THE REPERTOIRE OF THE PRACTICE OF THE SECURITY COUNCIL and its supplements are published by the United Nations Secretariat as a guide to the proceedings of the Security Council from its first meeting in 1946 onwards. The Repertoire is designed to assist government officials, practitioners of international law, academics and all those interested in the work of the United Nations to follow the evolving practice of the Council and gain a better understanding of the framework within which it operates. The publication presents, as comprehensively as possible, new trends in the Council’s application of the Charter of the United Nations and its own provisional rules of procedure. The Repertoire is the only such official record and is based solely on the deliberations of the Council, its decisions and other official documentation before the Council.

The current Supplement, sixteenth in the series of Supplements to the Repertoire, covers the years 2008 and 2009. As the Security Council continued to address various challenges with regard to international peace and security during the period, its application of the Charter further evolved. While it focused on conflict prevention and the role of regional organizations, particularly in Africa, it also addressed securing peace in post-conflict situations. The Council raised cross-cutting issues with increasing frequency, such as the issue of children and armed conflict, and revised a set of indicators for tracking implementation of its resolution 1325 on women and peace and security.
Note

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

ST/PSCA/1/Add.16

United Nations publication
Sales No. E.14.VII.1
Contents

Volume I
Introduction .................................................................................................................. viii
Members of the Security Council, 2008-2009. ................................................................. xi

Part I. Consideration of questions under the responsibility of the Security Council for
the maintenance of international peace and security
Introductory note ............................................................................................................. 4

Africa
1. The situation concerning Western Sahara ................................................................. 5
2. The situation in Liberia ............................................................................................... 6
3. The situation in Somalia ......................................................................................... 9
4. The situation concerning Rwanda ........................................................................... 22
5. The situation in Burundi ......................................................................................... 22
6. The situation in Sierra Leone .................................................................................. 26
7. The situation in the Great Lakes region ................................................................. 30
8. The situation concerning the Democratic Republic of the Congo ....................... 32
9. The situation in the Central African Republic ..................................................... 38
10. The situation between Eritrea and Ethiopia ......................................................... 42
11. The situation in Guinea-Bissau ............................................................................. 44
12. The situation in Côte d’Ivoire ............................................................................... 51
13. Reports of the Secretary-General on the Sudan ................................................. 57
14. The situation in Chad and the Sudan ..................................................................... 66
15. Peace consolidation in West Africa ....................................................................... 67
16. The situation in Chad, the Central African Republic and the subregion ............. 69
17. Peace and security in Africa .................................................................................. 75

Americas
18. The question concerning Haiti ............................................................................. 88
19. Letter dated 22 September 2009 from the Permanent Representative of Brazil to the
United Nations addressed to the President of the Security Council ......................... 92

Asia
20. The situation in Timor-Leste ............................................................................... 93
21. The situation in Afghanistan ............................................................................... 98
22. The situation in Myanmar ................................................. 106
23. Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council .......................................................... 108

Europe
24. The situation in Cyprus ...................................................... 112
25. Items relating to the situation in the former Yugoslavia ................................. 114
   A. The situation in Bosnia and Herzegovina .................................. 114
26. The situation in Georgia ...................................................... 130

Middle East
27. The situation in the Middle East ........................................... 136
28. The situation in the Middle East, including the Palestinian question ............. 142
29. The situation concerning Iraq ................................................ 160

Thematic issues
30. Items relating to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda ............................................. 169
31. Children and armed conflict ................................................ 175
32. Threats to international peace and security caused by terrorist acts ................ 187
33. Protection of civilians in armed conflict .................................. 191
34. Small arms ........................................................................ 213
35. Women and peace and security .............................................. 214
36. Items relating to non-proliferation .......................................... 232
   A. Non-proliferation of weapons of mass destruction ....................... 232
   B. Non-proliferation .................................................................. 233
   C. Non-proliferation/Democratic People’s Republic of Korea .............. 237
37. United Nations peacekeeping operations .................................. 239
38. Post-conflict peacebuilding .................................................. 242
39. Items relating to the maintenance of international peace and security ........... 247
   A. The maintenance of international peace and security: role of the Security Council in supporting security sector reform ......................... 247
   B. Maintenance of international peace and security ............................ 249
40. Security Council mission ...................................................... 253
41. Briefings ................................................................. 257
   A. Briefings by Chairmen of subsidiary bodies of the Security Council ........ 257
   B. Other briefings .................................................. 258

Part II. Provisional rules of procedure and related procedural developments

   Introductory note ..................................................... 264
   I. Meetings and records ............................................ 266
   II. Agenda ............................................................. 283
   III. Representation and credentials ................................ 297
   IV. Presidency .......................................................... 298
   V. Secretariat ........................................................... 299
   VI. Conduct of business ............................................. 301
   VII. Participation ...................................................... 303
   VIII. Decision-making and voting .................................. 311
   IX. Languages ........................................................ 325
   X. Provisional status of the rules of procedure .................. 326

Part III. Purposes and principles of the Charter of the United Nations

   Introductory note ..................................................... 331
   I. The principle of equal rights and self-determination of peoples under Article 1, paragraph 2 ... 332
   II. Prohibition of the threat or use of force under Article 2, paragraph 4 .................. 336
   III. Obligation to refrain from assisting the target of enforcement action under Article 2, paragraph 5 ................................................................. 347
   IV. Non-intervention in the internal affairs of States by the United Nations under Article 2, paragraph 7 ................................................................. 348

Part IV. Relations with other United Nations organs

   Introductory note ..................................................... 354
   I. Relations with the General Assembly .......................... 355
   II. Relations with the Economic and Social Council: practice in relation to Article 65 of the Charter ................................................................. 371
   III. Relations with the International Court of Justice .......... 377

Part V. Functions and powers of the Security Council

   Introductory note ..................................................... 385
   I. Article 24 ........................................................ 386
   II. Article 25 ........................................................ 392
   III. Article 26 ........................................................ 393
Part VI. Consideration of the provisions of Chapter VI of the Charter

Introductory note ............................................................ 397
I. Referral of disputes or situations to the Security Council .................. 400
II. Investigation of disputes and fact-finding .................................. 406
III. Decisions of the Security Council concerning the pacific settlement of disputes .......... 414
IV. Constitutional discussion bearing on the interpretation or application of the provisions of Chapter VI of the Charter ......................... 427

Index ............................................................................ 1

Volume II

Introduction ........................................................................ viii
Members of the Security Council, 2008-2009 ................................ xi

Part VII. Actions with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter)

Introductory note ............................................................ 444
I. Determination of a threat to the peace, breach of the peace or act of aggression in accordance with Article 39 of the Charter .................. 446
II. Provisional measures to prevent the aggravation of a situation in accordance with Article 40 of the Charter ................................................. 457
III. Measures not involving the use of armed force in accordance with Article 41 of the Charter .............................................................. 459
IV. Measures to maintain or restore international peace and security in accordance with Article 42 of the Charter ........................................ 547
V. Provision of armed forces in accordance with Articles 43 to 45 of the Charter . . 557
VI. Role and composition of the Military Staff Committee in accordance with Articles 46 and 47 of the Charter ................................................ 568
VII. Obligations of Member States under Article 48 of the Charter ........... 570
VIII. Obligations of Member States under Article 49 of the Charter ............. 576
IX. Special economic problems of the nature described in Article 50 of the Charter . . 582
X. Right of self-defence in accordance with Article 51 of the Charter ........... 583

Part VIII. Regional arrangements

Introductory note ............................................................ 589
I. General consideration of the provisions of Chapter VIII of the Charter .......... 591
II. Encouragement of or calls by the Security Council for action by regional arrangements in the pacific settlement of disputes .................................. 607
III. Regional peacekeeping operations ........................................... 620
IV. Authorization by the Security Council of enforcement action by regional arrangements .... 650
V. Reporting by regional arrangements on their activities in the maintenance of international peace and security ................................................................. 657

Part IX. Subsidiary organs of the Security Council: committees, tribunals and other bodies

  Introductory note .................................................. 664
  I. Committees .................................................... 665
  II. Working groups .............................................. 728
  III. Investigative bodies .......................................... 731
  IV. Tribunals ..................................................... 734
  V. Ad hoc commissions ............................................ 740
  VI. Special advisers, envoys and representatives .............. 740
  VII. Peacebuilding Commission .................................. 743
  VIII. Subsidiary organs of the Security Council proposed but not established .............. 748

Annex

Documents relating to committees, tribunals and other bodies .................................................. 750

Part X. Subsidiary organs of the Security Council: peacekeeping operations and political and peacebuilding missions

  Introductory note .................................................. 774
  I. Peacekeeping operations ....................................... 776
  II. Political and peacebuilding missions ......................... 861

Annex

Documents relating to peacekeeping operations and political and peacebuilding missions ... 912

Index .................................................................................. I
Introduction

The present publication constitutes the sixteenth supplement to the Repertoire of the Practice of the Security Council, 1946-1951, which was issued in 1954. It covers the proceedings of the Security Council from the 5817th meeting, on 9 January 2008, to the 6254th meeting, on 23 December 2009. The original Repertoire and previous supplements may be consulted at www.un.org/en/sc/repertoire.

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

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

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

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

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

Chapter I  Provisional rules of procedure of the Security Council (Articles 28, 30, 98; rules 1-5, 13-36, 40-67 of the rules of procedure)
Chapter II  Agenda (rules 6-12 of the rules of procedure)
Chapter III  Participation in the proceedings of the Security Council (Articles 31, 32, 35 (1); rules 37-39 of the rules of procedure)
Chapter IV  Voting (Article 27; rule 40 of the rules of procedure)
Chapter V  Subsidiary organs of the Security Council
Chapter VI  Relations with other United Nations organs
Chapter VII  Practice relative to recommendations to the General Assembly regarding membership in the United Nations

Chapter VIII  Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (overview by agenda item)

Chapter IX  Decisions taken by the Security Council in the exercise of its other functions and powers

Chapter X  Consideration of the provisions of Chapter VI of the Charter

Chapter XI  Consideration of the provisions of Chapter VII of the Charter

Chapter XII  Consideration of the provisions of other Articles (Articles 1 (2), 2 (4), 2 (5), 2 (6), 2 (7), 24, 25, 52-54, 102, 103)

From 2008 onwards, the 10 parts of the Repertoire cover the following topics:

Part I  Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security (by agenda item)

Part II  Provisional rules of procedure

Part III  Purposes and principles of the Charter of the United Nations (Chapter I of the Charter)

Part IV  Relations with other United Nations organs

Part V  Functions and powers of the Security Council (Chapter V of the Charter)

Part VI  Consideration of the provisions of Chapter VI of the Charter

Part VII  Action with respect to threats to the peace, breaches of the peace, and acts of aggression (Chapter VII of the Charter)

Part VIII  Regional arrangements (Chapter VIII of the Charter)

Part IX  Subsidiary organs of the Security Council: committees, tribunals and other bodies

Part X  Subsidiary organs of the Security Council: peacekeeping operations and peacebuilding missions

The Repertoire is based on published documents of the Security Council. Symbols of United Nations documents are composed of letters combined with figures. Security Council documents are indicated by a symbol such as S/2008/662. References to the verbatim records of meetings of the Council are given in the form S/PV.6200, meetings being numbered consecutively, starting with the first meeting in 1946. As in previous recent supplements, reference is made in this Supplement only to the provisional verbatim records of Security Council meetings, as the practice of publishing the meeting records in the Official Records has been discontinued.
The resolutions and other decisions adopted by the Security Council, including statements and notes issued by the President of the Council and relevant exchanges of letters between the President and the Secretary-General, are published in the yearly volumes of *Resolutions and Decisions of the Security Council*. Resolutions are identified by a number followed by the year of adoption in parentheses, for example, resolution 1795 (2008). References to the statements by the President on behalf of the Council are given in the form S/PRST/2008/48, for example.

Members of the Security Council, 2008-2009

<table>
<thead>
<tr>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Austria</td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>Burkina Faso</td>
</tr>
<tr>
<td>China</td>
<td>China</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>Costa Rica</td>
</tr>
<tr>
<td>Croatia</td>
<td>Croatia</td>
</tr>
<tr>
<td>France</td>
<td>France</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Japan</td>
</tr>
<tr>
<td>Italy</td>
<td>Libyan Arab Jamahiriya</td>
</tr>
<tr>
<td>Libyan Arab Jamahiriya</td>
<td>Mexico</td>
</tr>
<tr>
<td>Panama</td>
<td>Russian Federation</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>Turkey</td>
</tr>
<tr>
<td>South Africa</td>
<td>Uganda</td>
</tr>
<tr>
<td>United Kingdom of Great Britain and Northern Ireland</td>
<td>United Kingdom of Great Britain and Northern Ireland</td>
</tr>
<tr>
<td>United States of America</td>
<td>United States of America</td>
</tr>
<tr>
<td>Viet Nam</td>
<td>Viet Nam</td>
</tr>
</tbody>
</table>