the Council as enshrined in the Charter remained inviolable on issues related to the maintenance of international peace and security, particularly in cases of mandate authorization and oversight of regional or coalition peacekeeping operations that allowed for the use of force.<sup>30</sup> The representative of the United Kingdom opined that the Security Council

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<sup>25</sup> Ibid., p. 7.

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

<sup>27</sup> Ibid., p. 5.

<sup>28</sup> Ibid., p. 8.

<sup>29</sup> Ibid., p. 32.

<sup>30</sup> Ibid., p. 28.

should retain its pre-eminence in matters pertaining to the maintenance of international peace and security and argued that the Council's responsibility was to set the strategic direction for cooperation with regional organizations, which had been envisaged by the founding fathers of the United Nations but which had seen a significant increase in scale and variety.<sup>31</sup> Stressing that cooperation between the United Nations and regional organizations as provided for under Chapter VIII aligned with the interests of both, the representative of France held that while the operations of regional and subregional organizations needed the essential political and legal legitimacy conferred by the Council's mandates, the United Nations could benefit from the operational expertise and means of regional organizations, particularly at a time which required the mobilization of all available resources.<sup>32</sup>

Moreover, several speakers underlined the importance of the United Nations, particularly the Security Council, to engage, consult and exchange views with regional and subregional organizations in order to work effectively together in the maintenance of international peace and security.<sup>33</sup> The representative of Japan, citing Article 54 of the Charter, held that the thematic debate was a timely opportunity to hold such a strategic dialogue, stressing the significance of high-level dialogue and information-sharing for better cooperation with regional organizations.<sup>34</sup>

## **Case 2**

### **Peace and security in Africa**

In the report of the Secretary-General dated 14 October 2010<sup>35</sup> on support to African Union peacekeeping operations authorized by the United Nations, the Secretary-General reported that the complex challenges in the world required a revitalized and evolving interpretation of Chapter VIII of the Charter. Highlighting the need for the Security Council to enunciate its vision of strategic partnership which would entail a

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<sup>31</sup> Ibid., p. 23.

<sup>32</sup> Ibid., p. 31.

<sup>33</sup> Ibid., p. 9 (Viet Nam, on behalf of ASEAN); p. 22 (Uganda); p. 25 (Mexico); p. 28 (Austria); and p. 38 (Lebanon).

<sup>34</sup> Ibid., pp. 29-30.

<sup>35</sup> [S/2010/514](#)

clearly defined expectation of the role of regional organizations, the Secretary-General underscored that cooperation between the United Nations and regional organizations did not absolve the Council of its Charter-mandated primacy in the maintenance of international peace and security. He opined that efforts to work with regional organizations to collectively address the challenges of peace and security must be undertaken in line with Chapter VIII and coordinated under the aegis of the United Nations. Among challenges related to relying on United Nations assessed contributions for African Union peace support operations authorized by the Security Council, as called for by the Peace and Security Council of the African Union, was that, under existing rules and procedures, United Nations support required a case-by-case authorization by the Council, after which that the General Assembly determined the scope of the support package and the level of assessed contributions to be provided. In his opinion, the current financial frameworks for partnership in peacekeeping operations were not conducive to building a sustainable long-term strategy and the support package for regional peacekeeping operations, such as that for the African Union Mission in Somalia (AMISOM), and the support provided to the United Nations peacekeeping operations, should be identical.<sup>36</sup>

At the 6409<sup>th</sup> meeting, on 22 October 2010, concerning peace and security in Africa, the President of the Council (Uganda) stated that the efforts of the African Union to deploy peacekeeping operations effectively continued to be hampered by the lack of sustainable, predictable and flexible funding. Citing AMISOM as a case in point, he called for the Council to take decisive action on practical ways to actualize that support, including through assessed contributions. The Secretary-General also called for a solution that would provide predictable, sustainable and flexible resources to the African Union when it undertook peacekeeping operations authorized by the Council under Chapter VIII of the Charter.<sup>37</sup> In addition, the Commissioner for Peace and Security of the African Union argued that support using United Nations-assessed contributions was the most viable response to challenges in the funding of peace support operations by the African Union. He urged the Council to address the funding issue, which, in his view, had made

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<sup>36</sup> Ibid, pp. 43, 45, 54-55 and 61.

<sup>37</sup> [S/PV.6409](#), p. 4.

progress more slowly than Africa had expected, by building on the relevant experiences including the use of support packages extended to the African Union Mission in Sudan (AMIS) and AMISOM, in line with the Council's primary responsibility for the maintenance of international peace and security. He added that this responsibility should be exercised in full, including its financial implications.<sup>38</sup>

A majority of speakers recognized the importance, as well as the challenges, of securing predictable, sustainable and flexible funding for African Union peacekeeping operations.<sup>39</sup>

The representative of Lebanon underscored that African Union peacekeeping operations should not be financed by voluntary contributions which did not guarantee the sustainability of operations, stating that the African Union, when deploying a peacekeeping operation, acted on behalf, and relied on the support, of the Council which bore the primary responsibility for international peace and security. He therefore held that the request by the African Union to consider using assessed contributions to finance its operations in specific cases was eminently justified.<sup>40</sup> The representative of Ethiopia also supported the use of assessed contributions to support United Nations-authorized peacekeeping operations by the African Union.<sup>41</sup> In addition, the representative of Turkey held that, in light of the experiences of financing the logistical support package to AMISOM through United Nations assessed contributions, the Council must be ready to consider the use of assessed contributions to support similar United Nations authorized operations on a case-by-case basis in the future. He further argued that it could help the Council overcome the biggest challenge standing in the way of African peacekeeping operations, and could enhance United Nations-African Union strategic cooperation.<sup>42</sup>

The representative of Brazil pointed out that elements of the support package for AMISOM not covered by assessed contributions, such as reimbursement for contingency-owned equipment and troop allowances, had suffered from piecemeal donor

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<sup>38</sup> *Ibid.*, pp. 6-7.

<sup>39</sup> *Ibid.*, p. 9 (Nigeria); p. 10 (China); p. 12 (Bosnia and Herzegovina); p. 12 (Russian Federation); p. 13 (Turkey); p. 14 (Japan); p. 17 (United States); p. 19 (Gabon); p. 22 (Lebanon); p. 23 (Mexico); p. 24 (United Kingdom); p. 25 (Austria); p. 26 (Finland); p. 29 (South Africa); p. 32 (Portugal); p. 33 (Kenya); p. 34 (Australia); p. 35 (Ethiopia); and p. 37 (Sudan).

<sup>40</sup> *Ibid.*, p. 22.

<sup>41</sup> *Ibid.*, p. 35.

<sup>42</sup> *Ibid.*, p.14.

support and that caveats and earmarks seriously undermined the effectiveness of the support provided.<sup>43</sup> Furthermore, the representative of Sudan drew attention to the challenges of being financially dependent on the contributions of international donors, as the position of donors might change and the pledged contribution might not be forthcoming.<sup>44</sup>

Recognizing the need to work towards longer-term and more predictable, sustainable and flexible financing for African Union-led operations under a United Nations mandate, the representative of the United Kingdom stated that sustained engagement and commitment from a broader base of donors was essential and pointed out the importance of building on progress made by the African Union in enhancing its financial management capacity, as part of a transition to a more predictable funding process.<sup>45</sup>

The representative of the Russian Federation called for a rational approach to the issue of the provision of logistical and financial support by the United Nations to peacekeeping efforts by the African Union, thoroughly analyzing the conditions for the deployment, the needs of specific peacekeeping operations as well as consulting with the African Union on all aspects of United Nations support. At the same time, he held that the African Union's peacekeeping role demonstrated the need for rational utilization of the capacities of regional organizations by the Council, pursuant to Chapter VIII of the Charter. He noted that the existence of robust regional organizations capable of bearing a greater share of responsibility for the situation in their regions enabled the United Nations to focus on global issues to a greater extent, which was in the interests of the entire world community.<sup>46</sup>

For his part, the representative of France was opposed to resorting to obligatory contributions for operations which the United Nations did not lead for both operational and budgetary reasons. He stressed the importance of ensuring stricter financial tracking of peacekeeping operations, the budgets of which had recently increased exponentially, and he argued that the partners of the United Nations, such as the African Union, could

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<sup>43</sup> Ibid., p. 20.

<sup>44</sup> Ibid., p. 35.

<sup>45</sup> Ibid., pp. 23-24.

<sup>46</sup> Ibid., p. 12.

not stay in the background. While noting the efforts undertaken by the African Union to reform its management methods and to diversify its peacekeeping funding sources, he affirmed that the United Nations must retain the primary responsibility for the operations that it funded. He further emphasized that the African Peace Facility of the European Union represented a first appropriate response to the African request for predictable and sustained financing for African-led peacekeeping operations.<sup>47</sup> Other speakers also welcomed the African Peace Facility as a source of such funding, which had financed a number of African-led peace operations, including AMIS, AMISOM and the Mission for the Consolidation of Peace in the Central African Republic (MICOPAX).<sup>48</sup>

In the presidential statement adopted at the meeting, the Council acknowledged that the issue of securing sustainable, predictable, and flexible financing remained a key challenge, and expressed its determination to continue working towards a more predictable and sustainable solution to those funding challenges.<sup>49</sup>

### Case 3

#### **Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe**

At the 6481<sup>st</sup> meeting on 15 February 2011, in connection with the briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE), the Chairperson-in-Office of the OSCE stated that OSCE was the largest regional organization of the world under Chapter VIII of the Charter with 56 participating States spanning the Euro-Atlantic and Eurasian region. He praised the ongoing close and practical cooperation between OSCE and the United Nations in the maintenance of international peace and security and held that, the more effective OSCE could be in promoting security and cooperation in Europe, the more time the Council would have to devote to other challenges in other areas of the world.<sup>50</sup>

Many speakers underlined and supported the importance of close cooperation between the OSCE and the United Nations with some citing concrete examples not only

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<sup>47</sup> *Ibid.*, pp. 16-17.

<sup>48</sup> *Ibid.*, p. 19 (Gabon); p. 24 (United Kingdom); and p. 30 (European Union).

<sup>49</sup> [S/PRST/2010/21](#), thirteenth paragraph.

<sup>50</sup> [S/PV.6481](#), pp. 2 and 4.

in conflict management and resolution but also in such areas as counter-terrorism, non-proliferation and drug trafficking.<sup>51</sup>

Supporting the role of regional organizations in the maintenance of international peace and security under Chapter VIII of the Charter, the representative of India welcomed the briefing by the Chairperson-in-Office of OSCE, explicitly citing Article 54.<sup>52</sup> Also citing Article 54 as the basis for that briefing, the representative of South Africa<sup>53</sup> further stated that the efforts by regional organizations did not absolve the Council of its Charter-mandated role as the guardian of international peace and security, and that such efforts complemented each other, as confirmed in the briefing.<sup>54</sup> Moreover, the representative of the Russian Federation argued that cooperation between the United Nations, the Security Council and regional and subregional arrangements should be based on the strong foundation of the Charter, in particular Chapter VIII, taking into due account the comparative advantages of each organization and mechanism. At the same time, he underscored the fact that the Security Council held the primary responsibility for the maintenance of international peace and security.<sup>55</sup> Similarly, the representative of China opined that the Security Council needed the support and cooperation of regional and subregional organizations in fulfilling its primary responsibility of maintaining international peace and security; Lebanon echoed those remarks.<sup>56</sup>

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<sup>51</sup> Ibid., pp. 4-5 (United States); p. 6 (United Kingdom); p. 7 (Germany); p. 7 (Russian Federation); p. 8 (Nigeria); p. 9 (Lebanon); p. 10 (Colombia); pp. 10-11 (Portugal); p. 12 (China); p. 13 (Bosnia and Herzegovina); p. 15 (Gabon); and p. 15 (Brazil).

<sup>52</sup> Ibid., p. 11.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid., p.12.

<sup>55</sup> Ibid., p. 7.

<sup>56</sup> Ibid., p.9 (Lebanon); and p.12 (China).



## **Section II**

### **Recognition by the Security Council of the efforts of regional arrangements in the pacific settlement of disputes**

#### **Note**

This section features recognition by the Security Council of efforts by regional and subregional organizations in the pacific settlement of local disputes, within the framework of Article 52 of the Charter in dealing with regional or country-specific situations and general issues. As there were no pertinent discussions on the application and interpretation of Article 52 found during the period under review, this section features decisions of the Council recognizing the efforts of regional organizations in the pacific settlement of disputes only.

#### **A. Decisions recognizing the efforts of regional arrangements in the pacific settlement of disputes**

From 2010 to 2011, the Security Council, in its decisions, frequently welcomed and supported the efforts by regional and subregional organizations in the pacific settlement of disputes, in facilitating mediation, peace and/or political processes independently or jointly with the United Nations and promoting and consolidating peace and stability in the countries and regions under its consideration. Most frequently referred to were the efforts by the African Union in dealing with Chad/the Central African Republic, Côte d'Ivoire, Djibouti/Eritrea, Darfur, Sudan, Guinea-Bissau, Liberia, Libya, Somalia and Sudan/South Sudan, including Abyei. At the same time, the Council also acknowledged efforts by the Caribbean Community (CARICOM), the Collective Security Treaty Organization (CSTO), the Economic Community of West African States (ECOWAS), the European Union, the Gulf Cooperation Council (GCC), the Intergovernmental Authority on Development (IGAD), the League of Arab States (LAS), the Mano River Union, the Organization of American States (OAS), the Organization of the Islamic Conference (OIC), the Organization for Security and Cooperation in Europe

(OSCE), and the Shanghai Cooperation Organization (SCO) and the South Asian Association for Regional Cooperation (SAARC), as summarized below. See also table 2 below citing relevant decisions recognizing efforts by regional and subregional organizations in the pacific settlement of disputes.

In **Africa**, in connection with reports of the Secretary-General on Sudan, the Council underlined, without prejudice to its primary responsibility for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union “consistent with Chapter VIII’ of the Charter, with regard to the maintenance of peace and security in Africa, particularly in the Sudan.<sup>57</sup> In reaffirming the importance of promoting the African Union-United Nations-led peace and political process for Darfur and urging the parties to urgently reach agreement on Abyei and other outstanding Comprehensive Peace Agreement issues, the Council, throughout the period under review, recognized, welcomed and supported the role and the work by the African Union, in particular the African Union High-Level Implementation Panel for Sudan, under the leadership of President Thabo Mbeki of South Africa, and the Joint African Union-United Nations Chief Mediator for Darfur,<sup>58</sup> as well as IGAD<sup>59</sup> and the LAS.<sup>60</sup>

In Côte d’Ivoire, the Council commended the Facilitator, President Blaise Compaoré of Burkina Faso, for his mediation efforts;<sup>61</sup> commended the continuing efforts of ECOWAS and the African Union, including the constructive efforts of the African Union High-Level Panel for the Resolution of the Crisis in Côte d’Ivoire, to promote peace and stability and to resolve the crisis in the country, including the post-presidential election crisis.<sup>62</sup> The Council also welcomed the appointment of a High Representative

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<sup>57</sup> [Resolutions 1935 \(2010\)](#), seventh preambular paragraph; and [2003 \(2011\)](#), tenth preambular paragraph.

<sup>58</sup> [Resolutions 1919 \(2010\)](#), eighth and tenth preambular paragraphs; [1935 \(2010\)](#), sixth and eighth preambular paragraphs and paras. 3 and 11; [1945 \(2010\)](#), tenth preambular paragraph; [1990 \(2011\)](#), fifth preambular paragraph; [2003 \(2011\)](#), seventh and ninth preambular paragraphs and para. 4; [2024 \(2011\)](#), third preambular paragraph; and [2032 \(2011\)](#), eighth preambular paragraph; [S/PRST/2010/24](#), third and tenth paragraphs; [S/PRST/2010/28](#), eighth paragraph; [S/PRST/2011/3](#) sixth and tenth paragraphs; and [S/PRST/2011/8](#), tenth paragraph.

<sup>59</sup> [Resolution 1919 \(2010\)](#), tenth preambular paragraph.

<sup>60</sup> [Resolution 1945 \(2010\)](#), tenth preambular paragraph; [S/PRST/2010/24](#), third paragraph.

<sup>61</sup> [S/PRST/2010/3](#), second paragraph; [resolutions 1911 \(2010\)](#), fifth preambular paragraph; [1933 \(2010\)](#), fifth preambular paragraph; and [1962 \(2010\)](#), tenth preambular paragraph.

<sup>62</sup> [Resolutions 1962 \(2010\)](#), twelfth preambular paragraph; [1975 \(2011\)](#), fourth preambular paragraph; [1980 \(2011\)](#) sixth preambular paragraph; and [2000 \(2011\)](#), seventeenth preambular paragraph.

for the implementation of the overall political solution by the Peace and Security Council of the African Union.<sup>63</sup>

In Somalia, the Council welcomed the work of the African Union High Representative for Somalia and the Special Representative of the Chairperson of the African Union Commission for Somalia; welcomed and supported the endeavours of the African Union, IGAD and other regional organizations to promote peace and stability in Somalia; and requested the strengthening of cooperation among IGAD, the African Union and the United Nations to allow for an appropriate division of responsibilities in Somalia in an effort to reduce duplication of effort and ensure proper utilization of resources.<sup>64</sup>

In addition, the Council reiterated its full support for the efforts of the African Union and other international and regional actors to find solutions to the armed conflict in the region, in connection with the situation in Chad, the Central African Republic and the subregion;<sup>65</sup> welcomed the continued engagement of the African Union to resolve the border dispute between Eritrea and Djibouti and supported the call by the African Union in that regard;<sup>66</sup> welcomed the appointment by the Chairperson of the African Union Commission of a Special Representative for Guinea-Bissau;<sup>67</sup> expressed its appreciation for the continued support of ECOWAS and the African Union in Liberia;<sup>68</sup> welcomed the efforts of the African Union, LAS, the European Union and OIC in Libya;<sup>69</sup> welcomed the role played by ECOWAS and encouraged the States members of the Mano River Union and other regional organizations to continue their dialogue aimed at consolidating regional peace and security, in connection with the situation in Sierra Leone.<sup>70</sup>

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<sup>63</sup> [Resolution 1975 \(2011\)](#), para. 2.

<sup>64</sup> [S/PRST/2011/6](#), fifteenth paragraph; [S/PRST/2011/10](#), third paragraph; [resolution 2010 \(2011\)](#), seventh and eighth preambular paragraphs and para. 28.

<sup>65</sup> [Resolution 1923 \(2010\)](#), eighth preambular paragraph.

<sup>66</sup> [Resolution 2023 \(2011\)](#), fifth preambular paragraph and para. 2.

<sup>67</sup> [Resolution 1949 \(2010\)](#), eighth preambular paragraph.

<sup>68</sup> [Resolution 1938 \(2010\)](#), eleventh preambular paragraph.

<sup>69</sup> [Resolutions 1973 \(2011\)](#), para. 2; and [2009 \(2011\)](#), eleventh preambular paragraph.

<sup>70</sup> [Resolutions 1941 \(2010\)](#), thirteenth preambular paragraph; and [2005 \(2011\)](#), fourteenth preambular paragraph.

In the **Americas**, the Council recognized the important contribution of OAS and other international, regional and subregional organizations in supporting the political process in Haiti.<sup>71</sup>

In **Asia**, the contributions by the European Union, OIC, OSCE, SCO, CSTO and SAARC in the stabilization of Afghanistan were recognized in the context of promoting regional cooperation and good-neighbourly relations in Afghanistan.<sup>72</sup>

Turning to the **Middle East**, the Council welcomed the engagement of GCC and reaffirmed its support for the latter's efforts to resolve the political crisis in Yemen and further welcomed the 23 September 2011 statements by GCC in which it had called for the immediate signing and implementation of the GCC initiative by President Saleh, among others.<sup>73</sup> Concerning non-proliferation, the Council encouraged the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution.<sup>74</sup>

Table 2

**Decisions recognizing the efforts by regional and subregional organizations in the pacific settlement of disputes**

<i>Decision and date</i>	<i>Provision</i>
<b>Non-proliferation</b>	
<a href="#">Resolution 1929 (2010)</a> 9 June 2010	Encourages the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to creating the conditions necessary for resuming talks, and encourages the Islamic Republic of Iran to respond positively to such proposals (para. 33)
<b>Peace and security in Africa:[Djibouti and Eritrea]</b>	
<a href="#">Resolution 2023 (2011)</a> (Chapter VII) 5 December 2011	Reiterating its grave concern about the border dispute between Eritrea and Djibouti and the importance of resolving it, calling upon Eritrea to pursue with Djibouti, in good faith, the scrupulous implementation of the 6 June 2010 Agreement, concluded under the auspices of Qatar, in order to resolve their border dispute and consolidate the normalization of their relations, and welcoming the mediation efforts of Qatar, the continued engagement of regional actors, the African Union and the United Nations (fifth preambular paragraph)

<sup>71</sup> [S/PRST/2011/7](#).

<sup>72</sup> [Resolutions 1943 \(2010\)](#), twenty-fifth preambular paragraph; [1974 \(2011\)](#), para. 13; and [2011 \(2011\)](#), thirty-fifth preambular paragraph.

<sup>73</sup> [Resolution 2014 \(2011\)](#), fifth and eighth preambular paragraphs.

<sup>74</sup> [Resolution 1929 \(2010\)](#), para. 33.

<i>Decision and date</i>	<i>Provision</i>
	Supports the call by the African Union for Eritrea to resolve its border disputes with its neighbours and calls on the parties to peacefully resolve their disputes, normalize their relations and to promote durable peace and lasting security in the Horn of Africa, and encourages the parties to provide the necessary cooperation to the African Union in its efforts to resolve these disputes (para. 2)
<b>Peace consolidation in West Africa</b>	
<a href="#">S/PRST/2010/3</a> 16 February 2010	The Council reiterates its support for the efforts of the Economic Community of West African States and the African Union. It commends President Blaise Compaoré of Burkina Faso for his mediation efforts and welcomes the communiqués issued on 26 January 2010 by the International Contact Group on Guinea and on 3 February 2010 by the African Union Summit (second paragraph)
<b>The question concerning Haiti</b>	
S/PRST/2011/7, third paragraph	The Council welcomes the ongoing electoral process in Haiti and stresses the importance of its completion in a peaceful, credible and legitimate way, which will contribute to the consolidation of democracy, allow for the completion of constitutional reform and provide a strong basis for the continuing reconstruction efforts. The Council recognizes the important contribution of the United Nations Stabilization Mission in Haiti and the Organization of American States and other international, regional and subregional organizations in supporting the political process.
<b>Reports of the Secretary-General on the Sudan</b>	
<a href="#">Resolution 1919 (2010)</a> 29 April 2010	Recognizing that, regardless of the results of the referendum, both parties to the Comprehensive Peace Agreement will need to continue to discuss critical issues in a peaceful and constructive manner and that the United Nations, the African Union and other regional organizations can play an important role in supporting and promoting this dialogue (eighth preambular paragraph)
	Commending also the work of the African Union in the Sudan, in particular the African Union High-Level Implementation Panel for the Sudan and the role that it has played in focusing attention on the interrelatedness of conflicts in the Sudan and assisting the Sudanese parties to comprehensively address these issues, along with the Intergovernmental Authority on Development and other regional actors (tenth preambular paragraph)
<a href="#">Resolution 1935 (2010)</a> 30 July 2010	Expressing its strong commitment and determination to promote and support the Darfur political process and the efforts of the Joint African Union-United Nations Chief Mediator for Darfur, welcoming his commitment to progress and the negotiations between the Government of the Sudan and the Liberation and Justice Movement on an agreement under the auspices of the Joint Chief Mediator, and deploring the fact that some groups continue to refuse to join the political process (sixth preambular paragraph)
	Underlining, without prejudice to the primary responsibility of the Security Council for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union, consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in the Sudan (seventh preambular paragraph)
	Welcoming the important role of the African Union in the Sudan, in particular the efforts of the African Union High-Level Implementation Panel for the Sudan, working in cooperation with the Joint Chief Mediator and the African Union-United Nations Hybrid Operation in Darfur to promote peace, reconciliation and accountability in Darfur, including through the early convening of a Darfur-Darfur conference, with a view to encouraging early progress in the African Union-United Nations-led peace process (eighth preambular paragraph)
	Reaffirms the importance of promoting the African Union-United Nations-led political process for Darfur and, in this regard, underlines the need for the systematic and sustained

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	engagement of all Darfurian stakeholders, including newly elected officials, civil society, including women and women-led organizations, community groups and tribal leaders, in order to create an environment conducive to peace and security through constructive and open dialogue, welcomes the priority given to the continuing efforts of the African Union-United Nations Hybrid Operation in Darfur to promote such engagement in support of and to complement the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Yipènè Bassolé, and the African Union-United Nations-led political process for Darfur, and welcomes the work of the African Union High-Level Implementation Panel for the Sudan in this regard (para. 3)
	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)
<a href="#">Resolution 1945 (2010)</a> (adopted under Chapter VII) 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)
<a href="#">S/PRST/2010/24</a> 16 November 2010	The Council recalls that the Sudanese parties have full responsibility for the implementation of the Comprehensive Peace Agreement, reaffirms its support for and encourages their further efforts to that end and welcomes the leadership of the African Union and the support provided by the African Union High-level Implementation Panel on the Sudan, under the leadership of President Thabo Mbeki, and by the Intergovernmental Authority on Development. The Council recognizes the commitment of the parties to the implementation of the Agreement, remains actively seized of the matter and expresses its readiness to act as necessary in support of full implementation of the Agreement by the parties. The Council underlines the importance of close coordination between international actors involved in assisting the Sudanese peace processes (third paragraph)
	The Council 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) (Similar provisions in <a href="#">S/PRST/2010/28</a> , eighth paragraph; <a href="#">S/PRST/2011/3</a> , tenth paragraph; and <a href="#">S/PRST/2011/8</a> , tenth paragraph)
<a href="#">S/PRST/2010/28</a> 16 December 2010	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)
<a href="#">S/PRST/2011/3</a> 9 February 2011	The Council reaffirms its support for the work of the African Union High-level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki, and notes the commitments made by the parties to the Comprehensive Peace Agreement at the Presidency meeting of 27 January 2011, and encourages them to continue to strive for a timely agreement on the implementation of outstanding Agreement issues. The Council urges the parties to reach quickly an agreement on Abyei and other critical issues, including

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	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)
<a href="#">Resolution 1990 (2011)</a> (paragraph 3 adopted under Chapter VII) 27 June 2011	Commending the assistance provided to the parties by the African Union High-Level Implementation Panel on the Sudan and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, and the Special Representative of the Secretary-General for the Sudan, Mr. Haile Menkerios (fifth preambular paragraph)
<a href="#">Resolution 2003 (2011)</a> 29 July 2011	Expressing its strong commitment and determination to support the African Union-United Nations Darfur peace process hosted by Qatar, deploring the fact that some groups continue to refuse to join this process, and strongly urging them to do so without further delay or preconditions (seventh preambular paragraph)
	Welcoming also the establishment of the Implementation Follow-up Commission, chaired by Qatar and the continued engagement of Qatar with the African Union and the United Nations to support an internationally facilitated Darfur peace process, including the Government of the Sudan and all the armed movements, and encouraging the African Union and the United Nations actively to pursue their efforts (ninth preambular paragraph)
	Underlining, without prejudice to the primary responsibility of the Security Council for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union, consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in the Sudan, and welcoming, in particular, the efforts of the African Union High-level Implementation Panel on the Sudan under the leadership of President Thabo Mbeki, working in cooperation with the African Union-United Nations Hybrid Operation in Darfur, to address in a comprehensive and inclusive manner the challenges of peace, justice and reconciliation in Darfur (tenth preambular paragraph)
	Reaffirms the importance of promoting the African Union-United Nations-led peace and political process for Darfur, welcomes the priority given to the continuing efforts of the African Union-United Nations Hybrid Operation in Darfur to support and complement this work in accordance with paragraphs 6, 7 and 8 below, and welcomes the efforts of the African Union High-level Implementation Panel on the Sudan in this regard (para. 4)
<a href="#">Resolution 2024 (2011)</a> 14 December 2011	Commending the assistance provided to the parties by the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the Head of Mission for the United Nations Interim Security Force for Abyei, Lieutenant General Tadesse Werede Tesfay (third preambular paragraph) (Similar provision in <a href="#">resolution 2032 (2011)</a> , eighth preambular paragraph)
<b>The situation in Afghanistan</b>	
<a href="#">Resolution 1943 (2010)</a> 13 October 2010	Recognizing the importance of the contribution of neighbouring and regional partners as well as regional organizations, including the European Union, the Organization for Security and Cooperation in Europe, the Shanghai Cooperation Organization and the Collective Security Treaty Organization, to the stabilization of Afghanistan, stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan, welcoming the regional efforts in this regard, and looking forward to the inaugural meeting in Istanbul, Turkey, in November 2010 of the Core Group established in support of enhanced regional cooperation in conjunction with the Kabul Conference (twenty-fifth preambular paragraph)
<a href="#">Resolution 1974 (2011)</a> 22 March 2011	Welcomes ongoing efforts by the Government of Afghanistan, its neighbouring and regional partners and international organizations, including the Organization of the Islamic Conference, to foster trust and cooperation with each other, as well as recent cooperation



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	initiatives developed by the countries concerned and regional organizations, including the Fifth Trilateral Summit of Afghanistan, Pakistan and Turkey, held in Istanbul, Turkey, on 24 December 2010, and the results of the latest Istanbul Conference, of 3 November 2010, notes the proposed Afghanistan regional conference to be organized by Turkey, and looks forward to the Fifth Regional Economic Cooperation Conference on Afghanistan, to be held in Tajikistan in the fall of 2011, further welcomes the reaffirmation in the Kabul Conference communiqué of the principles set out in the Kabul Declaration on Good-neighbourly Relations of 22 December 2002, and stresses the importance of increasing cooperation between Afghanistan and its partners against the Taliban, Al-Qaida, other violent extremist groups and illegal armed groups, in promoting peace and prosperity in Afghanistan and in fostering cooperation in the economic and development sectors as a means to achieve the full integration of Afghanistan into regional dynamics and the global economy (para. 13)
<a href="#">Resolution 2011 (2011)</a> 12 October 2011	Recognizing the importance of the contribution of neighbouring and regional partners as well as regional organizations, including the European Union, the Organization for Security and Cooperation in Europe, the Shanghai Cooperation Organization, the Collective Security Treaty Organization and the South Asian Association for Regional Cooperation, to the stabilization of Afghanistan, stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan, and welcoming and supporting increased regional efforts towards the continued implementation of previous declarations of good-neighbourly relations (thirty-fifth preambular paragraph)
<b>The situation in Chad, the Central African Republic and the subregion</b>	
<a href="#">Resolution 1923 (2010)</a> 25 May 2010	Reiterating its full support for the efforts of the Secretary-General, the African Union and other international and regional actors to find solutions to the armed conflicts in the region, (eighth preambular paragraph)
<b>The situation in Côte d'Ivoire</b>	
<a href="#">Resolution 1911 (2010)</a> (adopted under Chapter VII) 28 January 2010	Expressing again its appreciation to President Blaise Compaoré of Burkina Faso (“the Facilitator”) for his critical role and his continued efforts to support the peace process in Côte d’Ivoire, in particular through the follow-up mechanisms of the Ouagadougou Political Agreement, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d’Ivoire, and reiterating its full support for them (fifth preambular paragraph) (Same provision in <a href="#">resolution 1933 (2010)</a> , fifth preambular paragraph)
<a href="#">Resolution 1962 (2010)</a> (adopted under Chapter VII) 20 December 2010	Welcoming the decisions taken at the Extraordinary Session of the Authority of Heads of State and Government of the Economic Community of West African States on Côte d’Ivoire, held in Abuja on 7 December 2010, and the decisions of the two hundred and fifty-second meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 9 December 2010 (sixth preambular paragraph)  Paying tribute to President Blaise Compaoré of Burkina Faso (“the Facilitator”) for his critical role to support the peace process and the holding and completion of the presidential election (tenth preambular paragraph)  Commending also the continuing efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d’Ivoire, and reiterating its full support for them (twelfth preambular paragraph)
<a href="#">Resolution 1975 (2011)</a> (adopted under Chapter VII) 29 March 2011	Commending the constructive efforts of the African Union High-Level Panel for the Resolution of the Crisis in Côte d’Ivoire, and reiterating its support for the African Union and the Economic Community of West African States for their commitment to resolve the crisis in Côte d’Ivoire (fourth preambular paragraph)  Welcoming the decision of the Peace and Security Council of the African Union adopted at its two hundred and sixty-fifth meeting, held at the level of Heads of State and Government in Addis Ababa on 10 March 2011, which reaffirms all its previous decisions on the rapidly



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	deteriorating post-electoral crisis facing Côte d'Ivoire since the second round of the presidential election, on 28 November 2010, which recognize the election of Mr. Alassane Dramane Ouattara as the President of Côte d'Ivoire (fifth preambular paragraph)
	Welcoming also the political initiatives and noting the communiqué and the resolution on Côte d'Ivoire adopted by the Authority of Heads of State and Government of the Economic Community of West African States on 24 March 2011 (sixth preambular paragraph)
	Calls upon all parties to pursue the overall political solution of the African Union, and in this regard welcomes the decision of the Peace and Security Council of the African Union, taken at its summit of 10 March 2011, to appoint a High Representative for the implementation of the overall political solution, and calls upon all parties to fully cooperate with him (para. 2)
<a href="#">Resolution 1980 (2011)</a> (adopted under Chapter VII) 28 April 2011	Emphasizing the imperative of sustained efforts by all Ivorians to promote national reconciliation and the consolidation of peace through dialogue and consultation, and welcoming the assistance of the African Union and the Economic Community of West African States in this regard (sixth preambular paragraph)
<a href="#">Resolution 2000 (2011)</a> (adopted under Chapter VII) 27 July 2011	Commending the African Union and the Economic Community of West African States for their efforts during the post-election crisis, and encouraging them to remain committed in support of the stabilization of the situation in Côte d'Ivoire and the implementation of the outstanding tasks of the peace process (seventeenth preambular paragraph)
<b>The situation in Guinea-Bissau</b>	
<a href="#">Resolution 1949 (2010)</a> (adopted under Chapter VII) 20 December 2010	Reiterating the importance of regional and subregional cooperation in addressing the challenges faced by Guinea-Bissau, and in this regard welcoming the appointment by the Chairperson of the African Union Commission of a Special Representative for Guinea Bissau as well as the establishment and operationalization of the African Union Liaison Office in the country (eighth preambular paragraph)
<b>The situation in Liberia</b>	
<a href="#">Resolution 1938 (2010)</a> (adopted under Chapter VII) 15 September 2010	Expressing its appreciation for the continuing support of the international community, the Economic Community of West African States and the African Union (eleventh preambular paragraph)
<b>The situation in Libya</b>	
<a href="#">Resolution 1973 (2011)</a> (adopted under Chapter VII) 17 March 2011	Taking note of the final communiqué of the Organization of the Islamic Conference of 8 March 2011 and the communiqué of the Peace and Security Council of the African Union of 10 March 2011, by which it established the Ad Hoc High-level Committee on Libya (eleventh preambular paragraph)
	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)
<a href="#">Resolution 2009 (2011)</a> (adopted under Chapter VII)	Reaffirming that the United Nations should lead the effort of the international community in supporting the Libyan-led transition and rebuilding process aimed at establishing a democratic, independent and united Libya, welcoming the contributions in this regard of the Secretary-General's high-level meeting of regional organizations of 26 August 2011 and the

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16 September 2011	Paris Conference on Libya, of 1 September 2011, and welcoming also the efforts of the African Union, the League of Arab States, the European Union and the Organization of Islamic Cooperation (eleventh preambular paragraph)
<b>The situation in Sierra Leone</b>	
<a href="#">Resolution 1941 (2010)</a> 29 September 2010	Welcoming the role played by the Economic Community of West African States, and encouraging the States members of the Mano River Union and other regional organizations to continue their dialogue aimed at consolidating regional peace and security (thirteenth preambular paragraph)
<a href="#">Resolution 2005 (2011)</a> 14 September 2011	Welcoming the role played by the African Union and the Economic Community of West African States, and encouraging the States members of the Mano River Union and other regional organizations to continue their dialogue aimed at consolidating regional peace and security (fourteenth preambular paragraph)
<b>The situation in Somalia</b>	
<a href="#">Resolution 1964 (2010)</a> (adopted under Chapter VII) 22 December 2010	Noting the decisions on Somalia adopted by the African Union summit held in Kampala from 19 to 27 July 2010, and the recommendations on Somalia of the ministerial meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 15 October 2010, and welcoming the appointment of former President Jerry Rawlings as the African Union High Representative for Somalia (tenth preambular paragraph)
<a href="#">S/PRST/2011/6</a> 10 March 2011	The Council welcomes the endeavours of the African Union, the Intergovernmental Authority on Development and other regional organizations to promote peace and stability in Somalia and reiterates its full support to the African Union Mission in Somalia and its troop- and police-contributing countries, especially Burundi and Uganda (fifteenth paragraph)
<a href="#">S/PRST/2011/10</a> 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)
<a href="#">Resolution 2010 (2011)</a> 30 September 2011	Commending the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, as well as the Special Representative of the Chairperson of the African Union Commission for Somalia, Mr. Boubacar Gaooussou Diarra, and reaffirming its strong support for their efforts (seventh preambular paragraph)
	Welcoming the work of former President Jerry Rawlings as the African Union High Representative for Somalia, (eighth preambular paragraph)
	Requests the strengthening of cooperation among among IGAD, the African Union and the United Nations to allow for an appropriate division of responsibilities in Somalia in an effort to reduce duplication of effort and ensure proper utilization of resources, and to include updates on this topic in the Secretary-General's regular reports on Somalia (para. 28)
<b>The situation in the Middle East</b>	
<a href="#">Resolution 2014 (2011)</a> 21 October 2011	Welcoming also the engagement of the Gulf Cooperation Council, and reaffirming the support of the Security Council for the efforts of the Gulf Cooperation Council to resolve the political crisis in Yemen (fifth preambular paragraph)
	Welcoming the statement of 23 September 2011 by the Ministerial Council of the Gulf Cooperation Council, in which it called for the immediate signing by President Saleh and implementation of the Gulf Cooperation Council initiative, condemned the use of force against unarmed demonstrators and called for restraint, a commitment to a full and immediate ceasefire and the formation of a commission to investigate the events that led to the killing of innocent Yemeni people (eighth preambular paragraph)

### **Section III**

## **Regional peacekeeping operations**

#### **Note**

This section features the practice of the Security Council in connection with cooperation with regional organizations in the area of peacekeeping, which can be considered as relevant to all Articles of Chapter VIII of the Charter - Articles 52, 53 and 54.

The section is organized under two headings: A. Decisions concerning regional peacekeeping operations; and B. Discussions concerning regional peacekeeping operations.

#### **A. Decisions concerning regional peacekeeping operations**

There were no new peacekeeping operations by regional and other organizations authorized by the Council during the period under review. On the other hand, the Council, by decisions under Chapter VII of the Charter, including the authorization of the use of force, renewed the mandates of the following peacekeeping operations led by regional and other organizations: the International Security Assistance Force (ISAF) in Afghanistan led by the North Atlantic Treaty Organization (NATO); the European Union Force (EUFOR) and the NATO presence in Bosnia and Herzegovina; and the African Union Mission in Somalia (AMISOM).<sup>75</sup> The above-mentioned three regional peacekeeping operations are featured individually below.

In addition, the Council, for the first time in its decisions, recognized the contribution of the Mission for the Consolidation of Peace in the Central African Republic (MICOPAX) in support of durable peace and security in the Central African Republic and further called upon regional and subregional organizations, upon request of the Government of the Central African Republic, to consider further actions to support security in that country, such as reinforcing MICOPAX.<sup>76</sup>

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<sup>75</sup> For the United Nations-African Union Mission in Darfur (UNAMID), see part X, section I with regard to peacekeeping operations.

<sup>76</sup> [S/PRST/2010/26](#), seventh paragraph; and [S/PRST/2010/29](#), seventh paragraph.

There were also a number of policing and training operations deployed by regional and other organizations in Afghanistan, Bosnia and Herzegovina and Somalia that were acknowledged by the Council during the period under review: the NATO Training Mission-Afghanistan and the European Gendarmerie Force and the European Union Police Mission in Afghanistan that had been assisting in enhancing the capacities of the Afghan National Police;<sup>77</sup> the European Union Police Mission to Bosnia and Herzegovina (which had been deployed since 1 January 2003);<sup>78</sup> and the European Union training mission in Somalia for Somali security forces.<sup>79</sup>

### **1. International Security Assistance Force (ISAF) in Afghanistan**

During the period under review, acting under Chapter VII of the Charter, by [resolutions 1943 \(2010\)](#) of 13 October 2010 and [2011 \(2011\)](#) of 12 October 2011, the Council extended the authorization of the International Security Assistance Force (ISAF) in Afghanistan, as defined by [resolutions 1386 \(2001\)](#) and [1510 \(2003\)](#), for the periods of twelve months, the last of which was until 13 October 2012.<sup>80</sup> In the same resolutions, the Council called upon Member States to contribute personnel, equipment and other resources to the Force, in recognizing the need for ISAF to meet all its operational requirements.<sup>81</sup>

Furthermore, in [resolution 2011 \(2011\)](#), the Council recognized the significance of the agreement reached between the Government of Afghanistan and countries contributing to the force at the Lisbon summit in November 2010 to gradually transfer lead security responsibility in Afghanistan to the Government country-wide by the end of 2014. It welcomed the Enduring Partnership Declaration agreed by NATO and the Government of Afghanistan at the Lisbon summit, in particular, the intention expressed therein to provide sustained practice support aimed at improving and sustaining Afghanistan's capacity and capability to tackle continued threats to its security, stability

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<sup>77</sup> [Resolutions 1917 \(2010\)](#), paras. 24 and 25; [1943 \(2010\)](#), twenty-first preambular paragraph; [1974 \(2011\)](#), paras. 25 and 26; and [2010 \(2011\)](#), twenty-seventh preambular paragraph.

<sup>78</sup> [Resolutions 1948 \(2010\)](#), para. 20; and [2019 \(2011\)](#), para. 20.

<sup>79</sup> [Resolutions 1964 \(2010\)](#), eleventh preambular paragraph; and [2010 \(2011\)](#), twentieth preambular paragraph.

<sup>80</sup> [Resolutions 1943 \(2010\)](#), para. 1; and [2011 \(2011\)](#), para. 1.

<sup>81</sup> [Resolutions 1943 \(2010\)](#), para. 3; and [2011 \(2011\)](#), para. 3.

and integrity, and to contribute to the security of the region through the stabilization of the situation in Afghanistan.<sup>82</sup>

By a series of resolutions, the Council authorized the Member States participating in ISAF to “take all measures necessary” to fulfill its mandate;<sup>83</sup> encouraged ISAF to sustain its efforts to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country;<sup>84</sup> and called upon ISAF and the Senior Civilian Representative of NATO to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with [resolutions 1917 \(2010\)](#) and [1974 \(2011\)](#) as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of ISAF.<sup>85</sup> Moreover, the Council requested the leadership of ISAF to keep the Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports.<sup>86</sup>

In addition, during the reporting period, the Council repeatedly noted the synergies in the objective of the United Nations Assistance Mission in Afghanistan (UNAMA) and of ISAF, and stressed the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities.<sup>87</sup> The Council also recognized the role and efforts by ISAF in: minimizing the risk of civilian casualties;<sup>88</sup> improving the security situation and building the security capacities of the Government of Afghanistan;<sup>89</sup> supporting the efforts to address drug production

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<sup>82</sup> [Resolution 2011 \(2011\)](#), ninth preambular paragraph and paras. 3 and 4.

<sup>83</sup> [Resolutions 1943 \(2010\)](#), para. 2; and [2011 \(2011\)](#), para. 2.

<sup>84</sup> [Resolutions 1943 \(2010\)](#), para. 4; and [2011 \(2011\)](#), para. 5.

<sup>85</sup> [Resolutions 1943 \(2010\)](#), para. 5; and [2011 \(2011\)](#), para. 6.

<sup>86</sup> [Resolutions 1943 \(2010\)](#), para. 6; and [2011 \(2011\)](#), para. 7.

<sup>87</sup> [Resolutions 1917 \(2010\)](#), thirteenth preambular paragraph; [1943 \(2010\)](#) tenth preambular paragraph; [1974 \(2011\)](#), seventeenth preambular paragraph; and [2011 \(2011\)](#), fourteenth preambular paragraph. For more information regarding the mandate of UNAMA, see part X, section II concerning political and peacebuilding missions.

<sup>88</sup> [Resolutions 1917 \(2010\)](#), para. 20; [1943 \(2010\)](#), eighteenth and nineteenth preambular paragraphs; [1974 \(2011\)](#), twenty-second preambular paragraph and para. 20; and [2011 \(2011\)](#), twenty-fifth preambular paragraph.

<sup>89</sup> [Resolutions 1943 \(2010\)](#), fifth preambular paragraph; and [1974 \(2011\)](#), fifth preambular paragraph.

and trafficking;<sup>90</sup> supporting the Afghan Independent Election Commission and Electoral Complaints Commission in organizing 2010 parliamentary elections;<sup>91</sup> and providing the leadership operating within the framework of the counter-terrorism operations in the country and in accordance with international law.<sup>92</sup> The Council further welcomed the continued coordination between ISAF and the Operation Enduring Freedom Coalition and in-theatre cooperation between ISAF and the European Union presence in Afghanistan.<sup>93</sup>

For the select provisions of Council decisions relating to the renewal of the mandate, authorization of use of force, mandate, and reporting requirement of ISAF, see table 3. Table 4 lists select Council documents issued during the period under review relating to ISAF.

Table 3  
**Select provisions of decisions of the Security Council relating to ISAF in Afghanistan from 2010 to 2011**

**Resolution 1943 (2010) of 13 October 2010**

(adopted under Chapter VII)

<i>Provision</i>	<i>Topic</i>
Decides to extend the authorization of the International Security Assistance Force, as defined in <a href="#">resolutions 1386 (2001)</a> and <a href="#">1510 (2003)</a> , for a period of twelve months, until 13 October 2011 (para. 1)	Mandate renewal
Authorizes the Member States participating in the International Security Assistance Force to take all measures necessary to fulfil its mandate; (para. 2)	Authorization of use of force
Stresses the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, encourages the International Security Assistance Force and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes the increasing leadership role played by the Afghan authorities in security responsibilities throughout the country, and stresses the importance of supporting the planned expansion of the Afghan National Army and the Afghan National Police as endorsed by the Joint Coordination and Monitoring Board in January 2010 (para. 4)	Mandate

<sup>90</sup> [Resolutions 1943 \(2010\)](#), twelfth preambular paragraph; and [2011 \(2011\)](#), sixteenth preambular paragraph.

<sup>91</sup> [Resolution 1943 \(2010\)](#), twenty-fourth preambular paragraph.

<sup>92</sup> [Resolutions 1943 \(2010\)](#), twenty-eighth preambular paragraph; and [2011 \(2011\)](#), thirty-eighth preambular paragraph.

<sup>93</sup> [Resolutions 1943 \(2010\)](#), twenty-seventh preambular paragraph; and [2011 \(2011\)](#), thirty-seventh preambular paragraph.

Calls upon the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with Security Council <a href="#">resolution 1917 (2010)</a> , as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of the Force (para. 5)	Mandate
Requests the leadership of the International Security Assistance Force to keep the Security Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports (para. 6)	Reporting
<b><a href="#">Resolution 2011 (2011)</a> of 12 October 2011</b> (adopted under Chapter VII)	
Decides to extend the authorization of the International Security Assistance Force, as defined in <a href="#">resolutions 1386 (2001)</a> and <a href="#">1510 (2003)</a> , for a period of twelve months, until 13 October 2012 (para. 1)	Mandate renewal
Authorizes the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate (para. 2)	Authorization of use of force
Stresses the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, encourages the International Security Assistance Force and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, sustainable, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes the increasing leadership role played by the Afghan authorities in security responsibilities throughout the country, and stresses the importance of supporting the planned expansion of the Afghan National Army and the Afghan National Police (para. 5)	Mandate
Calls upon the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with Security Council <a href="#">resolution 1974 (2011)</a> , as well as with the Operation Enduring Freedom coalition, in the implementation of the mandate of the Force (para. 6)	Mandate
Requests the leadership of the International Security Assistance Force to keep the Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports (para. 7)	Reporting

Table 4

**List of select Council documents related to ISAF from 2010 to 2011**

<i>Symbol</i>	<i>Date</i>	<i>Details</i>
<a href="#">S/2010/35</a>	20 January 2010	Quarterly report on the operations of ISAF covering the period from 1 August 2009 to 31 October 2009
<a href="#">S/2010/353</a>	1 July 2010	Quarterly report on the operations of ISAF covering the period from 1 November 2009 to 31 January 2010
<a href="#">S/2010/437</a>	19 August 2010	Quarterly report on the operations of ISAF covering the period from 1 February to 30 April 2010
<a href="#">S/2010/542</a>	19 October 2010	Letter dated 6 October 2010 from the Minister for Foreign Affairs of Afghanistan to the Secretary-General welcoming the proposed extension of the ISAF mandate
<a href="#">S/2010/548</a>	22 October 2010	Quarterly report on the operations of ISAF covering the period from 1 May to 31 July 2010
<a href="#">S/2010/657</a>	29 December 2010	Quarterly report on the operations of ISAF covering the period from 1 August to 31 October 2010
<a href="#">S/2011/124</a>	11 March 2011	Quarterly report on the operations of ISAF covering the period from 1 November 2010 to 31 January 2011
<a href="#">S/2011/364</a>	17 June 2011	Progress report on the operations of ISAF covering the period from 1 February



<a href="#">S/2011/562</a>	8 September 2011	to 30 April 2011 Quarterly report on the operations of ISAF covering the period from 1 May to 31 July 2011
<a href="#">S/2011/760</a>	7 December 2011	Quarterly report on the operations of ISAF covering the period from 1 August to 31 October 2011

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## 2. African Union Mission in Somalia (AMISOM)

From 2010 to 2011, the Council, acting under Chapter VII of the Charter, renewed the authorization of the African Union Mission in Somalia (AMISOM) three times, the last of which was until 31 October 2012. By [resolutions 1910 \(2010\)](#) of 28 January 2010, [1964 \(2010\)](#) of 22 December 2010 and [2010 \(2011\)](#) of 30 September 2011, the Council authorized the States members of the African Union to maintain AMISOM for twelve, eight and thirteen months, respectively.<sup>94</sup> By the same resolutions, the Council also authorized AMISOM to “take all measures necessary” to carry out its existing mandate, as set out in paragraph 9 of [resolution 1772 \(2007\)](#).<sup>95</sup>

In renewing the mandate of AMISOM, the Council also renewed its request to the Secretary-General to continue to provide the logistical support package for AMISOM, as called for in [resolution 1863 \(2009\)](#) for a maximum of the authorized strength, three times for the same duration of the mandate.<sup>96</sup> In addition, the Council requested AMISOM to ensure that all equipment and services provided under the support package were used in a transparent and effective manner for their designated purposes, and further requested the African Union to report to the Secretary-General on the usage of such equipment and services in accordance with the memorandum of understanding established between the two organizations.<sup>97</sup> Moreover, following the exchange of letters between the Secretary-General and the President of the Council of 21 and 29 September 2011<sup>98</sup> which extended the logistical support package to include some additional

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<sup>94</sup> [Resolutions 1910 \(2010\)](#), para. 1; [1964 \(2010\)](#), para. 1; and [2010 \(2011\)](#), para. 1.

<sup>95</sup> Ibid.

<sup>96</sup> [Resolutions 1910 \(2010\)](#), para. 4; [1964 \(2010\)](#), para. 7; and [2010 \(2011\)](#), para. 11. The logistical support package was authorized for a maximum of authorized strength of the Mission troops and comprised equipment and services, including public information support, but not including the transfer of funds, as described in the letter dated 30 January 2009 from the Secretary-General to the President of the Council ([S/2009/60](#)).

<sup>97</sup> [Resolution 1910 \(2010\)](#), para. 6.

<sup>98</sup> [S/2011/591](#) and [S/2011/602](#). The additional support requirements to the logistical support package that the Council decided to extend were: (a) catering equipment and training to ensure the safe preparation of



elements, as requested by the Secretary-General, on an exceptional basis and due to the “unique character” of AMISOM, by [resolution 2010 \(2011\)](#), the Council renewed the expansion of the logistical support package.<sup>99</sup>

By [resolution 1964 \(2010\)](#), the Council requested the African Union to increase the force strength of AMISOM from the mandated strength of 8,000 to 12,000 troops, thereby enhancing the mission’s ability to carry out its mandate.<sup>100</sup> Throughout the period under review, the African Union was requested to maintain the deployment of AMISOM in Somalia<sup>101</sup> and to increase its force strength to its mandated level.<sup>102</sup> Furthermore, by [resolution 2010 \(2011\)](#), noting the important role that an effective police presence could play in the stabilization of Mogadishu and stressing the need to continue to develop an effective Somali police force, the Council welcomed the desire of the African Union to develop a police component within AMISOM.<sup>103</sup> By the same resolution, the Council also encouraged the United Nations to work with the African Union to develop a guard force of an appropriate size, within the mandated troop levels of AMISOM, as an increase in United Nations organizations and their staff and other official international visitors in Mogadishu was placing additional pressure on AMISOM to provide security, escort and protection services.<sup>104</sup>

In a series of resolutions, the Council requested AMISOM to continue to assist the Transitional Federal Government in the deployment of the Somali Police Force and the National Security Force and to assist with the integration of Somali units trained by other Member States or organizations inside and outside Somalia.<sup>105</sup> The Council also urged AMISOM to continue to undertake efforts to prevent civilian casualties and to develop an effective approach to the protection of civilians as requested by the Peace and Security Council of the African Union.<sup>106</sup>

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rations; (b) additional VHF/UHF, HF, telephone and TETRA communications; (c) sanitary and cleaning materials; and (d) furniture and stationery.

<sup>99</sup> [Resolution 2010 \(2011\)](#), para. 11.

<sup>100</sup> [Resolution 1964 \(2010\)](#), para. 2.

<sup>101</sup> [Resolutions 1910 \(2010\)](#), para. 2; and [1964 \(2010\)](#), para. 2.

<sup>102</sup> [Resolutions 1910 \(2010\)](#), para. 2; [1964 \(2010\)](#), para. 2; and [2010 \(2011\)](#), para. 1.

<sup>103</sup> [Resolution 2010 \(2011\)](#), para. 9.

<sup>104</sup> *Ibid.*, para. 5.

<sup>105</sup> [Resolutions 1910 \(2010\)](#), para. 3; [1964 \(2010\)](#), para. 6; and [2010 \(2011\)](#), para. 8.

<sup>106</sup> [Resolution 2010 \(2011\)](#), para. 7.

In addition, during the period under review, the Council repeatedly commended the contribution of AMISOM to lasting peace and stability in Somalia; recognized the progress made by AMISOM and the Somali National Security Forces in consolidating security and stability in Mogadishu; and reiterated its support for AMISOM and expressed its appreciation for the continued commitment to AMISOM by the Governments of Uganda and Burundi.<sup>107</sup> In [resolution 2010 \(2011\)](#), the Council called upon other States members of the African Union to consider contributing to AMISOM.<sup>108</sup> The Council also frequently encouraged Member States and regional and international organizations to support AMISOM through the provision of equipment, technical assistance, direct bilateral donations and funding, including through the United Nations trust fund for AMISOM.<sup>109</sup> Lastly, the Secretary-General was repeatedly requested to continue to provide technical and expert advice to the African Union in the planning and deployment of AMISOM.<sup>110</sup>

Moreover, during the period under review, the Council repeatedly recalled its statement of intent regarding the establishment of a United Nations peacekeeping operation as expressed in [resolution 1863 \(2009\)](#) and noted that any decision to deploy such an operation would take into account, inter alia, the conditions set out in the report of the Secretary-General dated 16 April 2009<sup>111</sup> and requested the Secretary-General to take the three-phased incremental approach as identified in that report,<sup>112</sup> subject to the conditions therein.

For the select provisions of Council decisions relating to the renewal of the mandate, authorization of use of force, mandate and composition of AMISOM, see table 5. Table 6 lists select Council documents issued during the period under review relating to AMISOM.

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<sup>107</sup> [Resolutions 1910 \(2010\)](#), sixth preambular paragraph; [1964 \(2010\)](#), eighth preambular paragraph; and [2010 \(2011\)](#), sixteenth preambular paragraph; S/PRST/2011/6, ninth and fifteenth paragraphs; [2010 \(2011\)](#), sixteenth and eighteenth preambular paragraphs.; S/PRST/2011/10, ninth and tenth paragraphs; and [S/PRST/2011/13](#), sixth paragraph.

<sup>108</sup> [Resolution 2010 \(2011\)](#), sixteenth preambular paragraph.

<sup>109</sup> [Resolutions 1910 \(2010\)](#), para. 8; [1964 \(2010\)](#), twelfth preambular paragraph and para. 9; and [2010 \(2011\)](#), twenty-first preambular paragraph and para. 14.

<sup>110</sup> [Resolutions 1910 \(2010\)](#), para. 7; [1964 \(2010\)](#), para. 5; and [2010 \(2011\)](#), para. 6.

<sup>111</sup> S/2009/210.

<sup>112</sup> *Ibid.*, paras. 82-86.

Table 5  
**Select provisions of decisions of the Security Council relating to AMISOM from 2010 to 2011**

**Resolution 1910 (2010) of 28 January 2010**

(adopted under Chapter VII)

<i>Provision</i>	<i>Topic</i>
Decides to authorize the States members of the African Union to maintain until 31 January 2011 the African Union Mission in Somalia, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of <a href="#">resolution 1772 (2007)</a> of 20 August 2007 (para. 1)	Mandate renewal; Authorization of use of force
Requests the African Union to maintain the deployment in Somalia of the Mission and to increase its force strength with a view to achieving its originally mandated strength of 8,000 troops, thereby enhancing its ability to carry out its mandate in full (para. 2)	Composition
Requests the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia (para. 3)	Mandate

**Resolution 1964 (2010) of 22 December 2010**

(adopted under Chapter VII)

Decides to authorize the States members of the African Union to maintain the deployment until 30 September 2011 of the African Union Mission in Somalia, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of <a href="#">resolution 1772 (2007)</a> of 20 August 2007 (para. 1)	Mandate renewal; Authorization of use of force
Requests the African Union to maintain the deployment of the Mission in Somalia and to increase its force strength from the current mandated strength of 8,000 troops to 12,000 troops, thereby enhancing its ability to carry out its mandate (para. 2)	Composition
Requests the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia (para. 6)	Mandate

**Resolution 2010 (2011) of 30 September 2011**

(adopted under Chapter VII)

Decides to authorize the States members of the African Union to maintain the deployment until 31 October 2012 of the African Union Mission in Somalia, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of <a href="#">resolution 1772 (2007)</a> of 20 August 2007, and requests the African Union to urgently increase its force strength to its mandated level of 12,000 uniformed personnel, thereby enhancing its ability to carry out its mandate (para. 1)	Mandate renewal; Authorization of use of force; Composition
Welcomes the progress made by the Mission in reducing civilian casualties during its operations, and urges the Mission to continue to undertake its efforts to prevent civilian casualties and to develop an effective approach to the protection of civilians as requested by the Peace and Security Council (para. 7)	Mandate
Requests the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, in particular the implementation of an effective chain of command and control of the Somali security forces, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia (para. 8)	Mandate

Table 6

**List of select Council documents related to AMISOM issued from 2010 to 2011**

<i>Symbol</i>	<i>Date</i>	<i>Details</i>
<a href="#">S/2010/234</a>	11 May 2010	Report of the Secretary-General on Somalia covering the period since his report of 8 January 2010 ( <a href="#">S/2009/684</a> )
<a href="#">S/2010/447</a>	9 September 2010	Report of the Secretary-General on Somalia covering the period since his report of 11 May 2010 ( <a href="#">S/2010/234</a> )
<a href="#">S/2010/539</a>	18 October 2010	Communiqué of the 245 <sup>th</sup> meeting of the Peace and Security Council of the African Union held on 15 October 2010 on the situation in Somalia
<a href="#">S/2010/675</a>	30 December 2010	Report of the Secretary-General on Somalia covering the period since his report of 9 September 2010 ( <a href="#">S/2010/447</a> )
<a href="#">S/2011/277</a>	28 April 2011	Report of the Secretary-General on Somalia covering the period since report dated 30 December 2010 ( <a href="#">S/2010/675</a> ) until 15 April 2011
<a href="#">S/2011/549</a>	30 August 2011	Report of the Secretary-General on Somalia covering the period since his report of 29 April 2011 ( <a href="#">S/2011/277</a> ) until 15 August 2011
<a href="#">S/2011/586</a>	19 September 2011	Communiqué of the 293 <sup>rd</sup> meeting of the Peace and Security Council of the African Union held on 13 September 2011 and the report of the Chairperson of the African Union Commission on the situation in Somalia
<a href="#">S/2011/591</a>	22 September 2011	Letter dated 21 September 2011 from the Secretary-General to the President of the Council, requesting the additional support requirements in the logistical support package for AMISOM and recommending an establishment of an AMISOM guard force
<a href="#">S/2011/602</a>	29 September 2011	Letter dated 29 September 2011 from the President of the Council to the Secretary-General concerning the extension of the logistical support package for AMISOM
<a href="#">S/2011/759</a>	9 December 2011	Report of the Secretary-General on Somalia covering the period from the issuance of his report of 30 August 2011 ( <a href="#">S/2011/549</a> ) to 20 November 2011

### **3. European Union Force (EUFOR) and the North Atlantic Treaty Organization (NATO) Headquarters presence in Bosnia and Herzegovina**

From 2010 to 2011, welcoming the intention of the European Union to maintain its military operation to Bosnia and Herzegovina, the Council, acting under Chapter VII of the Charter, renewed twice the authorization of a multinational stabilization force (the European Union Force (EUFOR)), for periods of twelve months, the last of which was until 25 November 2012.<sup>113</sup> At the same time, the Council welcomed the decision of the North Atlantic Treaty Organization (NATO) to continue to maintain its Headquarters in order to continue to assist in implementing the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively, the “Peace Agreement”),<sup>114</sup> in conjunction with EUFOR. It authorized twice the Member States

<sup>113</sup> [Resolutions 1948 \(2010\)](#), paras. 9-10; and [2019 \(2011\)](#), paras. 9-10.

<sup>114</sup> [S/1995/999](#).

acting through or in cooperation with NATO to continue to maintain a NATO Headquarters.<sup>115</sup>

Furthermore, the Council authorized the Member States acting through or in cooperation with EUFOR and the NATO presence to “take all necessary measures” at the request of either EUFOR or NATO Headquarters, in defence of EUFOR or the NATO presence and to assist both organizations in carrying out their missions: to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement; and to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic.<sup>116</sup>

The Council also requested the Member States acting through or in cooperation with the European Union and NATO to report to the Council on the activities of EUFOR and the NATO Headquarters presence, respectively, through the appropriate channels and at least at three-monthly intervals.<sup>117</sup>

During the period under review, the Council repeatedly emphasized its appreciation to the Commander and personnel of EUFOR as well as the Senior Military Representative and personnel of the NATO Headquarters Sarajevo for their contributions to the implementation of the Peace Agreement;<sup>118</sup> welcomed the decision taken by the Ministers of Foreign Affairs of the European Union on 25 January 2010 to start providing non-executive capacity-building and training support within EUFOR;<sup>119</sup> welcomed the increased engagement, and later the reinforced role, of the European Union in Bosnia and Herzegovina and the continued engagement of NATO;<sup>120</sup> and paid tribute to those Member States which had participated in EUFOR and the continued NATO presence, and welcomed their willingness to assist the parties to the Peace Agreement by continuing to deploy EUFOR and by maintaining a continued NATO presence.<sup>121</sup>

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<sup>115</sup> [Resolutions 1948 \(2010\)](#), para. 11; and [2019 \(2011\)](#), para. 11.

<sup>116</sup> [Resolutions 1948 \(2010\)](#), paras. 14-16; and [2019 \(2011\)](#), paras. 14-16.

<sup>117</sup> [Resolutions 1948 \(2010\)](#), para. 18; and [2019 \(2011\)](#), para. 18.

<sup>118</sup> [Resolutions 1948 \(2010\)](#), seventh preambular paragraph; and [2019 \(2011\)](#), seventh preambular paragraph.

<sup>119</sup> [Resolutions 1948 \(2010\)](#), sixteenth preambular paragraph; and [2019 \(2011\)](#), seventeenth preambular paragraph.

<sup>120</sup> [Resolutions 1948 \(2010\)](#), twentieth preambular paragraph; and [2019 \(2011\)](#), twenty-first preambular paragraph.

<sup>121</sup> [Resolutions 1948 \(2010\)](#), para. 9; and [2019 \(2011\)](#), para. 8.

For the select provisions of Council decisions relating to the renewal of the mandate, authorization of the use of force and the reporting requirement of EUFOR and the NATO presence, see table 7. Table 8 lists select Council documents issued during the period under review relating to EUFOR and the NATO presence.

Table 7

**Select provisions of decisions of the Security Council relating to EUFOR and the NATO presence from 2010 to 2011**

**Resolution 1948 (2010) of 18 November 2010**

(adopted under Chapter VII)

<i>Provision</i>	<i>Topic</i>
Authorizes the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement (para. 10)	Mandate renewal
Authorizes the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force and the North Atlantic Treaty Organization presence (para. 14)	Authorization of use of force
Authorizes Member States to take all necessary measures, at the request of either the European Union Force or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force and the North Atlantic Treaty Organization presence to take all necessary measures to defend themselves from attack or threat of attack; (para. 15)	Authorization of use of force
Authorizes the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic (para. 16)	Authorization of use of force
Requests the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals (para. 18)	Reporting

**Resolution 2019 (2011) of 26 November 2011**

(adopted under Chapter VII)



Authorizes the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force-Althea) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force-Althea will have the main peace stabilization role under the military aspects of the Peace Agreement (para. 10)	Mandate renewal
Authorizes the Member States acting under paragraphs 10 and 11 above to take all measures necessary to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force-Althea and the North Atlantic Treaty Organization presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force-Althea and the North Atlantic Treaty Organization presence (para. 14)	Authorization of use of force
Authorizes Member States to take all necessary measures, at the request of either the European Union Force-Althea or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force-Althea or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force-Althea and the North Atlantic Treaty Organization presence to take all measures necessary to defend themselves from attack or threat of attack (para. 15)	Authorization of use of force
Authorizes the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all measures necessary to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic (para. 16)	Authorization of use of force
Requests the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force-Althea and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals (para. 18)	Reporting

**Table 8**  
**List of select Council documents related to EUFOR and the NATO presence from 2010 to 2011**

<i>Symbol</i>	<i>Date</i>	<i>Details</i>
<a href="#">S/2010/113</a>	4 March 2010	Twentieth report on the activities of EUFOR covering the period from 1 September to 30 November 2009
<a href="#">S/2010/235</a>	17 May 2010	Thirty-seventh report by the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement for the period from 1 November 2009 to 30 April 2010
<a href="#">S/2010/510</a>	5 October 2010	Twenty-first and twenty-second reports on the activities of EUFOR covering the periods from 1 December 2009 to 28 October 2010 and from 1 March to 31 in May 2010, respectively
<a href="#">S/2010/575</a>	8 November 2010	Thirty-eighth report by the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement for the period from 1 May to 15 October 2010
<a href="#">S/2010/656</a>	22 December 2010	Twenty-third report on the activities of EUFOR covering the period from 1 June to 31 August 2010
<a href="#">S/2011/283</a>	4 May 2011	Thirty-ninth report by the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement for the period from 16 October 2010 to 20 April 2011

<i>Symbol</i>	<i>Date</i>	<i>Details</i>
<a href="#">S/2011/682</a>	4 November 2011	Fortieth report by the High Representative for Bosnia and Herzegovina on the implementation of the Peace Agreement for the period from 21 April to 15 October 2011
<a href="#">S/2011/717</a>	15 November 2011	Twenty-sixth report on the activities of EUFOR covering the period from 1 March to 31 March 2011

## **B. Discussions concerning regional peacekeeping operations**

Among a series of discussions in the Security Council concerning regional peacekeeping operations during the period under review, case 4 below covers the debate on the adequacy of the mandate of the European Union Rule of Law Mission in Kosovo (EULEX) to investigate allegations of illicit trafficking in human organs in Kosovo.

### **Case 4**

#### **Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

In his report dated 31 October 2011 on the United Nations Interim Administration Mission in Kosovo (UNMIK), the Secretary-General informed that EULEX had appointed a lead prosecutor to head its Special Investigative Task Force which had taken over the preliminary investigation launched by EULEX on 27 January 2011 for the investigation of the allegations contained in the report of the Special Rapporteur of the Council of Europe entitled “Investigation of allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo”. He also noted that Belgrade remained of the view that an independent body with investigative powers in Albania and beyond should be established by the Security Council to lead the investigation.<sup>122</sup>

At the 6670<sup>th</sup> meeting, on 29 November 2011, the Minister of Foreign Affairs of Serbia welcomed the appointment of a lead prosecutor for the EULEX Special Investigative Task Force which in his opinion could make an invaluable contribution to uncovering what had occurred inside Kosovo. He expressed the view that EULEX had neither an adequate mandate nor sufficient temporal and territorial jurisdiction to carry

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<sup>122</sup> [S/2011/675](#), para. 29.



out an investigation that would be comprehensive in scope, since EULEX could not operate at full capacity anywhere outside Kosovo and the EULEX Special Investigative Task Force had no ability to enforce the cooperation of all concerned. He maintained that while he was not opposed to the centrality of EULEX in an investigation mechanism, it must be empowered by, and be accountable to, the Security Council. He added that human organ harvesting and trafficking was not an organized crime but a war crime and that therefore the same standard applied in each previous instance involving serious war crimes and crimes against humanity in the Balkans should also be applied in this case, with the Security Council being kept abreast of the investigations.<sup>123</sup> Agreeing with the concern expressed by the representative of Serbia, the representative of China supported that such investigations should be carried out by the United Nations.<sup>124</sup> Similarly, the representative of the Russian Federation called for a full and objective investigation of the facts of the illicit trafficking in human organs and argued that the investigation should proceed under the auspices of the United Nations and should report to the Security Council, noting an extremely unsatisfactory situation in Kosovo relating to witness protection as confirmed by the Council of Europe.<sup>125</sup>

Several speakers agreed that the investigations should be independent, credible, impartial and thorough and hold the perpetrators accountable. Some raised concerns about witness protection.<sup>126</sup> The representative of India, noting that Serbia continued to be interested in a role for the Security Council in the investigation, called for the creation of a mechanism that enjoyed the support and confidence of all stakeholders.<sup>127</sup> Similarly, the representative of Nigeria maintained that it was necessary to accommodate the views of all stakeholders in designing the form of negotiations in order to ensure the broadest possible support for the final outcome of the investigations.<sup>128</sup> The representative of Brazil also reiterated her interest in exploring options that took into account the need to

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<sup>123</sup> [S/PV.6670](#), pp. 7 and 28.

<sup>124</sup> *Ibid.*, p. 16.

<sup>125</sup> *Ibid.*, p. 19.

<sup>126</sup> *Ibid.*, p. 21 (Lebanon); p. 22 (South Africa); and p. 23 (Brazil).

<sup>127</sup> *Ibid.*, p. 12.

<sup>128</sup> *Ibid.*, p. 17.

involve various jurisdictions and the importance of ensuring consistency with [resolution 1244 \(1999\)](#).<sup>129</sup>

Other speakers welcomed the appointment of the lead prosecutor and expressed confidence in the EULEX Special Investigative Task Force’s investigations into the alleged crimes.<sup>130</sup> The representative of the United States pointed out that the European Union Joint Action explicitly provided for EULEX to investigate and prosecute serious crimes, such as those alleged in the Marty report, and to do so independently. Given the expressed willingness by neighbouring States including Serbia to cooperate with the Task Force, he held that there was no need for the Security Council to interfere with the ongoing investigations.<sup>131</sup> In a similar vein, the representative of the United Kingdom stated that EULEX had the appropriate authority and jurisdiction to take the “important work” of the investigations forward.<sup>132</sup> The representative of France also opined that EULEX had the resources to undertake a credible investigation that should be carried out calmly without any undue influence being brought to bear in the context of dialogue.<sup>133</sup> The representative of Germany was of the view that EULEX had had the capacities, the competence and the jurisdiction for those investigations and considered it unnecessary to set up an additional mechanism for investigations, in light of the EULEX mandate.<sup>134</sup> In addition, the representative of Portugal, while underscoring the essential role of EULEX in promoting and upholding the rule of law and law enforcement in Kosovo, believed that the Council would benefit from hearing more directly about the work of EULEX and its future perspectives on the investigations it had undertaken in diverse areas, including in human organ trafficking.

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<sup>129</sup> *Ibid.*, p. 23.

<sup>130</sup> *Ibid.*, p. 14 (United States); p.15 (United Kingdom); p. 18 (France); and p. 20 (Germany).

<sup>131</sup> *Ibid.*, p. 14

<sup>132</sup> *Ibid.*, p. 15.

<sup>133</sup> *Ibid.*, p.18.

<sup>134</sup> *Ibid.*, p. 20.

## **Section IV**

### **Authorization by the Security Council of enforcement action by regional arrangements**

#### **Note**

This section deals with the practice of the Security Council in authorizing enforcement actions by regional arrangements, as stipulated under Article 53 of the Charter. Also covered here is the cooperation with regional arrangements in implementing Chapter VII measures which do not involve the use of force, such as sanctions and judicial measures. Given that the authorizations by the Council to regional peacekeeping operations to use force in the implementation of their mandates is featured in section III, this section focuses on the authorization of enforcement actions by regional and other organizations, other than in the context of regional peacekeeping operations.

The section is divided under two headings: A. Decisions concerning Council authorization of the use of force by regional arrangements as well as a request for cooperation in implementation of Chapter VII measures; and B. Discussions concerning enforcement actions by regional arrangements.

#### **A. Decisions concerning Council authorization of use of force by regional arrangements and related action by the Council**

From 2010 to 2011, there were three instances in which the Council authorized the use of force by regional arrangements: On 17 March 2011, the Council authorized the use of force by regional arrangements to protect civilians in the Libyan Arab Jamahiriya and to enforce the no-fly zone authorized by it, taking note of the decision of the League of Arab States of 12 March 2011 to call for the imposition of a no-fly zone on Libyan military aviation and the establishment of safe areas to protect civilians in the Libyan Arab Jamahiriya.<sup>135</sup> This authorization was kept under review<sup>136</sup> and then terminated on

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<sup>135</sup> [Resolution 1973 \(2011\)](#), twelfth preambular paragraph and paras. 4 and 8.

<sup>136</sup> [Resolution 2009 \(2011\)](#), para. 20.

27 October 2011, following the National Transitional Council's "Declaration of liberation" of 23 October 2011 in Libya.<sup>137</sup>

In authorizing the use of force in Libya in the context of the protection of civilians and the no-fly zone by [resolution 1973 \(2011\)](#) of 17 March 2011, the Council took note of the 12 March 2011 decision of the Council of the League of Arab States (LAS) to call for the imposition of a no-fly zone on Libyan military aviation and establishment of safe areas in places exposed to shelling as a precautionary measure that allowed the protection of the Libyan people and foreign nationals residing in that country. It also recognized the important role of LAS in matters relating to the maintenance of international peace and security in the region, and "bearing in mind Chapter VIII of the Charter" requested States members of LAS to cooperate with other Member States in the implementation of use of force for protection of civilians. It further called upon Member States, acting nationally or through regional organizations or arrangements to provide assistance for the purpose of implementing the said authorizations and decided that concerned Member States should inform the Secretary-General of the United Nations and the Secretary-General of LAS of measures taken in enforcing the no-fly zone.<sup>138</sup> Subsequently, the Council expressed its readiness and intention to terminate those authorizations as appropriate and when circumstances permitted, in consultation with the Libyan authorities<sup>139</sup> and did so by [resolution 2016 \(2011\)](#) of 27 October 2011 taking note of the national Transitional Council's "Declaration of Liberation" of 23 October 2011.<sup>140</sup> The Council also renewed twice the authorization of the use of force granted to regional organizations in the fight against piracy and armed robbery at sea off the coast of Somalia.

Furthermore, the Council in its decisions requested the cooperation of regional and other organizations in implementing Chapter VII measures, not involving use of force, in the context of sanctions measures against the Libyan Arab Jamahiriya,<sup>141</sup> Somalia<sup>142</sup> and Sudan<sup>143</sup> and in connection with the non-proliferation of weapons of mass

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<sup>137</sup> [Resolution 2016 \(2011\)](#), third preambular paragraph and paras. 5 and 6.

<sup>138</sup> [Resolution 1973 \(2011\)](#), twelfth preambular paragraph and paras. 5, 9 and 11.

<sup>139</sup> [Resolution 2009 \(2011\)](#), para. 20.

<sup>140</sup> [Resolution 2016 \(2011\)](#), third preambular paragraph and paras. 5 and 6.

<sup>141</sup> [Resolution 1973 \(2011\)](#), paras. 13 and 15.

<sup>142</sup> [Resolutions 1916 \(2010\)](#), para. 12; and [2002 \(2011\)](#), para. 10.

<sup>143</sup> [Resolution 1945 \(2010\)](#), para. 5.

destruction,<sup>144</sup> as well as in relation to the referral of the situation in the Libyan Arab Jamahiriya to the International Criminal Court (ICC), by urging concerned regional and other international organizations to cooperate with ICC and the Prosecutor.<sup>145</sup>

Relevant Council decisions during the period under review are cited in full in table 9.

Table 9

**Decisions adopted under Chapter VII of the Charter in which the Council authorized enforcement actions by regional arrangements or requested their cooperation in implementing Chapter VII measures**

<i>Decision and date</i>	<i>Provision</i>	<i>Category</i>
<b>Non-proliferation of weapons of mass destruction</b>		
<a href="#">Resolution 1977 (2011)</a> 20 April 2011	Urges States and relevant international, regional and subregional organizations to inform the 1540 Committee, as appropriate, of areas in which they are able to provide assistance; and calls upon States and such organizations, if they have not done so previously, to provide the Committee with a point of contact for assistance by 31 August 2011 (para. 14)	Cooperation in implementation of sanctions
	Calls upon relevant international, regional and subregional organizations to designate and provide the 1540 Committee by 31 August 2011 with a point of contact or coordinator for the implementation of <a href="#">resolution 1540 (2004)</a> , and encourages them to enhance cooperation and information-sharing with the Committee on technical assistance and all other issues of relevance for the implementation of <a href="#">resolution 1540 (2004)</a> (para. 18)	
<b>Reports of the Secretary-General on the Sudan</b>		
<a href="#">Resolution 1945 (2010)</a> 14 October 2010	Urges all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by <a href="#">resolutions 1556 (2004)</a> and <a href="#">1591 (2005)</a> (para. 5)	Cooperation in implementation of sanctions
<b>The situation in Libya</b>		
<a href="#">Resolution 1970 (2011)</a> 26 February 2011	Decides also that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the International Criminal Court and the Prosecutor pursuant to the present resolution and, while recognizing that States not party to the Rome Statute of the Court have no obligation under the Rome Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor (para. 5)	Cooperation in implementation of Chapter VII measures (ICC referral)
<a href="#">Resolution 1973 (2011)</a> 17 March 2011	Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of <a href="#">resolution 1970 (2011)</a> , to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while	Use of force (protection of civilians)

<sup>144</sup> [Resolution 1977 \(2011\)](#), paras. 14 and 18.

<sup>145</sup> [Resolution 1970 \(2011\)](#), para. 5.

<i>Decision and date</i>	<i>Provision</i>	<i>Category</i>
	excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by the present paragraph which shall be immediately reported to the Security Council (para. 4)	
	Recognizes the important role of the League of Arab States in matters relating to the maintenance of international peace and security in the region, and, bearing in mind Chapter VIII of the Charter of the United Nations, requests the States members of the League of Arab States to cooperate with other Member States in the implementation of paragraph 4 above (para. 5)	Cooperation in implementation of use of force (protection of civilians)
	Authorizes Member States that have notified the Secretary-General of the United Nations and the Secretary General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all measures necessary to enforce compliance with the ban on flights imposed by paragraph 6 above, as necessary, and requests the States concerned, in cooperation with the League of Arab States, to coordinate closely with the Secretary-General of the United Nations on the measures they are taking to implement this ban, including by establishing an appropriate mechanism for implementing the provisions of paragraphs 6 and 7 above (para. 8)	Use of force (non-fly zone)
	Calls upon all Member States, acting nationally or through regional organizations or arrangements, to provide assistance, including any necessary overflight approvals, for the purposes of implementing paragraphs 4, 6, 7 and 8 above (para. 9)	Cooperation in implementation of use of force (non-fly zone)
	Decides that the Member States concerned shall inform the Secretary-General of the United Nations and the Secretary General of the League of Arab States immediately of measures taken in exercise of the authority conferred by paragraph 8 above, including to supply a concept of operations (para. 11)	
	Decides that paragraph 11 of <a href="#">resolution 1970 (2011)</a> shall be replaced by the following paragraph: “Calls upon all Member States, in particular States of the region, acting nationally or through regional organizations or arrangements, in order to ensure strict implementation of the arms embargo established by paragraphs 9 and 10 of <a href="#">resolution 1970 (2011)</a> , to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of <a href="#">resolution 1970 (2011)</a> as modified by the present resolution, including the provision of armed mercenary personnel, calls upon all flag States of such vessels and aircraft to cooperate with such inspections, and authorizes Member States to use all measures commensurate to the specific circumstances to carry out such inspections” (para. 13)	Cooperation in implementation of Sanctions
	Requires any Member State, whether acting nationally or through regional organizations or arrangements, when it undertakes an inspection pursuant to paragraph 13 above, to submit promptly an initial written report to the Committee containing, in particular, an explanation of the grounds for the inspection, the results of such inspection, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and their intended destination, if this information is not in the initial report (para. 15)	
<a href="#">Resolution 2016 (2011)</a> 27 October 2011	Decides that the provisions of paragraphs 4 and 5 of resolution 1973 (2011) shall be terminated from 23.59 hours Libyan local time on 31 October 2011 (para. 5)	Use of force (protection of civilians)

<i>Decision and date</i>	<i>Provision</i>	<i>Category</i>
	Decides that the provisions of paragraphs 6 to 12 of resolution 1973 (2011) shall be terminated from 23.59 hours Libyan local time on 31 October 2011 (para. 6)	Use of force (non-fly zone)
<b>The situation in Somalia</b>		
<a href="#">Resolution 1916 (2010)</a> 19 March 2010	Urges that all parties and all States, particularly those in the region, including international, regional and subregional organizations, cooperate fully with the work of the Monitoring Group and ensure the safety of its members, and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate (para. 12)	Cooperation in implementation of sanctions
<a href="#">Resolution 1950 (2010)</a> 23 November 2010	Renews its call upon States and regional organizations that have the capacity to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with the present resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use (para. 4)	Cooperation in implementation of use of force (piracy)
	Encourages Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea, and decides to renew, for a further period of twelve months from the date of the present resolution, the authorizations as set out in paragraph 10 of <a href="#">resolution 1846 (2008)</a> and paragraph 6 of <a href="#">resolution 1851 (2008)</a> , as renewed by <a href="#">resolution 1897 (2009)</a> , granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General (para. 7)	Use of force (piracy)
<a href="#">Resolution 2002 (2011)</a> 29 July 2011	Urges all parties and all States, including Eritrea, other States in the region, and the Transitional Federal Government, as well as international, regional and subregional organizations, to ensure cooperation with the Monitoring Group, and ensure the safety of the members of the Monitoring Group and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate (para. 10)	Cooperation in implementation of sanctions
<a href="#">Resolution 2020 (2011)</a> 22 November 2011	Renews its call upon States and regional organizations that have the capacity to do so, to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use (para. 7)	Cooperation in implementation of use of force (piracy)
	Encourages Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, and decides to renew for a further period of twelve months from the date of the present resolution, the authorizations as set out in paragraph 10 of <a href="#">resolution 1846 (2008)</a> and paragraph 6 of <a href="#">resolution 1851 (2008)</a> , as renewed by paragraph 7 of <a href="#">resolution 1897 (2009)</a> and paragraph 7 of <a href="#">resolution 1950 (2010)</a> , granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the	Use of force (piracy)



<i>Decision and date</i>	<i>Provision</i>	<i>Category</i>
	Secretary-General (para. 9)	

## **B. Discussions concerning Council authorization of enforcement actions by regional arrangements**

During the period under review, the Council discussed the authorization of a new enforcement action by regional arrangements in connection with the situation in Libya, which is featured in case 5 below illustrating the reaction of the Council to the call by LAS to use force in protecting civilians and to impose a no-fly zone on Libya.

### **Case 5**

#### **The situation in Libya**

At the 6498<sup>th</sup> meeting, on 17 March 2011, in connection with the situation in Libya, the Security Council adopted [resolution 1973 \(2011\)](#), [with 10 votes in favour, none against and five abstentions (Brazil, China, Germany, India and the Russian Federation)]. By that resolution, taking note of the decision by the League of Arab States of 12 March 2011 to call for the imposition of a no-fly zone on Libyan military aviation, it authorized Member States that had notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya. The Council also authorized Member States that had notified the Secretary-General and the Secretary-General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all necessary measures to enforce compliance with the ban on flights as mandated in the same resolution.<sup>146</sup>

The representative of France, speaking before the vote, considered that the draft resolution<sup>147</sup> provided the Council with the means to protect the civilian population in

<sup>146</sup> [Resolution 1973 \(2011\)](#), twelfth preambular paragraph and paras. 4, 6 and 8.

<sup>147</sup> [S/2011/142](#).



Libya, first by establishing a no-fly zone and by authorizing the members of LAS and those Member States that so wished to take the measures necessary to implement its provisions, and therefore called on all Council members to support that initiative. He expressed the readiness of his country to act with Member States, in particular Arab States, that wished to do so.<sup>148</sup> In a similar vein, the representative of the United Kingdom welcomed the fact that the Council had acted swiftly and comprehensively in response to the “appalling” situation in Libya and to the appeal of LAS. He further emphasized that [resolution 1973 \(2011\)](#) had authorized Member States to take all necessary measures to protect civilians and civilian populated areas under threat of attack, while ruling out a foreign occupation force of any form on any part of Libyan territory. His country stood ready to implement the resolution, along with partners in the Arab world and in NATO.<sup>149</sup> Furthermore, the representative of Lebanon emphasized that the aim of [resolution 1973 \(2011\)](#) which would not result in the occupation of any parts of Libyan territory, was to protect Libyan civilians. In addition, he made it clear that his country would never advocate the use of force or support war in any part of the world, including the Libyan Arab Jamahiriya and hoped that the resolution would have a deterring effect, and would ensure that the Libyan authorities moved away from using violence against their own people and would avert the need for the use of force.<sup>150</sup> According to the representative of the United States, [resolution 1973 \(2011\)](#) was a powerful response to the 12 March 2011 call by the LAS and the urgent needs on the ground.<sup>151</sup> Similarly, the representative of Colombia stated that the Council had effectively responded to an express request made by a regional organization (namely LAS) which had not acted on its own, but had rather called for the Council to discharge the functions assigned to it by the Charter.<sup>152</sup>

On the other hand, the representative of Brazil was of the view that [resolution 1973 \(2011\)](#) contemplated measures that went beyond the call by LAS and he doubted that the use of force as provided for in the resolution would lead to the realization of the common objective, namely the immediate end to violence and the protection of

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<sup>148</sup> [S/PV.6498](#), p. 3.

<sup>149</sup> *Ibid.*, p. 4.

<sup>150</sup> *Ibid.*, pp. 3-4.

<sup>151</sup> *Ibid.*, p. 5.

<sup>152</sup> *Ibid.*, pp. 7-8.

civilians.<sup>153</sup> In addition, the representative of the Russian Federation stated that although his delegation had given its full attention to the request by LAS, a whole range of concrete and legitimate questions raised in the discussion on the draft resolution remained unanswered, such as how the no-fly zone was to be enforced, what the rules of engagement would be and what limits on the use of force existed. He also stated that the draft resolution had transcended beyond the initial concept LAS had stated, and provisions were introduced into the text that could potentially open the door to large-scale military intervention, while statements had been heard claiming an absence of any such intentions.<sup>154</sup> Echoing the statement by the representative of the Russian Federation, the representative of China held that China was always against the use of force in international relations.<sup>155</sup> The representative of India also deplored that far-reaching measures under Chapter VII of the Charter had been authorized with relatively little credible information on the ground. He lamented the lack of clarity about details of enforcement measures, including the participants, the assets to be used and the way that those measures were to be implemented.<sup>156</sup>

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<sup>153</sup> *Ibid.*, p. 6.

<sup>154</sup> *Ibid.*, p. 8.

<sup>155</sup> *Ibid.*, p. 10.

<sup>156</sup> *Ibid.*, p. 6.

## Section V

### **Reporting by regional arrangements on their activities in the maintenance of international peace and security**

#### **Note**

This section deals with the reporting by regional and subregional organizations on their activities in the maintenance of international peace and security, within the framework of Article 54 of the Charter.

The section is divided under two headings: A. Decisions and documents relating to reporting by regional arrangements; and B. Discussions relating to reporting by regional arrangements.

#### **A. Decisions and documents relating to reporting by regional arrangements**

From 2010 to 2011, the Council made no explicit reference to Article 54 in its decisions. However, on a number of occasions, it requested regional organizations to report on their activities in the maintenance of international peace and security.

In the context of regional peacekeeping operations authorized by the Council the International Security Assistance Force (ISAF) in Afghanistan was requested to keep the Council regularly informed on the implementation of its mandate including “through the timely provision of quarterly reports”.<sup>157</sup> In connection with the situation in Bosnia and Herzegovina, the Council requested Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization (NATO), to report to the Security Council on the activity of the European Union Force (EUFOR) and NATO Headquarters’ presence in Bosnia and Herzegovina, respectively, “through the appropriate channels and at least at

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<sup>157</sup> [Resolutions 1943 \(2010\)](#), para. 6; and [2011 \(2011\)](#), para. 7. For more information on ISAF including its communication with the Council, see section III, sub-section A with regard to decisions concerning regional peacekeeping operations.

three-month intervals”.<sup>158</sup> Furthermore, authorizing the use of force in the fight against piracy off the coast of Somalia, the Council requested regional organizations cooperating with the Transitional Federal Government to inform the Security Council and the Secretary-General in nine months’ time of the progress of actions undertaken in the exercise of the authorization.<sup>159</sup>

During the period under review, several communications issued as Council documents cited Article 54 explicitly, transmitting decisions of regional organizations to the Council.<sup>160</sup> In addition, in his report dated 28 June 2011 on the role of regional and subregional arrangements in implementing the responsibility to protect, the Secretary-General, citing Article 54 along with other provisions of Chapter VIII, stated that while they were not “always strictly observed in practice”, those provisions underlined the value of ongoing working relationships among global, regional and subregional organizations for prevention and protection purposes.<sup>161</sup>

## **B. Discussions relating to reporting by regional arrangements**

During the period under review, Article 54 was explicitly referred to in a few deliberations.<sup>162</sup> In addition, at the 6481<sup>st</sup> meeting on 4 May 2010, the Council held for the first time its meeting under the item entitled “Cooperation between the United Nations and regional and subregional organizations in maintaining international peace

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<sup>158</sup> [Resolutions 1948 \(2010\)](#), para. 18; and [2019 \(2011\)](#), para. 18. For more information on EUFOR and NATO Headquarters’ presence, including their communication with the Council, see section II, sub-section A with regard to decisions concerning regional peacekeeping operations.

<sup>159</sup> [Resolutions 1950 \(2010\)](#), para. 21; and [2020 \(2011\)](#), para. 28.

<sup>160</sup> See the following letters addressed to the President of the Council: letters dated 12 March, 19 April and 5 October 2010, 25 January, 9 March and 14 April 2011 from the representative of LAS transmitting its resolution 7165 of 3 March 2010, resolutions and statements adopted at its summit on 27-28 March 2010, resolution 7234 of 6 September 2010, resolutions adopted by the Arab Economic, Development and Social Summit on 19 January 2011 and resolutions 7310 and 7360 of 2 March and 12 March 2011 ([S/2010/144](#), p. 1; [S/2010/204](#), p. 1; [S/2010/516](#), p. 1; [S/2011/137](#), p. 1; [S/2011/215](#), p. 1; and [S/2011/122](#), p. 1, respectively); letters dated 19 March and 9 December 2010 and 2 June 2011 from the representative of the African Union, transmitting communiqués adopted by the Peace and Security Council of the African Union on 17 March and 9 December 2010 and the Declaration adopted by the Assembly of the African Union on 25 March 2011 ([S/2010/149](#), p. 1; and [S/2011/337](#), p.1, respectively).

<sup>161</sup> [S/2011/393](#), para. 5.

<sup>162</sup> In connection with cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, see [S/PV.6257](#), p. 29 (Japan); and [S/PV.6477](#), p. 15 (India). In connection with briefing by the Chairperson-in-Office of OSCE, see [S/PV.6481](#), p. 11 (India); and p. 12 (South Africa). In connection with implementation of the note by the President of the Security Council (S/2010/507), see [S/PV.6672 \(Resumption 1\)](#), p. 3 (Slovenia). See also cases 1 and 3 in section I.

and security,” solely with the European Union, hearing a briefing by its High Representative for Foreign Affairs and Security Policy on the cooperation between the United Nations and the European Union in the area of peace and security.<sup>163</sup> At the same meeting, the representative of Japan stated that Chapter VIII envisaged that the Council should be kept informed of the activities of regional organizations and, in that spirit, he welcomed the briefing by the High Representative.<sup>164</sup> During the reporting period, the Council also received briefings from the representatives of regional and subregional organizations involved in situations under Council consideration.<sup>165</sup>

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<sup>163</sup> [S/PV.6306](#), pp. 2-4.

<sup>164</sup> *Ibid.*, p. 10.

<sup>165</sup> While examples were too numerous to cite all, for example, in connection with reports of the Secretary-General on the Sudan, see the briefings by the Chairperson of the African Union High-Level Implementation Panel on the Sudan at the 6338<sup>th</sup>, 6425<sup>th</sup> and 6559<sup>th</sup> meetings ([S/PV.6338](#), pp. 2-4 [S/PV.6425](#), pp. 7-8; and [S/PV.6559](#), pp. 2-3). In connection with the situation in Libya, see the briefing by the Minister for Foreign Affairs and Cooperation of Mauritania, speaking on behalf of African Union Ad Hoc High-Level Committee on Libya ([S/PV.6555](#), pp. 2-5). In connection with the situation in Somalia, see the briefings by the Commissioner for the Peace and Security of the African Union at the 6259<sup>th</sup>, 6313<sup>th</sup> and 6407<sup>th</sup> meetings ([S/PV.6259](#), pp. 4-6; [S/PV.6313](#), pp. 6-8; [S/PV.6407](#), pp. 4-6).