



Repertoire of the Practice of the Security Council

18th Supplement

2012-2013

Department of Political Affairs - Security Council Affairs Division
Security Council Practices and Charter Research Branch

39. Maintenance of international peace and security

Overview

During the period under review, the Council held three meetings and issued two presidential statements under the agenda item entitled “Maintenance of international peace and security”. Sub-agenda items discussed in this period included: (i) nuclear non-proliferation, disarmament and security, (ii) piracy, and (iii) conflict prevention and natural resources.

The table at the end of the section lists the meetings at which this item was considered, and gives information on, inter alia, invitees, speakers and decisions adopted.

Nuclear non-proliferation, disarmament and security

On 19 April 2012, at the initiative of the United States, the Council held a debate on nuclear non-proliferation, disarmament and security under the item of maintenance of international peace and security. According to the concept note,¹ the purpose of the meeting was to take stock of and to renew the Council’s attention and determination to address the issues of non-proliferation, disarmament and security. The concept note also

¹ [S/2012/194](#).

made reference to the opportunity for the Council to reaffirm its support for the work of the International Atomic Energy Agency (IAEA) and its commitment to the 1540 Committee.²

The Secretary-General recalled that in spite of the progress achieved, much work remained to be done given the existence of tens of thousands of nuclear weapons threatening humankind. He noted that the Comprehensive Nuclear-Test-Ban Treaty had not yet entered into force sixteen years after its adoption by the General Assembly and that the Conference on Disarmament remained deadlocked. He affirmed that the current stalemate was unacceptable. He also urged the Democratic Republic of Korea to immediately comply fully with its obligations under the relevant resolutions and emphasized that, with regard to the Islamic Republic of Iran, the only acceptable outcome was a peaceful settlement that would restore international confidence in the exclusively peaceful nature of Iran's nuclear programme in conformity with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).³

During the debate, most speakers highlighted the threat posed by the availability of nuclear weapons to terrorist groups and non-state actors and reaffirmed the importance of a multilateral approach to nuclear security. In this regard, a number of speakers emphasised the central roles of the IAEA and the NPT in pursuing global disarmament, non-proliferation and the peaceful use of nuclear energy. Many speakers expressed concern about the lack of progress at the Conference on Disarmament and called for the negotiation of a fissile material cut-off treaty.⁴ Several speakers emphasised the need for Member States to ratify the Comprehensive Nuclear-Test-Ban Treaty in order to achieve a prompt entry into force.⁵ Many speakers advocated in favour of global nuclear

² For further information, see part IX, Section I. B. (b) 2, with regard to Security Council committees established under Chapter VII of the Charter.

³ [S/PV.6753](#), pp. 2-3.

⁴ *Ibid.*, p. 4 (Colombia), p. 6 (India), p. 8 (Morocco), p. 9 (Portugal), p. 11 (Germany), p. 14 (Togo), p. 16 (France), p. 21 (United Kingdom), and p. 23 (United States).

⁵ *Ibid.*, p. 4 (Colombia); p. 9 (Portugal); p. 11 (Germany); p. 17 (Guatemala); and p. 23 (United States).

disarmament and called for the promotion of nuclear-weapon-free-zones.⁶ Most speakers emphasized the need for a coordinated approach and highlighted the specific role of the United Nations in nuclear non-proliferation, disarmament and security.

At the end of the meeting, the Council adopted a presidential statement, expressing grave concern with regard to the threat of terrorism and the risk of weapons of mass destruction becoming available. The Council made reference in particular to resolution [1540 \(2004\)](#) in connection with the obligation of Member States to take measures to prevent non-state actors from acquiring weapons of mass destruction. The Council affirmed the essential role of the IAEA and called upon States Parties to the Convention on the Physical Protection of Nuclear Material to ratify the Amendment to the Convention as soon as possible and encouraged all States that have not yet done so to adhere to the Convention and adopts its amendment as soon as possible. The Council also called on Member States to become a party to the International Convention for the Suppression of Acts of Nuclear Terrorism and to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials.⁷

Piracy

On 19 November 2012, at the initiative of India, the Council held an open debate on piracy under the item of maintenance of international peace and security. According to the concept note,⁸ the purpose of the open debate was to take account of the efforts that the Council had made so far in countering piracy in a holistic manner, with a special focus on the issue of seafarers being held hostage by the pirates, including their welfare, both while in captivity and after their release.

⁶ Ibid., pp. 3-4 (Colombia); p. 5 (Azerbaijan); p. 6 (India); p. 8 (Morocco), p. 9 (Portugal); p.10 (China); p. 12 (Germany); p. 15 (France); and p. 17 (Guatemala).

⁷ [S/PRST/2012/14](#).

⁸ [S/2012/814](#).

The Deputy Secretary-General opened the debate emphasizing the global nature of the problem of piracy as well as its global implications. He warned that while the Secretary-General's report noted a sharp decline in pirate attacks in waters off the coast of Somalia in 2012 compared to 2011,⁹ these gains could be easily reversed if the causes of piracy were not addressed. He emphasized the need for a comprehensive maritime security and economic strategy for Somalia with a proper legal framework, including the proclamation of an exclusive economic zone in accordance with the United Nations Convention on the Law of the Sea. He also mentioned the need to strengthen the prosecutorial capacity against individuals suspected of piracy and the need to encourage the shipping industry to protect itself. Amongst the immediate challenges ahead, he underlined the better coordination and information sharing among countries and agencies involved in counter-piracy operations, the strengthening of prosecutorial capacities, and the establishment of a legal framework for the use of privately contracted armed security personnel on board vessels.¹⁰

During the open debate, most speakers welcomed the recent positive trend in the decrease of piracy incidents. However, many speakers warned that the situation could be reversed if the attention to the problem was diverted. Speakers endorsed the concept note's emphasis on the need for a holistic and comprehensive approach to the maritime safety that also tackled the root causes of piracy. Several speakers emphasized the primary responsibility of coastal states in combating piracy with the support of the international community.¹¹ The representative of Togo noted that despite the individual or bilateral efforts to fight piracy by the countries affected, these did not have the capacity to effectively prevent or diminish the threat on their own.¹² Some speakers raised concerns about the Security Council's intervention in the area of piracy and

⁹ [S/2012/783](#)

¹⁰ [S/PV.6865](#), pp. 2-3.

¹¹ *Ibid.*, p. 7 (Germany), p. 11 (Portugal), p. 15 (Colombia), p. 17 (Azerbaijan), and p. 18 (Morocco).

¹² *Ibid.*, p. 10.

emphasized its limited role as provided for in Article 39 of the Charter.¹³ Other speakers, furthermore, mentioned the importance of targeting the crime leaders and the need to strengthen regional and international cooperation in this regard. Finally, speakers expressed the need to strengthen different legal frameworks; namely, the United Nations Convention on the Law of the Sea, the regulation on the use of armed security personnel on board vessels, and the national legislation of coastal states in relation to piracy.

During the meeting, the Council adopted a presidential statement, stressing the need for a comprehensive response by the international community to repressing piracy and tackling the underlying causes. The Council further reiterated its call upon States to criminalize piracy under their domestic law. The Council urged States and international organizations to share evidence, information and intelligence, as appropriate. The Security Council also encouraged Member States to continue to cooperate with each other in the fight against piracy and armed robbery at sea off the coast of Somalia, underlining the primary responsibility of Somali authorities and requesting the Somali authorities to pass a complete set of counter-piracy laws. With regard to the Gulf of Guinea, the Council welcomed the initiatives taken by States and regional organizations to enhance maritime safety and security in that region.¹⁴

Conflict prevention and natural resources

On 19 June 2013, at the initiative of the United Kingdom, the Council held an open debate on conflict prevention and natural resources. The concept note stated that in light of the engagement of the Security Council in countries in which extractive industries played a major role in the economy, it was essential that the Council considered the link between conflict and natural resources, and reflect on how national Governments could access the support they needed to manage their extractive industries

¹³ [S/PV.6865](#), p. 12 (South Africa) and [S/PV.6865 \(Resumption 1\)](#), p. 6 (Argentina).

¹⁴ [S/PRST/2012/24](#).

effectively and transparently and to mitigate any potential risks of conflict.¹⁵ The concept note mentioned specifically the need for the Council to consider the instruments at its disposal for engaging with these issues, and their comparative advantages with the aim of ensuring a well-coordinated approach on the ground by the United Nations.

The Deputy Secretary-General opened the debate.¹⁶ He cautioned that unequally distributed resources were precursors of conflict, but also emphasised that, managed wisely, extractive resources could and should be the foundation for sustainable development and lasting peace. The Deputy Secretary-General underlined that the primary responsibility for preventing conflict and transparently and equitably managing resources lied with Governments. This notwithstanding, he noted that the private sector was a key player in equitable, transparent and sustainable exploitation of extractive resources and where conflict raged or was a distinct risk, the Security Council had its obligations and a crucial role to play.¹⁷ The Deputy Secretary-General echoed the report of the Secretary-General’s High Level Panel of Eminent Persons on the Post-2015 Development Agenda in connection with the need for “a transparency revolution” in the extractive industries and called for support for this process of transparency and sharing so that people in the developing nations could benefit from their own natural resources.¹⁸

Following the Deputy Secretary-General, the Chair of the Africa Progress Panel noted that natural resources were neither a curse nor a blessing but simply a source of opportunity. He added that natural resources had become a powerful magnet for foreign investment in Africa; the challenge facing Africa’s Governments though was to convert the temporary windfall into a permanent breakthrough in human development. While he recalled that natural resources did not cause war, he emphasized that competition for natural resources could often amplify and accelerate conflict, tearing apart the weak

¹⁵ [S/2013/334](#).

¹⁶ [S/PV.6982](#), pp. 2-4.

¹⁷ *Ibid.*, p. 3.

¹⁸ *Ibid.*, p. 4.

fabric of fragile States. He suggested therefore, that the discussion needed to focus on how natural resources could contribute to higher human development outcomes and reduce inequality. He underlined that the responsibility lied primarily with African Governments, but also acknowledged that they could not resolve all governance challenges on their own and that the international community had also to shoulder its responsibility. In this connection, he noted that the Council could play an important role in ending the plunder of minerals and other natural resources that perpetuated violent conflict and emphasised the need for a much more ambitious and comprehensive framework for transparency, fair tax practices and asset pricing so that the conditions that contributed to conflict over natural resources could be eliminated.¹⁹

The Managing Director of the World Bank recalled the 2011 World Development Report on conflict, security and development, which had said that “slow-developing low-income economies largely dependent on natural resources are 10 times more likely than others to experience civil war”. She added, however, that managed well, natural resources had the potential to transform countries and get them out of the cycle of violence and fragility and aid dependency. She emphasized the importance of a fair level playing field to negotiate contracts and regulate industries so that countries were not at a disadvantage in negotiating with international companies. She asserted that transparency enabled a level playing field, which was good for private sector-led growth and to hold Governments accountable.²⁰

The Associate Administrator of the United Nations Development Programme indicated that over half of all countries with Security Council-mandated missions were resource-dependent, which left no doubt of the importance of the extractive sector as an

¹⁹ Ibid., pp. 4-5.

²⁰ Ibid., pp. 6-7.

international peace and stability issue that demanded a development response at the national and international levels.²¹

During the open debate, speakers agreed on the need for transparency and accountability in the use of natural resources. They also recalled the important role of good governance and institution building and emphasized the need to strengthen cooperation with other organizations, both regional and specialized, as a means of achieving such goals. A majority of speakers called for utilizing the existing sanctions regimes as a means of preventing, or at least, limiting the abuse of natural resources to fund conflict.

The debate was divided between speakers who believed that competition for natural resources could be a cause of armed conflict and supported an active role of the Council in dealing with issues of conflict and natural resources²² and those who emphasized that there was no causal link between natural resources and conflict.²³ Among the latter, most speakers emphasized the importance of avoiding “the securitization of the development agenda”²⁴ and having the Council engaged in matters that were beyond its powers in relation to the maintenance of international peace and security.²⁵

²¹ Ibid., pp. 7-9.

²² Ibid., p. 11 (Luxembourg), p. 12 (Pakistan), p. 13 (France), p. 18 (Morocco); p. 22 (Azerbaijan), p. 23 (Rwanda); p. 26 (Denmark); p. 28 (Brazil); p. 29 (Germany); p. 30 (Uganda); p. 32 (Switzerland); [S/PV.6982 \(Resumption 1\)](#), p. 2 (New Zealand); p. 4 (Turkey); p. 5 (Botswana); p. 9 (Nigeria); and p. 11 (Malaysia).

²³ [S/PV.6982](#), p. 15 (China), p. 20 (Argentina); [S/PV.6982 \(Resumption 1\)](#), p. 10 (Qatar); p. 14 (Gabon); p. 16 (Sudan); and p. 17 (Ecuador).

²⁴ [S/PV.6982](#), p. 21 (Argentina).

²⁵ Ibid., p. 19 (Guatemala); p. 20 (Argentina); [S/PV.6982 \(Resumption 1\)](#), p. 7 (Bolivia); p. 10 (Qatar); p. 15 (India); and p. 17 (Ecuador).

Meetings: Maintenance of international peace and security (all items)

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decisions and vote (for-against-abstaining)</i>
S/PV.6753 19 April 2012	Nuclear non-proliferation, disarmament and security	Letter dated 9 April 2012 from the Permanent Representative of the United States (S/2012/207)			Secretary-General, all Council members	S/PRST/2012/14
S/PV.6865 and S/PV.6865 (Resumption 1) 19 November 2012	Piracy	Report of the Secretary-General pursuant to resolution 2020 (2011) (S/2012/783)	29 Member States ^a	Deputy Head of the Delegation of the European Union to the United Nations	Deputy Secretary-General, all Council members, 28 Member States ^b and all other invitees	S/PRST/2012/24
S/PV.6982 and S/PV.6982 (Resumption 1) 19 June 2013	Conflict prevention and natural resources	Letter dated 6 June 2013 from the Permanent Representative of the United Kingdom (S/2013/334)	30 Member States ^c	Chair of the Africa Progress Panel, Managing Director of the World Bank, Associate Administrator of the United Nations Development Programme, Deputy Head of the Delegation of the European Union to the United Nations	Deputy Secretary-General, all Council members, 27 Member States ^d and all other invitees	

^a Argentina, Australia, Bangladesh, Brazil, Denmark, Egypt, Estonia, Indonesia, the Islamic Republic of Iran, Israel, Italy, Japan, Lithuania, Luxembourg, Malaysia, New Zealand, Nigeria, Norway, Panama, the Republic of Korea, Saudi Arabia, Seychelles, Singapore, Somalia, Thailand, Ukraine, the United Arab Emirates, the United Republic of Tanzania and Viet Nam.

^b Argentina, Australia, Bangladesh, Brazil, Denmark, Egypt, Estonia, Indonesia, the Islamic Republic of Iran, Israel, Italy, Japan, Lithuania, Luxembourg, Malaysia, New Zealand, Nigeria, Norway, Panama, the Republic of Korea, Saudi Arabia, Singapore, Somalia, Thailand, Ukraine, the United Arab Emirates, the United Republic of Tanzania and Viet Nam.

^c Armenia, Belgium, Bolivia, Botswana, Brazil, Canada, Chile, Cyprus, Denmark (Minister for Development Cooperation), Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Germany, India, Japan, Malaysia, the Netherlands, New Zealand, Nigeria, Papua New Guinea, Qatar, South Africa, the Sudan, Switzerland, Timor-Leste, Turkey, Uganda, the Bolivarian Republic of Venezuela.

^d Armenia, Belgium, Bolivia, Botswana, Brazil, Canada, Denmark (Minister for Development Cooperation), Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Germany, India, Japan, Malaysia, the Netherlands, New Zealand, Nigeria, Papua New Guinea, Qatar, South Africa, the Sudan, Switzerland, Timor-Leste, Turkey, Uganda.